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No. 97

## House of Representatives

The House was not in session today. Its next meeting will be held on Monday, July 7, 2003, at 2 pm.

## Senate

FRIDAY, JUNE 27, 2003

The Senate met at 10:15 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, the Reverend Daniel P. Coughlin, Chaplain of the United States House of Representatives.

### PRAYER

The guest Chaplain offered the following prayer:

Before the Congress of the United States leaves to celebrate Independence Day, we pause to pray to You, Lord God, for the repose of the soul of Senator Strom Thurmond. Lord, reward this most senior statesman for his many years of pledged service to this country.

As the Source of life and justice that will last forever, You have inspired the Founders of this Nation, individuals such as Senator Thurmond and citizens across this land, to continually seek what is right: to pursue lasting values for themselves and for all their brothers and sisters; and to pray always that they may grow in virtue and so strengthen this democracy.

Our national celebration this year is an occasion for us to thank and praise You for this form of government, for its leaders and for the natural and human resources with which You continue to endow this great Nation.

May we also take this moment to pray for the new Chaplain of the U.S. Senate, Chaplain Barry Black. Guide him by Your holy inspiration to ably respond to the needs of the Senators and this community. Gift him with the spirit of wisdom and prayer. And may

he always find joy in serving You by serving in this august chamber. You, Lord God are America's boast now and forever! Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore 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.

The PRESIDENT pro tempore. In my capacity as Senator from Alaska, I note there is no quorum. I suggest the absence of a quorum.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent the order for the quorum call be rescinded.

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

### RESERVATION OF LEADER TIME

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

### MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, the Senate will begin a period of morning business with Senators permitted to speak therein for up to 10 minutes.

### IN REMEMBRANCE OF STROM THURMOND

Mr. SESSIONS. Mr. President, I wish to take a few minutes at this time to express my sympathy to the family of Senator Strom Thurmond, one of America's most dynamic leaders in this past century, a man who lived through extraordinary change in his life, a man whose commitment to his country was unwavering.

I had the opportunity in 1997 to travel with him to China. He was 94, I believe, at that time. His vigor and his strength were extraordinarily impressive to me and all of us who traveled with him. He wanted to see The Wall. He wanted to meet the people of China. He would tell them: America and China are friends. We want to be better friends. He made very perceptive and appropriate remarks.

Then we met Jiang Zemin at his resort in the month of their vacation time and Strom made an extraordinary speech that reflected so well America and had so comprehensive an understanding of the relationships of our countries. That just struck me particularly.

We went out to a Chinese army base. He trooped the line of a group of Chinese troops. I remember saying to him afterwards that I never thought I would be in Communist China, seeing Strom Thurmond, the great cold warrior, troop the line of a group of Chinese troops. But he was extraordinary in that way.

I had come up to this Senate in the mid-1980s as a nominee and it wasn't a very pleasant experience. I will never forget and will always appreciate his

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



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courtesy and support for me at that time and enjoyed responding a little bit to that when I was able to come back to this Senate and he was leader on the Senate Judiciary Committee, chairman of the Armed Services Committee. It was just a pleasure to work with him.

He lived through a complete change in the South. He reflected the change that went on in our region of the country. I think he did it in a positive and especially important way. His leadership in moving from the days of segregation to a new era of relations between the races was very important and positive throughout the South.

He served his country in an almost unprecedented way. He was 40 years old when World War II began. He was an elected judge in his home State and he was an army reservist. He insisted that he be allowed to be on active duty and they allowed him to do so. I understand at first it wasn't going to happen.

He ended up in England when they were planning for the Normandy invasion. A number of people were called upon to fly gliders in during that invasion at the time. He volunteered to fly on a glider, one of the most dangerous missions there could be. The planes would pull up these gliders and get them going and just let them go and they would have to find a place to land down behind enemy lines—extraordinarily high risk. Many were killed on landing. Many were killed in combat, many were separated, many were injured. That is the kind of man Strom Thurmond was.

I asked him one time: Strom, did you stay in until Germany surrendered?

He said: Oh, yes, we stayed until Germany surrendered and we were on a train coming back when they declared the war on Japan was over. We were being sent to the East.

He was prepared to go there. As long as this country was in combat he wanted to be there, committing his life, his every effort to the defense of this Republic. He did so in the Senate and he did so in uniform and as a leader in South Carolina.

He was beloved in his State, respected to an awesome degree. He won his Senate race on a write-in vote with a substantial majority, the only Member, I believe, in the history of this Senate ever to be elected on a write-in vote. That shows the power and the energy and the vigor and the leadership of this man. I have appreciated his friendship.

I know his family is hurting at this time and my sympathies are extended to them. I know the great members of his staff, Duke Short and the whole team that worked with him for so many years, are hurting today and our sympathies go out to them as well as to the family.

Mr. President, I know you served with Senator Thurmond so many years. The two of you together have conducted a remarkable effort to maintain our military strength and leader-

ship in the world. He was certainly committed to that.

There are many other things I could say. I will not at this time. I just express my sympathy to his family, his friends, the people of South Carolina, and those around this great country who will mourn his passing.

I thank the President and yield the floor.

The PRESIDENT pro tempore. May the Chair request the Senator to occupy the Chair so this Senator may speak about Senator Thurmond?

Mr. SESSIONS. I will be honored to. Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER (Mr. SESSIONS). The Senator from Alaska.

Mr. STEVENS. Mr. President, next Tuesday it will be my honor to be part of the funeral delegation to South Carolina to attend the funeral of our departed President pro tempore. When I first came to the Senate, I was in the Gallery up there watching the debate on the Alaska statehood bill. A filibuster was being led against that bill by the Senator from South Carolina. As a matter of fact, he held up the bill for a considerable period of time.

Because of his opposition, we developed a strategy of trying to get the bill passed by the Senate without amendment—passed by the Senate as it had come to us from the House, without amendment. It was, I think, the only statehood bill in history that ever passed both Houses in identical form without amendment by the Senate. We did that because we knew if the bill went to conference and came back, Strom Thurmond would have another shot at the bill and another filibuster.

I remember that today because I remember how, when I did finally arrive here in 1968 as a Member of the Senate, Strom came up to me and said: I remember you, boy.

And he remembered I had been part of the group from the Eisenhower delegation that worked on our bill. We formed a friendship that day that I never expected to have.

Strom was, as I have said, a distinguished member of the U.S. armed services. He was the oldest officer to land in Normandy. As we all know, he landed in a glider. The pilot was killed. I talked about that with Strom because I had been trained to fly gliders. Even though I was a pilot, some of us were trained to fly gliders in case they needed glider pilots and I had anticipated I might have gone to Normandy. Instead, I was sent to China. When I returned and was a Member of the Senate here, we often discussed our wartime service. Of course, he was considerably older than I was and his experience was entirely different. But over the years I grew, really, to have great fondness for Senator Thurmond, despite our original, really, antagonism. Believe me, as an advocate for statehood for my State, anyone who was going to filibuster that bill was not exactly a friend at that time. But as we grew together and grew older together here in

the Senate, Strom became a person who did give me a lot of guidance. At one time he was chairman of the Armed Services Committee and I was chairman of the Defense Subcommittee for Appropriations, and we did a lot of work together.

But my memory of Strom really goes back to the time after 1981 when we had a dinner for the new President pro tempore as we had taken the majority in the Senate. Strom became President pro tempore. I was the assistant leader. Senator Baker was the leader. We had a dinner at one of the local hotels. Senator Baker and his wife Joy and I and my wife Catherine were at the head table. When it became Strom's time to thank the people there for honoring him, he started talking with the people at the head table, and he came to me. I had just been remarried. Catherine and I were married in December of 1980. Just before that dinner, she had informed me we were going to have a child.

Strom stood up and was introducing people. He came to me and made some kind remarks about me. And he turned and said: Here is his lovely lady who has now joined our family. She is a beautiful woman, and isn't it nice that she is with child?

I thought Catherine was going to break my arm and bust my head. I grabbed Strom and asked him to come over and tell Catherine I had not told him that. She did listen to him for a moment or two. And he smiled, and said: Child, he never told me. He never told me anything about that. He said: I just looked at you. I can tell when a woman is in flower.

Mr. President, being from Alabama, you can understand the way he pronounced that.

It is something I will never forget.

When our child came, he became Uncle Strom to Lily Stevens. Every day he sat here in that chair, he would ask me about Lily. Lily, as a matter of fact, last evening had a tear in her voice as she called to tell me she had heard about Strom.

Strom was really a member of this Senate family. He got to know every one of us in a way that I think no one else did because no one else was near 100 years old. He was like a 1,000-pound gorilla around here; he did what he wanted to do, but he did it in a way which really reflected his southern heritage. He was a southern gentleman to the core.

I have to tell the Senate that there are many things Senator Strom Thurmond did in his life with which I didn't agree. There were many votes he cast here on the floor that I opposed. But I can't think of a person who more epitomized being a Senator and what it meant to be a Senator. He lived up to his principles, and he lived up to the idea of what this democracy is about. He was, I believe, one of the finest Senators who will ever serve in this body.

I am honored, following him as President pro tempore, to go back and participate in the services and to once

again remind his people who sent him to the Senate that he was a person who became a very distinguished Senator whom history will always admire.

Thank you very much.

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

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

Mr. WARNER. Mr. President, I am deeply moved this morning, as are Senators all over America today—not only those who are present in the Senate, but so many who have gone on from the Senate to other careers—about the loss of our distinguished colleague Senator Thurmond. I think it is coincidental, and indeed most fitting, that the Presiding Officer in the Chamber this morning is the son of the distinguished Senator from Rhode Island, Senator John Chafee.

I first met Senator Thurmond when I joined then the Secretary of the Navy, John Chafee, as his principal deputy and in later years to succeed him. Really, our first call was to come to the Senate to meet with Richard Russell, John Stennis, Strom Thurmond, John Tower, and Barry Goldwater. I remember our calls as the brand-new team of the Secretary of the Navy during the height of the war in Vietnam—at least one of the periods of great intensity—was in 1969. Senator Thurmond greeted us in his office in the same way that he greeted me throughout my 25 years in the Senate. Each of those years—except since his retirement in January that I shared with him, as did John Chafee and others—it was a learning experience every day you were with him.

I stop to think of the men and women of the Armed Forces today all across the world, engaged in fighting in Afghanistan and Iraq, and guarding the outposts of freedom. They have not lost Strom Thurmond because they have the wealth of the memories of him. I don't know of any class of individual—perhaps other than his immediate family—for whom Senator Thurmond had a deeper or more abiding love and devotion than those in uniform.

This record last night covered briefly his distinguished military career, and I don't doubt others will address that. But we always remember that he was a judge in the State of South Carolina. By virtue of his age at that time—I think right on the brink of 40, give or take a year—he would not have been subjected to the draft. He would not, by virtue of his judicial position, have had to leave that position and go into the Armed Forces—other than by his own free will. He resigned his judicial post to go into the ranks of the U.S. Army, where he served with great dis-

tingtion, going in on D-Day with the airborne assault divisions, landing, helping those who were wounded—that was his first call—and then marshaling the forces to mount the offensive against the German army, and going through those matters until victory in May of 1945.

When we walked into his office, two things always struck me. One was the portrait that was obviously painted in the period when he was Governor—straight, tall, and erect, eyes that were penetrating, eyes that reflected a tremendous inner confidence and conviction, but eyes that had a soft side, because he did have a soft side. He loved humor. He was very often the object of a lot of humor, including respectfully from this humble Senator. But what a tower of strength. I served with him these many years on the committee as really an aide-de-camp—yes, a fellow Senator, but I was happy to be “general” Strom Thurmond's aide-de-camp on many missions—missions that took me abroad on occasions when he was chairman, and missions from which I learned so much at the hand of the great master on the subject of national events. He was unwavering in his steadfast support of Presidents, be they Democrat or Republican, and unwavering in his resolve for the care of the men and women in uniform on active duty, their families, the retirees. And, oh, Mr. President, did he love the National Guard. There wasn't a bill that went through the Armed Services Committee and conference when he wouldn't tug on my shoulder and say let's beef up a little bit for the Guard and Reserve here. Remember, in times of crisis, they are among the first to respond.

That bit of wisdom has proven ever so true. Going back to the Balkans campaign, the Guard was actively engaged at all levels of that campaign. The Air Guard, for example, flew so many of the missions carrying food, medicine, and other supplies to the ravaged civilians and others in Sarajevo. I remember I joined one time in one of those missions. I remember it so well because the plane behind ours was shot down and lost—just to point up the risks that those Air Guard took on those missions.

Now, today, in Operation Iraqi freedom, worldwide against terrorism, once again the Guard and Reserve are in the forefront—a Guard and Reserve that have benefited through the many years of Strom Thurmond being a Senator and receiving a fair allocation of equipment and money, often in competition with the regular forces.

But Strom Thurmond was there with his watchful eye on the Armed Services Committee to ensure that degree of fairness for the Guard and Reserve. He rose to the rank of major general. I mentioned his portrait as you walked in. Then, in a very discreet way, there was a large frame that contained all of his many decorations. He rarely talked about them. As a matter of fact, only

after one tried to elicit facts from him would he share facts about the combat of war and what he received in World War II, and the other recognitions by our Government and other governments for his contribution to freedom worldwide.

So I say to my dear friend—really a big brother—I thank him for all he has done for the world, for the Nation, for this humble Senator and, I daresay, many others of my contemporaries, as we came along in this institution on the learning curve that was often at the hands of Strom Thurmond.

My final thoughts are with his family, his wife and children, all of whom I have known throughout these years, and with whom I have had the privilege so often to be photographed, from little sizes all the way up, as we do through the years with our colleagues. But I know the Presiding Officer's father, were he here today, would join in the most fervent and heartfelt expressions with regard to our comrad, our colleague, our dear friend, Strom Thurmond.

#### ONGOING MILITARY OPERATIONS

Mr. WARNER. Mr. President, this morning we had another meeting organized by the majority leader, in consultation with the Democratic leader, with Secretary of Defense Rumsfeld and the Vice Chairman of the Joint Chiefs Staff, General Pace, together with representatives from the intelligence agencies.

This is the third time Secretary Rumsfeld has been to the Senate this week. He has been in close consultation with the Senate during these perilous days for our Armed Forces around the world, and most particularly in Iraq. Our discussions, by necessity, were largely related to classified matters and were behind closed doors.

I do share with my colleagues two thoughts. I sensed by those colleagues—quite of number—who joined us this morning a heartfelt concern for the men and women of the Armed Forces who, around the clock, 7 days, 7 nights, are in harm's way in Iraq and Afghanistan, most particularly, and we share in the bereavement of their families for those who are lost from time to time.

Steadfast this Nation must remain in its resolve to bring to a conclusion the hostilities in Iraq and Afghanistan, such that the peoples of those two countries can themselves create a government free of oppression and persecution to enable them to have a very large measure of freedoms, freedoms we enjoy in the form of democracy, beginning with speech, privacy, and a sense of security in their homes, in their workplaces, and in the nation.

This is a long and courageous struggle worldwide, headed by, if I may say most respectfully, a very strong and courageous President of the United States, George Bush, and those principal deputies and many others right

down to the privates, sailors, airmen, and marines who are making possible this freedom throughout the world.

We will stay the course. We will meet every challenge. We shall not waiver in the mission of this country. I just pray and hope the American people have a complete and full understanding of the risks they are taking and the absolutely essential requirement that this Nation continue its leadership and succeed.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations on today's Executive Calendar: Calendar No. 248, the nomination of LTG John P. Abizaid to be General; and Calendar Nos. 254 through 277, and all nominations on the Secretary's desk in the Air Force, the Army, and the Navy.

I further ask unanimous consent that the nominations be confirmed, en bloc; that the motions to reconsider be laid upon the table; that the President be immediately notified of the Senate's action; and that the Senate then return to legislative session.

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

The nominations were considered and confirmed, en bloc, as follows:

#### IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be general*

Lt. Gen. John P. Abizaid

The following Army National Guard of the United States officers for appointment in the Reserve of the Army to the grades indicated under title 10, U.S.C., section 12203:

#### *To be major general*

Brigadier General George A. Alexander  
Brigadier General Edmund T. Beckett  
Brigadier General Wesley E. Craig, Jr.  
Brigadier General James R. Mason  
Brigadier General Gerald P. Minetti  
Brigadier General Richard C. Nash  
Brigadier General Gary A. Pappas  
Brigadier General Clyde A. Vaughn  
Brigadier General Dean A. Youngman

#### *To be brigadier general*

Colonel William E. Aldridge  
Colonel Louis J. Antonetti  
Colonel Michael W. Beaman  
Colonel Robert T. Bray  
Colonel Nelson J. Cannon  
Colonel Robert P. Daniels  
Colonel David M. Davison  
Colonel David M. DeArmond  
Colonel Myles M. Deering  
Colonel James B. Gaston, Jr.  
Colonel Alan C. Gayhart, Sr.  
Colonel David K. Germain  
Colonel Frank J. Grass  
Colonel Gary L. Jones  
Colonel James E. Kelly  
Colonel Kevin R. McBride  
Colonel James I. Pylant  
Colonel Steven R. Seiter

Colonel Thomas L. Sinclair  
Colonel Frank T. Speed, Jr.  
Colonel Deborah C. Wheeling  
Colonel Matthew J. Whittington

#### IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

#### *To be brigadier general*

Col. William J. Germann

#### IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

#### *To be brigadier general*

Col. William M. Jacobs

#### IN THE MARINE CORPS

The following named officers for appointment in the United States Marine Corps Reserve to the grade indicated under title 10, U.S.C., section 12203:

#### *To be major general*

Brig. Gen. John W. Bergman  
Brig. Gen. John J. McCarthy, Jr.

#### IN THE AIR FORCE

The following officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

#### *To be brigadier general*

Col. Thomas F. Deppe

#### IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be admiral*

Adm. William J. Fallon

#### IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Maj. Gen. Michael M. Dunn

#### IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Maj. Gen. Keith B. Alexander

#### IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Lt. Gen. Wallace C. Gregson, Jr.

#### IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

#### *To be rear admiral (lower half)*

Capt. Terry L. McCreary

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

#### *To be rear admiral (lower half)*

Capt. Martin J. Brown  
Capt. William A. Kowba  
Capt. Michael J. Lyden

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

#### *To be rear admiral (lower half)*

Captain John M. Bird  
Captain John T. Blake  
Captain Fred Byus  
Captain Frank M. Drennan  
Captain Mark E. Ferguson, III  
Captain John W. Goodwin  
Captain Richard W. Hunt  
Captain Arthur J. Johnson, Jr.  
Captain Mark W. Kenny  
Captain Joseph F. Killenny  
Captain William E. Landay  
Captain Michael A. LeFever  
Captain Gerard M. Mauer, Jr.  
Captain Douglas L. McClain  
Captain William H. McRaven  
Captain Richard O'Hanlon  
Captain Kevin M. Quinn  
Captain Raymond A. Spicer  
Captain Peter J. Williams

#### IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be general*

Gen. Robert H. Foglesong

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Maj. Gen. Daniel P. Leaf

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

#### *To be major general*

Brig. Gen. Joseph E. Kelley

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

#### *To be major general*

Brig. Gen. Douglas Burnett

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

#### *To be brigadier general*

Col. Craig S. Ferguson

#### IN THE NAVY

The following named officer for appointment as Vice Chief of Naval Operations, United States Navy and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5035:

#### *To be admiral*

Vice Adm. Michael G. Mullen

#### IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Lt. Gen. William T. Hobbins

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Maj. Gen. Randall M. Schmidt

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position

of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Walter E.L. Buchanan III

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Lt. Gen. Dan K. McNeill

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. William G. Boykin

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Robert R. Blackman, Jr.

NOMINATIONS PLACE ON THE SECRETARY'S  
DESK

IN THE AIR FORCE

PN457 Air Force nominations (436) beginning REBECCA G. ABRAHAM, and ending JEFFREY YUEN, which nominations were received by the Senate and appeared in the Congressional Record of March 26, 2003

PN458 Air Force nominations (18) beginning BRIAN J. ACKER, and ending ANGELA D. WASHINGTON, which nominations were received by the Senate and appeared in the Congressional Record of March 26, 2003

PN459 Air Force nominations (16) beginning PAUL M. BARZLER, and ending CHARLES W. WILLIAMSON, III, which nominations were received by the Senate and appeared in the Congressional Record of March 26, 2003

PN691 Air Force nomination of James R. Burkhart, which was received by the Senate and appeared in the Congressional Record of June 5, 2003

PN692 Air Force nominations (6) beginning CHARLES M. BELISLE, and ending BRETT A. WYRICK, which nominations were received by the Senate and appeared in the Congressional Record of June 5, 2003

PN693 Air Force nominations (85) beginning GLENN D. ADDISON, and ending DANIEL J. ZACKMAN, which nominations were received by the Senate and appeared in the Congressional Record of March 26, 2003

PN694 Air Force nomination of Thomas K. Hunter, Jr., which was received by the Senate and appeared in the Congressional Record of June 5, 2003

PN695 Air Force nomination of Jeffrey J. King, which was received by the Senate and appeared in the Congressional Record of June 5, 2003

PN716 Air Force nominations (3) beginning JEAN B. DORVAL, and ending GARY M. WALKER, which nominations were received by the Senate and appeared in the Congressional Record of June 12, 2003

PN717 Air Force nomination of Richard J. Delorenzo, Jr., which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN718 Air Force nomination of Gerald M. Schneider, which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN719 Air Force nomination of Jane B. Taylor, which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN720 Air Force nominations (5) beginning DARRELL A. JESSE, and ending NORBERT S. WALKER, which nominations were received by the Senate and appeared in the Congressional Record of June 12, 2003

PN721 Air Force nominations (4) beginning THOMAS C. BARNETT, and ending JEAN A. VARGO, which nominations were received by the Senate and appeared in the Congressional Record of June 12, 2003

PN722 Air Force nomination of Edward C. Callaway, which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN723 Air Force nomination of H. Michael Tennerman, which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN724 Air Force nomination of Steven E. Ritter, which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN725 Air Force nomination of Bryan A. Keeling, which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN726 Air Force nomination of Robert L. Zabel, Jr., which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN727 Air Force nominations (3) beginning DARRYL G. ELROD, JR., and ending KEVIN R. VANVALKENBURG, which nominations were received by the Senate and appeared in the Congressional Record of June 12, 2003

PN728 Air Force nomination of Drew Y. Johnson, Jr., which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN729 Air Force nomination of Rachel L. Beck, which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN740 Air Force nomination of Larry J. Mastin, which was received by the Senate and appeared in the Congressional Record of June 16, 2003

PN741 Air Force nominations (5) beginning ROBERT L. DAUGHERTY, JR., and ending CHARLES V. RATH, JR., which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2003

IN THE ARMY

PN666 Army nomination (102) beginning CRAIG M. ANDERSON, and ending DIANE M. ZIERHOFFER, which nominations were received by the Senate and appeared in the Congressional Record of May 20, 2003

PN667 Army nominations (12) beginning ANULI L. ANYACHEBELU, and ending DONALD G. ZUGNER, which nominations were received by the Senate and appeared in the Congressional Record of May 20, 2003

PN668 Army nominations (72) beginning DOREEN M. AGIN, and ending BONNITA D. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of nulldate

PM669 Army nominations (10) beginning KEVIN R. ARMSTRONG, and ending NANCY A. VINCENTJOHNSON, which nominations were received by the Senate and appeared in the Congressional Record of May 20, 2003

PN696 Army nomination of James A. Decamp, which was received by the Senate and appeared in the Congressional Record of June 5, 2003

PN697 Army nomination of Timothy H. Sughrue, which was received by the Senate and appeared in the Congressional Record of June 5, 2003

PN698 Army nominations (2) beginning LESLIE J. MITKOS, JR., and ending BERRIS D. SAMPLES, which nominations were received by the Senate and appeared in the Congressional Record of June 5, 2003

PN699 Army nominations (2) beginning PATRICIA J. MCDANIEL, and ending NICH-

OLAS K. STRAVELAKIS, which nominations were received by the Senate and appeared in the Congressional Record of June 5, 2003

PN700 Army nomination of Scott D. Kothenbeutel, which was received by the Senate and appeared in the Congressional Record of June 5, 2003

PN701 Army nomination of Glenn T. Bessinger, which was received by the Senate and appeared in the Congressional Record of June 5, 2003

PN730 Army nominations (5) beginning JANE M. ANDERHOLT, and ending JAY A. WHITAKER, which nominations were received by the Senate and appeared in the Congressional Record of June 12, 2003

PN731 Army nominations (7) beginning RODNEY A. ARMON, and ending MARK W. THACKSTON, which nominations were received by the Senate and appeared in the Congressional Record of June 12, 2003

PN732 Army nomination of Anthony Sullivan, which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN733 Army nomination of Bryan C. Sleigh, which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN742 Army nomination of Kenneth S. Azarow, which was received by the Senate and appeared in the Congressional Record of June 16, 2003

PN743 Army nomination of Michael F. McDonough, which was received by the Senate and appeared in the Congressional Record of June 16, 2003

IN THE NAVY

PN562 Navy nomination of Michael U. Rump, which was received by the Senate and appeared in the Congressional Record of April 30, 2003

PN563 Navy nominations (2) beginning WILLIAM A. DAVIES, and ending GARY S. TOLLERENE, which nominations were received by the Senate and appeared in the Congressional Record of April 30, 2003

PN564 Navy nominations (2) beginning DOUGLAS W. FENSKE, and ending MICHAEL J. KAUTZ, which nominations were received by the Senate and appeared in the Congressional Record of April 30, 2003

PN565 Navy nominations (3) beginning BRIAN H. MILLER, and ending PERRY T. TUEY, which nominations were received by the Senate and appeared in the Congressional Record of April 30, 2003

PN566 Navy nominations (3) beginning GERALD W. CLUSEN, and ending MARK A. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of April 30, 2003

PN567 Navy nominations (7) beginning KENNETH J. BRAITHWAITE, and ending ANDREW H. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of April 30, 2003

PN568 Navy nominations (7) beginning CHRISTOPHER M. BALLISTER, and ending CARL M. M. LEE, which nominations were received by the Senate and appeared in the Congressional Record of April 30, 2003

PN569 Navy nominations (8) beginning JEFFREY D. ADAMSON, and ending MARCUS K. NEESON, which nominations were received by the Senate and appeared in the Congressional Record of April 30, 2003

PN589 Navy nominations (236) beginning DANFORD S. K. AFONG, and ending THEODORE A. WYKA, which nominations were received by the Senate and appeared in the Congressional Record of May 1, 2003

PN590 Navy nominations (23) beginning SCOTT F. BOHNENKAMP, and ending CHRISTOPHER L. WALL, which nominations were received by the Senate and appeared in the Congressional Record of May 1, 2003

PN591 Navy nominations (15) beginning CHARLES L. COLLINS, and ending CYNTHIA R. SUGIMOTO, which nominations were received by the Senate and appeared in the Congressional Record of May 1, 2003

PN592 Navy nominations (29) beginning GREGORY S. ADAMS, and ending PETER A. WITHERS, which nominations were received by the Senate and appeared in the Congressional Record of May 1, 2003

PN604 Navy nominations (10) beginning BRADFORD E. ABLESON, and ending OLRIC R. WILKINS, which nominations were received by the Senate and appeared in the Congressional Record of May 8, 2003

PN605 Navy nominations (10) beginning CHRISTOPHER A. BARNES, and ending SCOTT M. STANLEY, which nominations were received by the Senate and appeared in the Congressional Record of May 8, 2003

PN606 Navy nominations (32) beginning THOMAS M. BALESTRERI, and ending ROBERT S. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of May 8, 2003

PN607 Navy nominations (30) beginning LISA L. ARNOLD, and ending PEGGY W. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of May 8, 2003

PN608 Navy nominations (22) beginning SCOTT W. BAILEY, and ending KEVIN R. WHEELOCK, which nominations were received by the Senate and appeared in the Congressional Record of May 8, 2003

PN609 Navy nominations (15) beginning MATTHEW R. BEEBE, and ending STEVEN M. WIRSCHING, which nominations were received by the Senate and appeared in the Congressional Record of May 8, 2003

PN610 Navy nominations (35) beginning EVAN A. APPLEQUIST, and ending RICHARD D. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of May 8, 2003

PN611 Navy nominations (86) beginning WILLIAM B. ADAMS, and ending DANIEL J. ZINDER, which nominations were received by the Senate and appeared in the Congressional Record of May 8, 2003

PN638 Navy nominations (3) beginning REBECCA E. BRENTON, and ending WARREN C. GRAHAM, III, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN639 Navy nominations (6) beginning KATHY A. BARAN, and ending MARGARET A. TAYLOR, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN640 Navy nominations (5) beginning MICHAEL D. DISANO, and ending VINCENT M. SCOTT, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN641 Navy nominations (6) beginning NANCY R. DILLARD, and ending CHRISTOPHER L. VANCE, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN642 Navy nominations (7) beginning JEAN E. BENFER, and ending CYNTHIA L. WIDICK, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN643 Navy nominations (7) beginning DAVID L. BAILEY, and ending RUSSELL L. SHAFFER, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN644 Navy nominations (7) beginning ROBERT W. ARCHER, and ending JIM O. ROMANO, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN645 Navy nominations (8) beginning CHRISTOPHER L. ABBOTT, and ending WILLIAM A. WRIGHT, III, which nominations

were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN646 Navy nominations (13) beginning CHARLES S. ANDERSON, and ending PHILIP A. YATES, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN647 Navy nominations (19) beginning BRIAN K. ANTONIO, and ending THOMAS L. VANPETTEN, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN648 Navy nominations (239) beginning EUGENE M. ABLER, and ending MICHAEL E. ZAMESNIK, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN649 Navy nomination of Judy L. Miller, which was received by the Senate and appeared in the Congressional Record of May 14, 2003

PN650 Navy nominations (7) beginning THOMAS W. HARRINGTON, and ending ROBERT L. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN651 Navy nominations (11) beginning MATTHEW O. FOLEY, III, and ending FRANK G. USSEGLIO, II, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN652 Navy nominations (13) beginning CRAIG E. BUNDY, and ending CLIFF P. WATKINS, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN653 Navy nominations (13) beginning WILLIAM M. ARBAUGH, and ending RICHARD E. WOLFE, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN654 Navy nominations (14) beginning DANIEL M. BLESKEY, and ending WILLIAM E. VAUGHAN, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN655 Navy nominations (22) beginning BARTLEY G. CILENTO, JR., and ending JAMES L. WHITE, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN656 Navy nominations (31) beginning NANCY J. BATES, and ending LLOYD G. WINGFIELD, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN657 Navy nominations (52) beginning ANNEMARIE ADAMOWICZ, and ending MARY A. WHITE, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN734 Navy nominations (7) beginning SHERRY L. BRELAND, and ending JULIA D. WORCESTER, which nominations were received by the Senate and appeared in the Congressional Record of June 12, 2003

PN745 Navy nominations (46) beginning RAUL D. BANTOG, and ending DONNA M. WILLOUGHBY, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2003

PN758 Navy nominations (6) beginning LINSLEY G. M. BROWN, and ending JOSEPH S. NAVRATIL, which nominations were received by the Senate and appeared in the Congressional Record of June 18, 2003

PN686 Public Health Service nominations (173) beginning THOMAS D. MATTE, and ending RONALD R. PINHEIRO, which nominations were received by the Senate and appeared in the Congressional Record of June 3, 2003

#### NOMINATION OF GENERAL ABIZAID

Mr. WARNER. Mr. President, just a day or so ago the Armed Services Com-

mittee, as is its responsibility, held a nearly 4-hour hearing on the nomination of General Abizaid, U.S. Army, for appointment to the grade of full general. Within days, a change of command will take place such that he will succeed General Franks as the Commander of the U.S. Central Command. I think General Franks has performed his duties with extraordinary professionalism, courage, and conviction, and his strength of mind and knowledge were an inspiration to all members of the Armed Forces who served in his command throughout the ongoing operations in Afghanistan and the ongoing operations in Iraq.

I have come to know General Franks quite well. He is a lovely individual—he has his soft side—a marvelous husband, and he has a wife who has given him enormous support throughout his long and distinguished career in the Army.

We are fortunate now to have an individual whom General Franks encouraged the President and the Secretary of Defense to have succeed him, and that is General Abizaid.

General Abizaid will have as his responsibility the Central Command which extends from Africa right up to the European sector where it abuts with General Jones's role as the Chief of U.S. Forces in that area. He served as General Franks's principal deputy in the planning and execution of Operation Iraqi Freedom.

The committee, in the course of the hearings, was very complimentary of both General Franks and General Abizaid and their staff and particularly the men and women in the Armed Forces who executed their plans, especially in the historic, stunning, 17-day advance to Baghdad that led to the overthrow of the Saddam Hussein regime.

We all recognized throughout that hearing, as we did this morning in our briefings with Secretary of Defense Rumsfeld and GEN Peter Pace, that this operation is continuing in terms of the risks to the men and women in the Armed Forces every hour of the day. They are courageously facing those risks, and we must stay the course in this situation.

General Abizaid, throughout his hearing, repeatedly said he is prepared to pick up the responsibilities of General Franks and stay that course and bring, from the military perspective, the fastest possible conclusion to the hostilities, such that Ambassador Bremer, working in parallel with CENTCOM, can reestablish a form of government under the control of the Iraqi people, and to bring to the Iraqi people the basic necessities of life, be it electricity, sewage, or otherwise.

Now, the most challenging phase of the military operation, as we said in the course of the hearings, really once the major combat was secured, was finally bringing the situation under control to provide a sense of security throughout Iraq, and that is being done. We are making progress.

He assured us that progress is being made and that he has the experience to carry it forward with his long distinguished career in the Army. He has been a part of the Central Command officer corps on four occasions in his career. So he does have extraordinary background, a unique background, to take on this responsible post.

He was joined by his lovely wife Kathleen in the course of the confirmation proceedings. He was so respectful to his wife, which the record reflects. They have three children, all of whom are of adult age now, who are actively working one way or another in the cause of freedom in various parts of the world.

He also brings experience with regard to joint duty, joint responsibilities. That means the combined efforts of the Army, the Navy, the Air Force, the Marine Corps, and such other areas of military participation.

I want to pay tribute to the civilians in the Department of Defense. They, too, are present throughout Iraq and accepting a very high level of risk in supporting the troops in their missions.

His prior assignments were as Director of the Joint Staff, Director for Strategic Plans and Policy, J-5, on the Joint Staff, and a participant in joint operations in Kosovo and Bosnia, and in northern Iraq following Operation Desert Storm. He was integral in that situation. All of this eminently qualifies him for the challenges of commanding general of the U.S. Central Command.

He brings a unique perspective to this post. He is truly an expert and a student in this region. He is currently serving his fifth tour of duty in the Middle East. He is fluent in Arabic and has a proud—and I underline this, a proud—family heritage closely tied to the cultures of this region of the world.

He is the son of a man who served this Nation as an enlisted man in the U.S. Navy in World War II. So he comes from a family with longstanding service to this Nation.

I had the joy of talking with his wife, and we reminisced about how her father was a medical doctor, serving in the combat zones of France in World War I, as did my father serve as a doctor in the Fifth Division in the trenches in France in World War I.

That concludes my remarks with regard to General Abizaid. I am pleased this morning that the Senate has confirmed him and we will shortly notify the President.

#### NOMINATION OF MARK E. FERGUSON III

Mr. WARNER. Mr. President, I acknowledge that, as a body, we have just promoted Captain of the U.S. Navy Mark Ferguson to the rank of admiral. He will receive that promotion in due course. I hope to be present.

Many Senators know Mark Ferguson. Perhaps their first recollection of him as a young officer is he was an aide-de-camp to the NATO Supreme Allied Commander. In that capacity, he made

many visits to the offices of Senators, and on the occasions when General Clark was hosting congressional delegations in the NATO command area, this wonderful naval officer was integral in making the arrangements. He is a marvelous family man, what we call a black-shoe naval officer, which means he is proud of the shoes he has worn on the decks of all types of surface vessels throughout his career. He is a sailor's sailor and brings to this new post a marvelous background of achievement. We wish him and his family well in his new post as a young frocked admiral, which will take place during the course of this summer.

#### UNANIMOUS CONSENT AGREEMENTS—EXECUTIVE CALENDAR

Mr. WARNER. Mr. President, I ask unanimous consent that on Tuesday, July 8, the time determined by the majority leader, after consultation with the Democratic leader, the Senate proceed to executive session for the consideration of Calendar No. 227, the nomination of David Campbell to be U.S. District Judge for the District of Arizona, provided that the Senate then proceed to a vote on the confirmation of the nomination with no intervening action or debate. I further ask consent that following the vote, the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

Mr. WARNER. Mr. President, I ask unanimous consent that at a time determined by the majority leader, after consultation with the Democratic leader, the Senate proceed to executive session for the consideration of Calendar No. 88, the nomination of Victor Wolski to be a judge of the U.S. Court of Federal Claims. Further, I ask that the same order apply to Calendar No. 132, the nomination of Bruce Kasold to be a judge of the U.S. Court of Appeals for Veterans Claims.

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

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

#### MEASURE PLACED ON THE CALENDAR—S. 11

Mr. WARNER. Mr. President, I understand that S. 11 is at the desk and is due for its second reading.

The PRESIDING OFFICER. The Senator is correct. The clerk will read the bill by title.

The bill clerk read as follows:

A bill (S. 11) to protect patients' access to quality and affordable health care by reducing the effects of excessive liability costs.

Mr. WARNER. On behalf of the majority leader, I object to further proceedings on the measure.

The PRESIDING OFFICER. The objection is heard. The bill will be placed on the calendar.

Mr. WARNER. That would be under rule 14?

The PRESIDING OFFICER. That is correct.

#### PROVIDING FOR THE CONDITIONAL ADJOURNMENT OR RECESS OF BOTH HOUSES OF CONGRESS

The PRESIDING OFFICER. Under the previous order, the Senate having received from the House H. Con. Res. 231 in the form contemplated in the agreement, the resolution is agreed to and the motion to reconsider is laid upon the table.

The concurrent resolution (H. Con. Res. 231) was agreed to, as follows:

#### H. CON. RES. 231

*Resolved by the House of Representatives (the Senate concurring).* That when the House adjourns on the legislative day of Thursday, June 26, 2003, Friday, June 27, 2003, or Saturday, June 28, 2003, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, July 7, 2003, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on Thursday, June 26, 2003, Friday, June 27, 2003, or Saturday, June 28, 2003, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, July 7, 2003, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

#### MORNING BUSINESS

Mr. WARNER. Now, I ask unanimous consent that the Senate be in a period for morning business to be determined by the leadership. It is hoped during that period of time that Senators can make themselves available to speak with respect on our late colleague Senator Strom Thurmond.

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

Mr. WARNER. I yield the floor.

Mr. DORGAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

IN REMEMBRANCE OF STROM  
THURMOND

Mr. DORGAN. Mr. President, let me add my voice to those of my colleagues who last evening and this morning have expressed sympathy to the families of Senator Strom Thurmond. I was privileged to serve in this Chamber for many years while Senator Strom Thurmond was a Senator. He was quite a remarkable American. He was a hero in many ways. His life was controversial in some ways.

I talked to Strom Thurmond one day about the Second World War. Americans should know, when he was in his 40s, this man volunteered for service in the Second World War, volunteered to get in a glider to fly at night and crash-land behind enemy lines, behind German lines. All of the rest in that glider were young kids, 18, 19, 20-year-old GIs. This 40-plus-year-old lawyer and judge who volunteered for service in the Second World War was in that glider that crash-landed behind enemy lines.

He was quite a remarkable American and had a remarkable political career. In his later years as he suffered health challenges and difficulties, but he never complained, ever. He showed up for all of the votes in the Senate even at times when it appeared to us it was difficult for him to do so.

The American people, I know, will thank Senator Strom Thurmond for the service he gave to his country. I wanted to add my voice to the many others in this Chamber who wish to remember the memory of this remarkable American.

CONGRESSIONAL CEMETERY

Mr. DORGAN. Mr. President, I call to the attention of the Senate and the country something that is important. Some while ago I went to what is called the Congressional Cemetery here in Washington, DC. I want to state why I did that.

I went to visit a gravesite of a man named Scarlet Crow, an American Indian. He came to Washington, DC, in 1867 with some other American Indians from my part of the country, a member of the Wahpeton-Sisseton Sioux Tribe. He came here to negotiate a treaty. He was found under the Occoquan bridge one morning, dead. The death certificate said Scarlet Crow committed suicide. I actually got a record of the investigation of Scarlet Crow's death—remember, now, this is 1867—and discovered the police reports in Alexandria, VA, and the investigator who investigated Scarlet Crow's death seem to suggest that Scarlet Crow was murdered. He did not commit suicide, in fact, he was murdered. He was found lying under a bridge with a blanket neatly folded over him. They say he hanged himself. The police investigators said the branch from which they allege Scarlet Crow hanged himself could not have held a 6-year-old child.

That was a different time. American Indians came to this town to negotiate treaties. This man, Scarlet Crow, never returned to the Dakotas because he died under the Occoquan bridge under mysterious and strange circumstances. It appears his death was not fully investigated or resolved. The death certificate simply says he committed suicide.

Because I was interested in this and because he came from a part of the country where I reside, I went to the cemetery one day to find Scarlet Crow's gravesite. Here is Scarlet Crow's tombstone. It is at a place called the Congressional Cemetery. The Congressional Cemetery is a place I had not previously visited. It is here in Washington, DC. It holds the bodies of many Congressmen and Senators and others. It was founded in 1807 by a group of citizens residing in the eastern section of the new Federal city of Washington. Immediately, it became the sole burial place in Washington for Members of Congress. For over 60 years, Members of Congress and other Government officials were interred at what was known as Congressional Cemetery. The Government appropriated money to help construct some buildings, roads, and walls and to make other site improvements.

Other than relatively small and very infrequent Federal dollars, Government support ended many decades ago and the cemetery has fallen into disrepair. It is a rather forlorn place, as a matter of fact. I will show some pictures. This is the entrance to Congressional Cemetery. You can see the beat-up roads. Let me show an example of the roads inside the Congressional Cemetery. This, one would think, would be a place of honor, a place that is repaired and made to look presentable. Instead, here is what the Congressional Cemetery appears like to those who visit it. Roads in desperate disrepair. This does not look like a cemetery that has been maintained at all. It has not been.

Here is another picture of what the cemetery looks like inside. Roads in disrepair, grass growing out of the middle of those roads.

One wonders why, with a Congressional Cemetery, which was the burial place for so many Members of Congress, and many others over so many years, why the Federal Government and Congress would not restore it to its place of honor.

I am pleased that some of my colleagues, at my request, included some small amount of money in the Legislative Branch appropriations bill in FY2002, and a bit earlier, as well.

As we begin the appropriations process this year, I think in the honor of those who are laid to rest in that Congressional Cemetery, we really do need to do what is necessary to make that cemetery a place of honor.

Let me discuss a couple of the people who are buried at this cemetery. Vice President Elbridge Gerry is buried at

the cemetery. I have a picture showing his tombstone. This is a tombstone of former Vice President of the United States Elbridge Gerry. He is buried in the cemetery.

There is a term, "gerrymandering," in politics that many will recognize. Gerrymandering comes from Elbridge Gerry.

His marker describes he was born in 1744, died in 1814. It quotes on his words on his grave marker:

It is the duty of every man, though he may have but one day to live, to devote that day to the good of his country.

These words describe how Gerry lived. In fact, the day that Gerry died he had to get to the temporary Senate Chambers in the Patent Office building so he could preside over the Senate. British troops burned the Capitol in the War of 1812 and the Senate was functioning from a temporary location in 1814. In those days, the Vice President presided over the Senate almost daily because the President pro tempore did not have a continuous office. On November 23, 1814, determined to preside over the Senate, Gerry suffered a fatal stroke.

At that time, Members of the Senate gathered in their chairs at the customary hour. Upon hearing the reports that Vice President Gerry had died, the body voted to send two Senators to the Vice President's home to "ascertain the fact." When they returned with confirmation, the Senate appointed a joint committee to "consider and report measures most proper to manifest the public respect for the memory of the deceased," and then the Senate adjourned. On the following day, the Senate ordered that the President's chair "be shrouded with black during the present session; and as a further testimony of respect for the deceased, the members of the Senate will go into mourning, and wear black crape around the left arm for thirty days."

Gerry is the only signer of the Declaration of Independence buried in Washington, DC. On the Fourth of July, there is annually an event at his tomb in the Congressional Cemetery with the Sons and Daughters of the American Revolution.

There is another person buried at the cemetery who is an interesting person. His name is Issac Bassett. He was the second page who served in the U.S. Senate. He came to work in the Senate at age 9 in 1831. He never left. He worked there until 1895. He came to work at age 9 as a page in the U.S. Senate, and he worked here for 64 years. One wonders whether any of the current pages will work continuously for the next 64 years. I don't expect so. He was here even longer than the longest serving U.S. Senator, the late Strom Thurmond. He is buried at the cemetery. Right next to him is a larger marker for Alexander Bache, the founder of the U.S. Coastal Survey and a charter member of the National Academies of Science and its first president.



In addition to the nearly 80 Members of the House and Senate buried in the Congressional Cemetery, there are also 128 cenotaphs erected to honor former Members.

Here is what they look like.

The latest cenotaphs were for Speaker Tip O'Neill, Hale Boggs, and Nicholas Begich. It is something that has been done for quite some while. There is currently some interest in placing a cenotaph for our recently departed colleague, Daniel Patrick Moynihan.

These cenotaphs were designed by the distinguished Capitol Architect, Benjamin Henry Latrobe.

As transportation improved, it became custom to remove remains to a congressman's home state for burial, but a cenotaph was placed in the Congressional Cemetery in their memory. The practice ceased in 1877.

It is my hope that this Congress will take a look at this cemetery and understand that the Congressional Cemetery is the final resting place of nearly 80 Members of the House and the Senate, a signer of the Declaration of Independence and two Vice Presidents. It is where you will find the grave of John Phillip Sousa. You will see the gravestone of J. Edgar Hoover. It is quite a remarkable cemetery.

Let me again show a photograph that shows the entrance and the roads in this cemetery. It is in desperate, desperate disrepair. The Congressional Cemetery ought to be a place of honor. It is the final resting place for many who served this country with great distinction for so many years.

As this Congress considers what our responsibilities are and what we can and should do, it is my hope that we will invest the small amount of resources necessary to once again provide the honor and majesty that should accompany this monument of ourselves called the Congressional Cemetery.

Cemeteries have a way of casting personalities. Everywhere you go at the Congressional Cemetery, you can't help but notice strong personalities who served this country over its more than two centuries.

I indicated when I started that this cemetery doesn't belong to the U.S. Government. It is run by a nonprofit organization. But when the cemetery was started in 1807, it received financial support from the federal government. It was created by a group of citizens who wanted it to become the sole burial place in Washington, DC, for Members of Congress. And over nearly two centuries—Senators, Congressmen, and public officials who served this country in a remarkable way have found their way to this final resting place in the Congressional Cemetery. It is a shame, in my judgment, for it to have fallen into such desperate disrepair.

My hope is that in the coming couple of weeks in the appropriations process, we may once again continue to make some progress to address it. I have spoken with Mr. BYRD, the Senator from

West Virginia, at some length about this and with other colleagues. I think all recognize that this is something to which we should pay some attention. I know there are many other very big issues we deal with here in the Senate. But this is something that I think is important to the memory of who we are, who served our country, how we treat them in death, and how we respect their memories. We can and should do better to bring a sense of repair and majesty to the Congressional Cemetery.

It is not too far from this building. I encourage all of my colleagues to go to the Congressional Cemetery and drive down those roads full of potholes in great disrepair and ask yourself if we don't have an obligation to do something about it. I hope so.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

#### IN REMEMBRANCE OF STROM THURMOND

Mr. BIDEN. Mr. President, I would like to proceed in morning business to briefly discuss two totally different subjects, if I may.

I rise initially to acknowledge the passing of a good friend of mine. People may find it strange to hear the Senator from Delaware say that, because they are used to so much hyperbole from all of us in the Senate, in Congress, and many in public office. They find it difficult to believe that people with disparately different views, as Strom Thurmond and I had, were good friends.

I received a call not too many weeks ago from Nancy, Strom Thurmond's wife, telling me she had just spoken to the Senator. To use Nancy's phrase, she said that Strom "was now on God's time, Joe." I wondered for a moment about exactly what she meant. She went on to say that he doesn't have much time left, his body is shutting down.

She said he made a request which both flattered me greatly and saddened me significantly. She said he asked her to ask me whether or not I would deliver a eulogy for him at his burial, which is going to take place on Tuesday next—this coming Tuesday.

It might come as a surprise to a lot of people that on Tuesday, somewhere approaching 4 or 5 o'clock, people—including representatives from Strom's family—will stand up to speak of him and that I will be among them. I am a guy who as a kid was energized, angered, emboldened, and outraged all at the same time by the treatment of African Americans in my State—a border State—and throughout the South. When I was not much older than the young pages who are now sitting down there I literally ran for public office and got involved in public office and politics because I thought I would have the ability to play a little tiny part in ending the awful treatment of African Americans. I will stand up to speak about Strom Thurmond.

In the 1950s I was a child in grade school, and in the late 1950s and into the 1960s I was in high school. As hard as it is to believe now, that was an era where, when you turned on your television, you were as likely to see "Bull" Conner and his German Shepherd dogs attacking black women marching after church on Sunday to protest their circumstance, or George Wallace standing in a doorway of a university, or Orville Faubus.

This all started to seep into my consciousness when I was in grade school, as it did, I suspect, for everyone in my generation. It animated my interest, as I said, and my anger. I was not merely intellectually repelled by what was going on in the South particularly at the time, I was, as is probably a legitimate criticism of me, angry about it and outraged about it.

The idea that I would come to the Senate at age 29—to be precise, I got elected at age 29; by the time I got sworn in, I turned 30—and 2 years later to be serving on a committee with J. Strom Thurmond, him the most senior Republican and me the most junior not only Democrat but junior member of the committee. Over the next 28 years he and I would become friends. He and I would, in some instances, have an intimate relationship.

The idea that my daughter, who is now a 22-year-old grown woman, would, to this day, in her bedroom, have one picture sitting on her dresser of all the pictures she has since she was a child. From the moment she was born—her father was a Senator and her entire life I have been a Senator—she has had the privilege of being able to meet Senators and Presidents and kings and queens. She has one picture sitting on her bureau. It startled me when I realized it the other night. She does not live at home. She, like all young people, is on her own. It is a picture of her and Strom Thurmond, taken when she was 9 years old, sitting on her desk.

If you had told me—first off, if you had told me when I was 20 years old I was going to have a child, that would have been hard to believe. But if you told me when I was 29 years old—when I did have two children—that one of my children, as I approached the Senate roughly 30 years later, would have a childhood picture of her or him in Strom Thurmond's office, standing next to his desk with his arm around her, and it was kept on her bureau, I would have said: You have insulted me. Don't do that.

The only point I want to make today, as I do not intend at this moment to attempt to eulogize Strom, is that I think one of the incredible aspects of our democracy—even more precisely, our Government, our governmental system—that is lost today on so many is it has built into it the mechanisms that allow you not only to see the worst in what you abhor and fight it but see the best in people with whom you have very profound philosophic disagreement.

There is an old expression: Politics makes strange bedfellows. That is read today by most young people, or anyone who hears it, as meaning what it maybe initially meant: that they are strange bedfellows because people need things from each other, and they compromise. So you end up being aligned with someone with whom you disagree, out of self-interest.

But the majesty of this place in which I stand—this Senate, the floor of this place, the floor of the Senate at this moment—is it has another impact on people I do not think many historians have written very well about, and I think it is almost hard to understand, even harder to articulate; and that is, it produces relationships that are a consequence of you looking at the best in your opponent, the best in the people with whom you serve, the best about their nature.

I remember, as a young Senator—I guess I was 31—wandering on the floor one day. New Senators will not like what I am about to say, but when you are a newer Senator, you have less hectic Senate responsibilities than you do when you are a more senior Senator. You are no less important. But being chairman of a committee gives you the honor of turning your lights on and turning them off, meaning you are the first and last there. When you are not a senior Member, you are not required to do that as much.

So I was wandering literally onto the floor, like my friend from Montana just has, and there was a debate going on.

(Mr. BURNS assumed the chair.)

Mr. BIDEN. One of my colleagues, who also became a friend, was railing against something I felt very strongly about. And at the time, because of the circumstance in which I got here, I was meeting regularly, once a week, with one of the finest men I ever knew, the then-majority leader Senator Mike Mansfield.

When I got here, between the date I got elected and the date I arrived, my wife and daughter were killed in an automobile accident and I was not crazy about being here. Senator Mansfield, being the great man he was, took on the role of sort of a Dutch uncle. He would tell me what my responsibility was and why I should stay in the Senate.

And then, without my knowing it, really, at the time—looking back, it is crystal clear—he would ask me to come and meet with him in his office once a week and talk about what I was doing. But he acted sort of like he was the principal and I was the young teacher, and I was coming to tell him how my classes were going. But, really, it was just to take my pulse and see how I was doing.

Anyway, I walked on the floor one day, and a particular friend of mine, Jesse Helms—he has become a close friend, God love him. He is in North Carolina now in retirement—he was going on about something I had a very serious disagreement with.

I walked into Senator Mansfield's office—which was out that door—and I sat down with him. He said: How is it going? And I began to rail about how could this Senator say such and such a thing? It had to do with the Americans with Disabilities Act or what was being discussed then. And Senator Mansfield, in his way, just let me go on, and then he said: Joe—I will not bore you with the whole story. This relates to Strom—he said: Joe, you should understand one thing. And he told me the story about Harry Truman.

When Harry Truman first got to the Senate—I will paraphrase this—he wrote back to his wife Bess and said: I can't believe I am here. I can't believe how I got here with all these great men.

Apparently, not long thereafter, he wrote back to Bess and said he couldn't understand how all these other guys got here.

Well, he told me that story. And he said: Let me tell you, every single solitary man and woman with whom you will serve in the Senate has something very special that their constituency sees in them. And your job is to look for that.

I can't imagine anybody saying that today, can you? I can't imagine, in this raw political environment we are in, somebody having the insight Mike Mansfield had and telling a novitiate, if you will, a new, young Senator, that part of my job was to look for that thing in my colleague, a colleague with whom I have a bitter disagreement, to look for that thing in him that his constituency recognized which was special and sent him here.

Maybe subconsciously, because of that, I became one of Strom Thurmond's close friends and, as his AA will tell you, one of his protectors, especially as he got older. Mike Mansfield was right. I never called Mike Mansfield "Mike." I am standing here as a senior Senator saying Mike Mansfield. I never called him Mike until the day he died. I called him Mr. Leader. And Strom Thurmond had a very special piece of him that his constituents saw that had nothing to do with the most celebrated aspects of his career.

The most celebrated aspects of his career were the ones I abhor the most: The filibuster to fight civil rights and to keep black Americans in the shadow of white Americans or signing the Southern Manifesto.

It is funny—I say to my friend from Montana—I actually got tied up with a lot of Southerners.

Senator John Stennis became my friend. I had his office. I have the table he presented to me in the conference room that had been Richard Russell's, upon which—I am told—the Southern Manifesto was signed. I might note parenthetically, if you all know John Stennis, he talked at you like this all the time. He would hold his hand like this. When I was looking through his office, when he was leaving, to see whether I could take his office because

of my seniority, he reminded me of the first time I came by his office as a young Senator to pay my respects, which was a tradition then. And I sat down at that conference table which he used as his office desk.

He patted the leather chair next to me. He said: Sit down. He said: What made you run for the Senate? After congratulating me.

And like a darn fool I told him the exact truth. I said: Civil rights, sir.

As soon as I said it, I could feel the beads of sweat pop out on my head, my underarms get damp. Why am I telling this old segregationist that the reason was civil rights? That is not a very auspicious way to start off a relationship.

He looked at me and said: Good. Good. Good.

That was the end of the conversation.

Over the intervening years, we served 18 years. We shared a hospital room in Walter Reed for 3 months. He was in there, and I was. He became supportive of me in my effort to run for President back in the 1980s. We became good friends. But 18 years later, when I came back to look at his office to see whether or not I would take his office because it was a more commodious space, I walked into the office. It was during that interregnum period after the Presidential election. President Bush was about to take office. There had been this transition.

Anyway, I said to his secretary of many years—I am embarrassed, I can't remember her first name. I think it may have been Mildred. He was in the Senate 42 years, maybe 43—is the chairman in?

She said: Senator, you can go right into his office.

I walked in. He was sitting in the same spot he was 18 years earlier. Only this time in a wheelchair with an amputated leg was John Stennis. I said: Mr. Chairman, I apologize.

He said: Come in, sit down. Sit down. He patted the chair. I sat down. He startled me. He said: You all remember the first time you came to see me, JOE?

I had not. And he reminded me. I looked at him and he recited the story. And I said: I was a pretty smart fellow, wasn't I, Mr. Chairman?

And he said: I wanted to tell you something then and I am going to tell you now. He said: You are going to take my office, aren't you?

I said: Yes, sir, Mr. Chairman.

He caressed that table—it was a big mahogany table about half the size of the table in the cabinet room—as if it was an animate object. He said: Do you see this table, JOE?

I said: Yes, Mr. Chairman.

He said: This table was the flagship of the Confederacy from 1954 to 1968. He said: Senator Russell would have us every Monday, Tuesday, Wednesday—I forget what day—and we would have lunch here. He said: Everybody had a drawer. And he opened one of the drawers. He said: We planned the demise of the civil rights movement at this table.

He said: It is time now that this table go from the table of a man against civil rights to the table owned by a man for civil rights. I give you my word on that.

I was moved by that. I looked at him, and he said: One more thing, JOE, before you leave. He said: The civil rights movement did more to free the white man than it did the black man.

And I said: How is that, Mr. Chairman?

None of you here are old enough to remember him, but again the way he talked, he went like this, he said: It freed my soul. It freed my soul.

The point I want to make that I am grappling with here is the men and women who serve here, and Strom Thurmond in particular, actually change. They actually grow. They actually, because of the diverse views that are here and the different geography represented, if you are here long enough, it rubs against you. It sort of polishes you. Not in the way of polish meaning smooth, but polishes you in the sense of taking off the edges and understanding the other man's perspective.

I believe Strom Thurmond was a captive of his era, his age, and his geography.

I do not believe Strom Thurmond at his core was racist. But even if he had been, I believe that he changed, and the news media says he changed, they think, out of pure opportunism. I believe he changed because the times changed, life changed. He worked with, he saw, he had relationships with people who educated him, as well as I have been educated.

Hubert Humphrey wrote a book—and I had the great honor of serving with him—called "The Education of a Public Man." I watched Strom Thurmond as the percentage of his staff increased in terms of black representation. He and I were chairmen, or cochairmen, of the Judiciary Committee for almost two decades—16 years I believe. I watched him. He would lean over to me in the middle of a hearing because we had a genuine trust and say: Joe, what did they mean by that?

I will never forget we were holding a hearing on a Supreme Court Justice, and at the end the last group of witnesses we had—we had six witnesses—included a young man representing the gay and lesbian task force. He was chairing and I was the only one with him because the hearing was already finished and these were people coming to register opposition or support. They ranged from all kinds of groups that were before us—extremely conservative ones and liberal ones—to give everybody their say. Everybody on the committee knew it was basically over. Because of being the ranking Democrat or ranking Republican or the chairman, you have to be there.

I will never forget sitting next to him and he leaned over and said: What is he saying? This young man was explaining the point of view of why, in fact, to be

gay was not to be in any way mal-adjusted. But Strom came from an era and a time that was different, so he looked at the young man and he said: Have you received psychiatric help, son?

Now, everybody in that room who was under the age of 40 laughed and thought he was being a wise guy. He was serious.

He leaned over to me and he said: Joe, why do they call it "gay"?

He wasn't being snide. He literally, at 91 years old, didn't understand that. I guess it must not have been Rehnquist. It must have been someone later. He did not understand. Remember, this man was over 100 years old. He came from the Deep South. People from the far North don't understand either. But he came from an environment that was so different. But in this place, over time, he had the ability, without even knowing it, to apply Mike Mansfield's standard, which was to look at the other guy or woman and try to figure out what is the good thing about them that caused their people to send them here, with all their warts, foibles and faults.

I deem it a privilege to have become his friend. We were equals in the sense that our vote counted the same. Our influence on some issues was the same. But I am 60 and he was 100. There was always a 40-year chasm between us. I could say things to Strom and be irreverent with him. I could grab him by the arm and say: Strom, don't—which I would not have been able to do if there had been a 10-year difference. I was like the kid. It is strange—I find it strange even talking about it—how this relationship that started in stark adversarial confrontation ended up being as close as it was, causing Strom Thurmond to ask his wife whether I would deliver a eulogy for him. I don't fully understand it, but I do know it is something about this place, these walls, this Chamber, and something good about America, something good about our system, and it is something that is sorely needed—to look in the eyes of your adversary within our system and look for the good in him, and not just the part that you find disagreeable or, in some cases, abhorrent.

I will end on a more humorous note. I had the privilege of being asked to be one of the four people to speak at his 90th birthday party. The other people were George Mitchell, then majority leader, a fine man; Bob Dole; and Richard Milhouse Nixon. It was before a crowd of a thousand or more people, black tie, here in Washington. It was quite an event. It kind of shocked everybody that I was asked to be one of the speakers. It shocked me to be seen with Richard Milhouse Nixon, even though he was President when I arrived here.

I did some research about Strom to find out about his background before I did this tribute on his 90th birthday—a combination tribute and roast. You know what I found? I found a lead edi-

torial—I don't have it now—from the year 1947 or 1948 from the New York Times, and the title, if memory serves me correct, is something like "The Hope of the South." It was about Strom Thurmond. The New York Times, the liberal New York Times, in the late forties—it must have been 1947—wrote about this guy, Strom Thurmond, a public official in South Carolina, who got himself in trouble and lost a primary because he was too empathetic to African-Americans because when he was a presiding judge, he started an effort statewide in South Carolina that tried to get better textbooks and materials into black schools, and he tutored young blacks and set up an organization to tutor and teach young blacks how to read. Strom Thurmond. Strom Thurmond. I think it was in 1946 or 1947. The essence of the editorial was that this is "the hope of the South." In the meantime, he got beat by a sitting Senator for being "weak on race."

I think Strom Thurmond learned the wrong political lesson from that and decided no one would ever get to the right of him on this issue again. But I also was sitting next to him when he voted for the extension of the Voting Rights Act.

The only point I want to make is, people change, people grow, and people react to crises in different ways. I choose to remember Strom Thurmond in his last 15 years as Senator rather than choose to remember him when he started his career.

I do not choose that just as a matter of convenience. I choose that because I believe men and women can grow. I believe John Stennis meant it when he said the civil rights movement saved his soul. I believe Strom Thurmond meant it when he hired so many African Americans, signed on to the extension of the Voting Rights Act, and voted for the Martin Luther King holiday.

I choose to believe that he meant it because I find it hard to believe that in the so many decent, generous, and personal acts that he did for me that it did not come from a man who is basically a decent, good man, and the latter part of his career reflects that.

I choose it not just because I am an optimist. I choose it not just because I want to believe it. I choose it not just because I believe there is a chemistry that happens in this body. I choose it because I believe basically in the goodness of human nature and it will win out, and I think it did in Strom.

I will have more to say—or less to say but hopefully more succinctly and in a more articulate way—at his funeral.

I close by saying to Nancy, Strom, Jr., and all of his children, how much I cared about their father, how much, in a strange way, he taught me, and how much I hope he learned from those of us who disagreed so much with his policy on race. The human side of this can never be lost. They lost the blood of

their blood, bone of their bone. It was a tough time. But I am flattered that he asked me, and I just hope that I and others are worthy of his memory when we speak of him on Tuesday.

#### WAR IN IRAQ

Mr. BIDEN. Mr. President, I planned yesterday to be here today to speak about a totally different subject, and then we learned last evening what happened to Strom Thurmond. With the permission of my colleagues, I wish to move for a few minutes to a totally different subject, and that is the war in Iraq. I say "the war in Iraq" because there is still a war in Iraq.

I returned from Baghdad on Tuesday with two of my distinguished Republican colleagues—Senators LUGAR and HAGEL. I came away with several impressions that I want to pass on to my colleagues in the hope that it will give some additional information or insight. My impressions, although not stated in the same way by my two colleagues, Senators HAGEL and LUGAR, I am confident are the same ones they had because we did a number of press conferences and we talked at length. It was a 14-hour flight back. We are good friends, and we all agree on the essence of what I am about to say, although we have different emphasis on different points. Let me say what those primary impressions are and why I think there is such an urgency.

First, there is still a war going on. It is more like a guerrilla war but there is a war. Meeting with our military troops, meeting with our generals, one told us: Every time I send a young man out on patrol on the streets of Baghdad in a humvee, I tell them: Treat it as if you are in battle.

He told us how they know now that our young men and women are being targeted not by some random group of Islamists who are angry but by professionals, the leftover fedayeen, the Republican Guard. Where did all these folks go? They went back into their communities.

One colonel told us they know that people who are engaged in going after Americans are instructed in the following way: All our young men and women wear helmets and flack jackets. They are instructed when there is a disturbance to come out of the crowd. If they are going to try to kill one of our young men and women, there is a 4-inch opening to do it; that is, space between the back of the helmet and the top of the bulletproof vest is where they aim to kill our soldiers. That is not the work of just random and irrational people who are angry we are in their country. How well coordinated and how well organized it is they do not know, and I do not know, but there is still a war going on.

The second impression I came back with is, what a remarkable group of people we have working in the toughest of conditions against the longest of odds to put Iraq back on its feet and

back into the hands of the Iraqi people. I am not merely talking about our military, which has been celebrated with good reason and everybody knows; I am talking about our civilians. I am talking about Ambassador Bremer. I am talking about Ambassador Crocker. I am talking about Secretary Slocum. I am talking about the most talented group of people we have assembled, the people who have had incredible experience in Bosnia, in Kosovo, and in Afghanistan in trying to stand up a police department.

We spent an hour or more at the police training academy with men I know are the best in the world. I know because I spent so much time in the Balkans and so much time dealing with the subject. I know they are the single best in the world. In fact, coincidentally, one of them happens to be a former chief of police of the Newark Police Department in the town in which I attended college, the University of Delaware. These are incredibly talented people working under incredibly difficult conditions, made more difficult, I am sad to say, by the incredible miscalculations this administration is making about how to proceed in Iraq.

Many of us on this floor—I am not unique—have pointed out that winning the war is only half the problem, the smaller half. Winning the peace is an astronomically difficult subject. As I say to my colleagues and anyone who asks, if the Lord Almighty came down and sat in this chair and agreed to give the President and those on the ground in Iraq the right answers to the next 20 decisions they had to make, the next 50 decisions they had to make, consequential decisions, we still only have, in my view, a 65-percent chance of getting it right.

That is how complicated Iraq is. That is how difficult this problem is. But it has been made much more difficult, frankly, by the wrong assumptions that were made by the administration. This is not second-guessing. These are things that, for a year before, many of us argued with them about.

I supported us taking out that tyrant, but there seems to be a tone deafness right now, and that is that the administration thought building the peace would be built upon three assumptions they had, for which, in the hearings we held I never found any basis. One is, they expected to find a fully functioning bureaucracy when they got to Iraq, a literate country that would have in place for each of their departments—think of it in terms of the United States—their department of education, their department of public works, their department of highways, their department of security. We were told, with absolute certainty by the administration, that all we had to do was go in and decapitate the Baathists, that is the neo-Nazis who ran that country, and we would have this infrastructure ready to take over the running of their country. But it melted away. It is not there.

The second assumption was we were told they expected to find an army intact. Again, we decapitate the bad guys but there would be a standing army we could work with. That melted away. It does not exist, and to the extent it exists, it is engaged in guerrilla activity.

The third assumption was we were going to find a police force in the country that once we took the bad apples out of—like we did, by the way, in Colombia, helping them vet their national police—that we would have tens of thousands of police officers we could work with who were trained. There are none, and there never were any.

The result has been massive problems in terms of getting basic services back and restoring security. We have seen looting and political sabotage against power, oil, and water plants, some organized resistance, which seems to be getting more organized. All of this is compounded by years of neglect by Saddam Hussein's regime. Neither this administration nor any of us could have reasonably anticipated how badly he treated the infrastructure of his own country. It is not merely that he did not repair the infrastructure during the period when the embargo was on them, when they were operating under sanctions, but for 30 years.

In fairness to the administration, no one knew how badly he had raped and pillaged his own country and infrastructure. We knew what he did to his people but we did not know this.

Ultimately, Iraqis need to do all these jobs: Administrate, be the army, be the police force, restore security, maintain security, but it is going to take a long time to do that. Meanwhile, we the international community should be filling the gaps, not we the United States alone.

What is worse is we should have known better. We had extensive experience in the Balkans. We had considerable experience in Afghanistan, which is a failure, in my view. We had considerable bipartisan testimony from experts on the left, right, and center, going back to July, that these problems would be protracted and they would be deep. I will never forget two leading generals, the former head of CENTCOM and former NATO director, testifying before our committee, and I remember the parallel they used.

They said we have this incredible military juggernaut which we have planned incredibly well and executed it incredibly well, but we should in tandem be planning for the occupation of Iraq. There was virtually no planning, but that is water over the dam.

That is not just me. Ask my Republican colleagues who deal with this. There was no planning. The question now, and my purpose today, is not to say, aha, look at the mistake you made, you did not listen. It is to say, let's get over this. Now that we realize and the whole world understands these infrastructures do not exist, it is time to internationalize the effort.

First, we need a significant infusion of military and civilian police to fill

the gap of the Iraqi police. On another date, I will spend more time on this, but there are 79,000 Iraqi police spots we have to fill. Our experts on the ground in Iraq say there is a need immediately for 5,800 European crack police, the gens de guerre, to be brought in to maintain the peace and security of the citizens, stop the looting, make the traffic lights work, investigate the murders and the rapes, while we are training 80,000 new police officers.

There is a gigantic vacuum, and our own people on the ground say we need help now. So I implore the President to get over his feelings about the Europeans, the French and the Germans in particular, and seek their assistance because I believe they are ready to assist. They need to be asked.

As I said, we are starting from scratch to build an Iraqi police force of 73,000 people with 18,000 cars. Now we have about 30,000 Iraqi police, all ill trained, with about 200 cars. How long will it take to get to 73,000, which is a very thin blue line? The estimate of many is about 5 years. So what do we do in the meantime if we do not seek to internationalize this?

Second, we need to sustain and probably increase our military forces in Iraq, and it need not be more Americans. We should be reaching out to NATO. When I have spoken to Lord Robertson, when I have spoken to the head of NATO, and spoken to the country specific, I am told they are prepared to send hard, tough, fighting troops into Iraq, but they want to be asked. To the best of my knowledge, the President and Secretary of Defense and the Vice President have decided not to ask. If that is true, that is foolhardy.

We need between 30,000 and 60,000 forces there, and they should be NATO forces. Meanwhile, the notion that has been floated out of the Pentagon by Mr. Rumsfeld, as he suggested 6 weeks ago that we could get down to 30,000 troops by the end of the year, is pure fantasy. Who are we kidding? Get down to 30,000 troops within 6 months? Unless he has a plan no one has ever heard of internationalizing this to the extent that they are backfilled with European and other forces.

We need to get more troops in. They need to be effective, and the best place to look is NATO. As I said, I met with Secretary General Robertson last weekend. NATO is willing to help, but the administration has to ask. So please ask, Mr. President.

Third, we are going to need significant resources to get all of this done. Just a couple of weeks ago my committee, headed by Senator LUGAR, had testimony from leading members of the administration saying do not worry; basically, the oil revenues are going to take care of all of this. What a joke. We have a leading oil man appointed by the administration in Baghdad with whom we sat and met, my two colleagues and I. He said we will get to 1 million barrels a day maybe by the end

of the summer; maybe by the end of 2004, an average of 2.4 million a day.

Let me explain that. It means there may be the ability to generate \$5 billion worth of revenue this year and \$14 billion next year; and it costs us \$3 billion a month just to maintain our troops there.

It is time we start leveling with the American people. Maybe the most important impression was our folks on the ground are doing an incredible job. I am not being solicitous. I am not just saying we are doing a great job. They are doing an incredible job. The most positive thing I came away with: I went over despondent about a lack of a political game plan of transferring government to the Iraqis. I am truly impressed with Ambassador Bremer and his team. They have that process underway, after we finally discarded what I assume was the Cheney-Rumsfeld idea of putting Mr. Garner in there and finding Mr. Chalabi—I may be wrong about that; if I am, I apologize for sounding harsh.

But the President was wise enough to recognize the model they originally came up with on the political transition—General Garner is a fine man, and the expatriates being the basis upon which the government would be stood up quickly—was not realistic, and he made a swift change. I implore the President to make a similar change in thinking about police and the military.

Nobody back home understands. The American people have not been given the facts, in my view, to be able to fully understand how monumental the task is we are undertaking, how long it will take and how much it will cost, how many troops. The President needs to go to the American people and tell them.

I will end where I began 10 months ago in this Chamber after my hearings in July—almost a year ago, when I chaired the Foreign Relations Committee. I said then and I repeat it: The one thing all who come out of the Vietnam era generation can agree on is, regardless of what our view was on the war at the time, no foreign policy, no matter how well fashioned, can be sustained without the informed consent of the American people.

As I have said repeatedly, folks in my State and around the country thought when we went in that Johnny and Jane would come marching home as they did after gulf I, immediately after the war. There is a bit of shock and dismay on the part of the families of the National Guard and the reservists when they find out their dads and moms are not coming home; they are being extended.

We knew ahead of time they would have to be extended. You knew it, I knew it. We did not tell. We told them, the President didn't. Mr. President, please go on television, tell the American people what is expected of them now. They will respond. We are a mature people. They don't like the fact that 161,000 Americans have to stay

there for an extended period of time. But we have to tell them, and tell them why it is so important it be done. It is in the naked self-interests of the United States that we get this right—that we stand up with a government at the end of the day that is at least more democratic, is not a breeding ground for terror, and is a stabilizing influence in the region because it will save the lives of our children and our grandchildren if we do it right. We have an opportunity to do it right. This is doable. But not on the cheap, and not without leveling with the American people.

Nearly 2 months ago, on May 1, President Bush landed on the USS *Abraham Lincoln* to address our troops and the Nation. Behind them was a large banner that read "Mission accomplished." Our troops did accomplish their first mission, a remarkable mission in Iraq, of ridding its people of the tyrannical regime of Saddam Hussein. But the larger and more difficult mission is building the peace in Iraq and is far from accomplished. In fact, it has only just begun.

I respectfully suggest it is time for the President to explain that to the American people, to talk to us straight about the hundreds of thousands of troops who will be needed immediately and the tens of thousands of troops who will be needed for a long time, and the tens of billions of dollars that will be needed, and how we will have to energize the international community as donor nations to come up with that money so we do not hold the bag for it all. It will take many years.

When Senator LUGAR and I held our hearings, everybody kept saying, the day after the war, and we said, no, it is not the day after, it is the decade after Saddam Hussein is down—the decade after. I have not found one reasonable person who suggests that the United States will not be heavily involved, even after there is a transition to an Iraqi Government, for at least the next 3 to 5 years. If anybody thinks it is less than that, they are kidding themselves. If it is less than that, it will mean we will lose the peace.

I know it is dangerous, and I can see my colleague looking at me; it is dangerous to prognosticate in this business because everybody remembers exactly what you said. But I am saying the same thing I said last July. It was a worthy goal to take down Saddam Hussein. He was a danger to his people. The one thing the whole world has seen is what a madman he was. He has killed 300,000 of his own people at least. Mass graves abound. We did a worthy and noble thing. But we must internationalize this effort now. Now. Now. We must level with the American people.

I conclude by saying what the troops told us. You have been on these missions. These young men and women we have dinner with, these young troops we go out and ride around with, the people we spend our time with in the

country, they want to know in Baghdad, are we going to support them? They know how tough this is. They know how many more of them are going to die. They know their life is at risk. They know this is an incredibly difficult undertaking, and they are wondering why, when they pick up the papers back home, it is not being stated that way. It is being treated as if this is over. The American people deserve to be leveled with.

Everyone here knows, whether we say another year or 10, whether it is 75,000 troops or 160,000, whether it is \$1 billion or \$20 billion or \$40 billion, we all know it is a lot more than any of us are telling the American people.

It is time, as one of my Republican colleagues said, to tell the truth. I am not suggesting the President is lying. He is not. I am suggesting the American people do not have any idea what we have signed them on to. We had better tell them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

#### SENATOR STROM THURMOND

Ms. STABENOW. Mr. President, I take a moment to send my thoughts and prayers to the family of Senator Strom Thurmond of South Carolina, a man of a remarkable career who made his mark in the permanent history books of the Senate and the country. I know he will be remembered at the funeral next week that many colleagues will be attending. We send our thoughts and prayers to his family at what I am sure is a difficult time as they face this loss.

#### PRESCRIPTION DRUG AND MEDICARE IMPROVEMENT ACT

Ms. STABENOW. Mr. President, last night's vote on the Medicare prescription drug bill is one of the toughest votes I have cast since becoming Senator in 2001.

As the people of Michigan know, I made the issue of adding a prescription drug benefit to Medicare one of the centerpieces of my 2000 campaign. I told Michiganians that if they sent me to the Senate, I would fight to add a meaningful prescription drug benefit to Medicare. I also said I would do everything within my power to lower prescription drug prices for everyone.

For years, I have crisis-crossed Michigan and listened to seniors who desperately need help with paying for their medicines. I have heard from middle class, retired people who have had to cut pills in half because they could not afford to pay for their full prescriptions. I have gone with seniors to Canada where they could actually afford to buy American-made prescription drugs because they cost so much less north of the border.

Since 2001, I have sponsored and cosponsored bills that would provide a comprehensive prescription drug ben-

efit in Medicare and lower prices for all Americans. These are the goals that I have fought for and have spoken out for on this Senate floor time and time again.

Specifically, I have cosponsored S. 7, a bill that would provide a meaningful Medicare prescription benefit. And I have co-sponsored bills to open the border to Canada to allow families to purchase low-cost, F.D.A.-approved drugs made in the U.S. that have been sold in Canada for half the price or less.

I have co-sponsored legislation creating more competition to lower prices by allowing more generics, or unadvertised brands on the market and helping States set up bulk purchasing programs to lower prices for those without health insurance to help pay for their prescription drugs.

I have particularly focused on lowering prices for all Americans because the soaring cost of prescription drugs is hurting all of us.

When a brand-name prescription drug goes up in price three times the rate of inflation, everyone is affected by that. It hurts our seniors, many of whom must pay for prescriptions directly out of their pockets. It harms our businesses by dramatically increasing their health care costs. The average small business has seen their health care premiums double in the last 5 years. This affects our ability to grow and to provide new jobs.

The bill that the Senate passed last night only accomplishes some of my goals. It has its strengths and weaknesses. It is a step in the right direction, but only a beginning step.

On a positive note, this bill establishes an outpatient prescription drug benefit for all seniors for the first time since the entire program was created in 1965.

Currently, Medicare only covers prescription drugs for those who are in the hospital. As we all know, this has been a seniors challenge for our seniors.

Unfortunately, the benefit is confusing and will vary depending upon decisions made by insurance companies, but at least this bill establishes for the first time that there should be a benefit.

The bill provides a benefit for low income seniors who make less than 160 percent of poverty. Married couples earning less than \$19,392 per year will receive a comprehensive prescription drug plan. This will help approximately 350,000 seniors in Michigan. Again, this is a step in the right direction.

This bill also provides a catastrophic benefit for seniors who have extraordinary prescription drug bills each year. For some seniors, it is not uncommon for them to have monthly prescription drug bills of over \$1,000 per month or \$12,000 per year. This bill has a catastrophic cap at \$5,800 per year. After \$5,800, seniors would only have to pay 10 percent of additional out-of-pocket costs in one year. This is a positive step.

This bill also includes several improvements in payments for Medicare

providers. Since 1997, many Medicare providers have been underpaid and have been forced to make difficult decisions regarding serving new Medicare patients. Specifically, this bill provides increased payments for rural providers such as hospitals, ambulance services, and home health agencies. This is important to the people of Michigan.

The bill also makes great strides in helping to lower prescription drug prices for all Americans. For the first time, we have closed loopholes in our drug laws that have allowed brand name drug makers to keep lower cost generic drugs off the market. This bill will mean that there will be more competition between similar drugs and thus lower prices for families, for businesses, and for everyone using prescription drugs. This is a positive aspect that I have been fighting for, for the last 2½ years.

It also includes a provision that I have long championed that will allow pharmacies and families to purchase lower priced prescription drugs from Canada. In some cases, the same drugs that are sold in Canada can cost up to 50, 60, or 70 percent less than they cost here in the U.S. That makes absolutely no sense.

Regrettably, opponents of this type of free market competition attached a provision that allows the Secretary of Health and Human Services to stop its implementation. I hope that HHS Secretary Tommy Thompson will not block it and allow U.S. citizens to get lower priced, FDA approved, American made prescription drugs from Canada.

Unfortunately, this bill has serious drawbacks as well which is why it has been such a difficult situation for me. The Republican Congress, along with the President, has not been willing to allocate enough funding to provide a comprehensive benefit to most of our middle class seniors.

They arbitrarily picked a figure of \$400 billion in total spending for 10 years even though we know that it would take twice that amount to provide American seniors with the same kind of prescription drug coverage that we in the Congress enjoy. Why was that decision made? I have always said this is a question of values and priorities.

Which is more important, or more effective, putting money in people's pockets and improving the quality of life for Americans, another trillion dollar tax cut for the privileged few, or meaningful prescription drug benefit that will help our seniors and their families afford live saving medicine and put money back in people's pockets through lower prescription drug prices.

The answer to that question, I believe, is very clear. Unfortunately, misplaced priorities have resulted in a prescription drug plan that is much less than American families need and deserve.

There are many short-comings in this plan that I will continue to do everything in my power to correct.

For example, the drudge benefit stops when a senior's drug expenditures are between \$4,500 and \$5,800. During that period, after seniors have spent \$4,500 on their prescription drug costs, and before they reach \$5,800, seniors would pay 100 percent of that \$1,300 in prescription drug bills. This is a major gap in coverage.

Secondly, the copayments, the deductibles, the premiums are too high and too unpredictable. The \$35 premium often quoted is not even guaranteed in the bill. Seniors will be left to the mercy of insurance companies that will decide the premiums and the benefits that will be provided. This is not in the bill. It is up to the insurance companies.

Another very important issue relates to those who already have prescription drug coverage. There is currently not enough incentive in this plan to make sure employers do not drop existing prescription drug coverage for their retirees. This is a very important issue for the retirees in Michigan.

I will continue to fight for changes in this legislation to protect those who currently have coverage, who have worked hard their whole lives, who have retired and have been fortunate enough to have good benefits and are very concerned that they not lose them, as we work to help others who do not have coverage. It makes no sense to set up a system that might actually take away benefits currently being provided to retirees through private insurance.

Furthermore, one of the most negative parts of this bill is the fact that it does not allow seniors to get their prescription drugs through the traditional Medicare system as their first choice. Under the bill passed by the Senate, seniors must pick a private prescription drug plan or enroll in a private PPO or HMO if one is available to them.

Traditional Medicare, that seniors know and depend on, is only available if private plans are not available. Does this make sense? Only if you are a pharmaceutical company or an insurance company. I believe seniors should have many choices, including the choice to stay in the Medicare Program they know and trust.

As I have said so many times before on this Senate floor, when given a choice between traditional Medicare and a Medicare HMO, 89 percent of our American seniors and persons with disabilities have chosen traditional Medicare—89 percent.

This choice is not available to them under this bill. I believe this is a major flaw that I will continue to do everything I can to correct.

During debate on this bill, I sponsored and cosponsored and supported amendments that would have corrected all of these problems. These amendments would have stopped the benefit shutdown, reduced out-of-pocket costs, protected current retiree coverage, and provided a real comprehensive Medi-

care prescription drug benefit. Regrettably, none of these important amendments received the necessary support from my Republican colleagues to pass.

When deciding how I would cast my vote on this bill, I looked at all of these things: the positive and the negative. I evaluated whether or not this was a step forward for Michigan families, for Michigan workers, for Michigan businesses and, most importantly, for our seniors who have waited too long for help to pay for their medicine.

After many hours of thoughtful review and discussions with those affected by this legislation, I voted in favor of this bill last night, not because it was the best we can do but because it is a first step in the right direction. This direction—the direction in which we need to move—is for a real, meaningful prescription drug benefit for our seniors who have waited too long for their Government to act.

We were successful in improving this bill in some ways during this debate, but much more needs to be done. There will be other opportunities to do so, and I will take them.

This bill does not take effect until 2006. So between now and then I will be fighting hard to provide seniors with the real prescription drug benefit they need and deserve, and I will continue to help lead the fight to lower prescription drug prices for everyone.

As we know, this legislation is not finished. It must now go to a conference committee, a joint committee between the Senate and the House of Representatives, where differences between the Senate and House bills will be addressed. There are critical differences between the two bills.

The House of Representatives passed, by only one vote, a bill that truly begins to unravel Medicare. The House started down the road of privatizing the health care system of senior citizens and the disabled in our country. They voted to begin the process of turning back the clock to the days when too many seniors and families could not find or afford private insurance.

If I had been in the House of Representatives last evening, where I served for 4 years, I would have voted no. If the House bill comes before the Senate as it is currently written, I will vote no. Unlike the Senate, where we worked in a bipartisan way to develop a plan that the majority of Senators could support, the House process was very partisan and polarizing, and it resulted in an extreme plan that could not be supported by my Democratic colleagues who care deeply about strengthening and preserving Medicare for the future.

Our seniors expect and deserve the best plan we can offer. I will continue to work with my colleagues to achieve that goal. And I hope and pray that we will be successful.

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

The PRESIDING OFFICER (Mrs. DOLE). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

THE HONORABLE J. STROM THURMOND, FORMER U.S. SENATOR AND PRESIDENT PRO TEMPORE EMERITUS FROM THE STATE OF SOUTH CAROLINA

Mr. FRIST. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 191, which is at the desk, and I ask that the resolution be read.

The PRESIDING OFFICER. The clerk will report the resolution.

The assistant legislative clerk read as follows:

A resolution (S. Res. 191) relative to the death of the Honorable J. Strom Thurmond, former United States Senator and President Pro Tempore Emeritus from the State of South Carolina.

S. RES. 191

Whereas the Honorable J. Strom Thurmond conducted his life in an exemplary manner, an example to all of his fellow citizens;

Whereas the Honorable J. Strom Thurmond was a devoted husband, father, and most recently, grandfather;

Whereas the Honorable J. Strom Thurmond gave a great measure of his life to public service;

Whereas, having abandoned the safety of high position, the Honorable J. Strom Thurmond served his country during World War II, fighting the greatest threat the world had thus far seen;

Whereas the Honorable J. Strom Thurmond served South Carolina in the United States Senate with devotion and distinction;

Whereas his service on behalf of South Carolina and all Americans earned him the esteem and high regard of his colleagues; and

Whereas his death has deprived his State and Nation of a most outstanding Senator: Now, therefore, be it

*Resolved*, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable J. Strom Thurmond, former Senator and President Pro Tempore Emeritus from the State of South Carolina.

*Resolved*, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

*Resolved*, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable J. Strom Thurmond.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Madam President, this resolution has been submitted by myself and on behalf of Senator DASCHLE, Senator GRAHAM, and Senator HOLLINGS in honor of the honorable and great J. Strom Thurmond.

Last night shortly after 9:45, we were notified of the death of Strom Thurmond. At that time, I pointed out that it was a century ago—a long time ago—when Mark Twain was alive and Teddy Roosevelt was still President, J. Strom

Thurmond was born in Edgefield, SC, and, thus, began a life of public service unmatched—unmatched—in the modern history of America.

Strom Thurmond served as United States Senator from December 1954, 2 years after I was born, until January of this year, nearly a half century of service in this body—this body we have the honor of participating in on a daily basis.

Though his period of service is a remarkable accomplishment in and of itself, Strom led a remarkable life even before coming to the Senate. Late last night and over the course of the morning, if one turned on a television set, they would hear anecdotes, stories about this great man, and those pre-Senate years when he was a teacher, an athletic coach, and a superintendent of education.

He studied law under his father, Judge J. William Thurmond, and became a city attorney, a county attorney, a State senator, and eventually a circuit court judge. He resigned his position as a circuit judge to volunteer to fight in World War II. This he did at the age of 39, 18 years after serving as an Army reservist and having earned a commission as a second lieutenant.

Indeed, as we all know, age never was an obstacle for Strom Thurmond. As a member of the 82nd Airborne, Strom landed a glider at Normandy on D-Day and helped secure the foothold for the Allies to liberate the European continent.

For his distinguished service, Strom was awarded five battle stars and 18 other decorations, including the Legion of Merit with oak leaf cluster, the Purple Heart, the Bronze Star for Valor, the Belgian Order of the Crown, and the French Cross of War. No wonder when a speech writer once used the word “afraid,” Strom Thurmond handed the text back with the retort:

I've never been afraid of anything.

After the war, Strom returned home to South Carolina. He was elected Governor in 1946, and then ran for President of the United States as the States Rights Democratic candidate. Strom won four States and 39 electoral votes, and that tally stands as the third largest independent electoral vote in U.S. history.

Though he did not win the Presidency, Strom was determined to serve in Washington. He ran for the Senate in 1954, became the only candidate elected to Congress by a write-in vote in American history, and he was re-elected eight more times.

In the most recent years, it became increasingly difficult for Strom to go back and forth to South Carolina, but that did not stop the people of South Carolina from coming to him, and it should not have. For decades, Strom attended every county fair, handled every constituent request, and sent a congratulatory note to every high school graduate, many of whom came to intern in his office. It has been said that almost 70 percent of South Caro-

linians have met Strom Thurmond face to face. Over the course of his long and distinguished career, Strom Thurmond was a witness to history.

As a young man, he knew people who stood in the presence of Andrew Jackson. He campaigned for the votes of men who fought in the Civil War. He and Herbert Hoover won their first elective office in the same year, 1928.

Strom more than saw history, he wrote it. He was the first major southern Democrat to switch to the Republican Party. He served for more than 17 years as President pro tempore of the Senate. As chairman of the Armed Services Committee, he ensured that our men and women of the Armed Forces had the best training, the best equipment, and the best leadership in the world.

As we all know, Strom did set the record for the oldest and longest serving Senator. He served with about one-fifth of the nearly 2,000 men and women who have been Members of the Senate since 1789. He was nearly one-half the age of the U.S. Constitution. Strom certainly faced his trials. As the Dixiecrat candidate for President in 1948, he campaigned on a platform of States rights, but in doing so he also opposed civil rights, as he did for many years as a Senator.

History will reflect that part of Strom's life. We will let history also reflect that when Strom saw that America had changed, and changed for the better, he changed, too.

A longtime friend of Senator Thurmond's, Hortense Woodson, once said of him:

Everything he's done has been done to the full. There's no halfway doings about Strom.

Indeed, Strom Thurmond will forever be a symbol of what one person can accomplish when they live life to the fullest. God bless our friend and our colleague from South Carolina, Senator Strom Thurmond.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM of South Carolina. Madam President, I compliment our majority leader for his statement. It was very eloquent and it means a lot to Senator Thurmond's family.

I know personally that Senator Thurmond had a great fondness for Senator FRIST. He told me he is a very smart man and he is a good doctor, too. If you ever need him, look him up.

I rise today in support of this resolution on behalf of myself and Senator HOLLINGS. I appreciate the majority leader and Senator DASCHLE allowing this to occur. It is offered in the spirit of Strom Thurmond's life. Something can be said about Strom Thurmond in the Senate very easily. He loved the Senate and the Senate loved him. His colleagues who have served with him so long all have personal stories of fun, good times, tough fights. He was a valuable ally and a worthy opponent, and the Senate has lost its longest serving Member. Many of us have lost a very dear friend. That goes for the Senate

family, the people who help us with the doors, the clerks, and the reporters of debates. Everyone enjoyed and appreciated Senator Thurmond.

It is important to comment on Senator Thurmond, the man. His children have lost their father. Whether one is 100 or 200, it is always difficult, no matter how long one lives, to give up their father and mother.

I have talked to two of his three children today, and I have expressed my condolences. They are doing very well but they are sad because they have lost their daddy. I have talked with his wife. We reminisced about their life together, the raising of their children, and the experiences they have had. So my prayers, along with the prayers of everyone in the Senate, go to the family. He was a good family man. If a script was written in Hollywood about his life, it would not have ended any better in this regard.

He became a first-time grandfather at the age of 100 last week. He has three children under 30. He had his first child when he was 68. He was just a phenomenal person. He has done things that most of us could not dream of doing in many ways.

I am convinced that two things drove him in his final years: That he wanted to finish out his term because he is not a quitter, and when he was elected to serve his last 6-year term he meant to serve it out. He helped me to become his successor, and I will be forever grateful. He also wanted to see his grandchild born, and God allowed him to do that. He was presented his grandson last week. They tell me it was a very magic and touching moment. A week later, he passed on.

He has suffered personal tragedy, lost a daughter in an accident. He has experienced much good and bad in his life. He has touched so many people. It is a loss to the Senate. It is a loss to his family. It is a loss to his staff.

Duke Short, who served with Senator Thurmond in Washington for so many years, was a very loyal and capable staff director. I know that Duke and his family feel the loss.

Dr. Abernathy in South Carolina has been with Strom Thurmond since the 1940s when he worked with him as Governor. Dr. Abernathy is a legend in his own right.

There are so many people who have worked for Senator Thurmond throughout the years, and I know they feel this loss. Senator Thurmond has had enough interns to probably fill up a football stadium. His first group of interns are now on Social Security.

He was elected in 1954. I was born in 1955. All I have known in my life is Senator Thurmond, and for 36 years Senator Thurmond and Senator HOLLINGS served together. Both of them are distinctive gentlemen, bigger than life. A lot of us who have associated with Senator Thurmond feel his loss.

South Carolina has lost her favorite son. Much has been said and will be said of Senator Thurmond's legacy.



The majority leader, Senator FRIST, went over his life very well, and it is just an amazing story to tell: Being a superintendent of education in the 1920s; getting elected for the first time in 1928; being a judge in South Carolina at the start of World War II, deciding to give up that job which would have exempted him from service, being in his early forties; joined the 82nd Airborne, landing in a glider. The pilot of the glider was killed when it landed. His men were wounded. He led them out and secured the objective.

When the war in Europe was over, he volunteered to go to Japan and he fought until they quit. He was just an unbelievable person who embraced life.

People ask me: How did he make it so long? He just had a passion. He had a passion for everything he did—his family, his constituents. His legacy in South Carolina is quite simple for every South Carolinian—black, white, rich, poor, no matter whether you are from upstate, middle, low State—I am sure every State has different regions and different dialects but the one thing we had in common: If we had a problem, we knew who to call. We knew to pick up the phone and call Senator Thurmond because if he could help you, he would.

The average, everyday South Carolinian, from the company owner to the janitor, believed that Senator Thurmond was on their side. And when they called, they received a call back. When they wrote a letter, they received a letter back. The reason I know that is people tell me everywhere I go.

One guy told me Senator Thurmond used to cut his grass. These stories abound. Some of them have been embellished, I am sure, but the only way that he could have lasted this long in politics, doing as many things as he has done, taking on the issues that he has taken on, is that at the end of the day people saw that he had a servant's heart.

Part of his legacy is the 1948 campaign, and it needs to be mentioned. Senator FRIST mentioned it. That was a tough time in our country. He ran as a States rights candidate with a lot of passion for the limited role of the Federal Government. He won on the platform that divided the races. That was a dark time in South Carolina. That was a dark time in our Nation.

Senator Thurmond made a choice later in life. He could have done almost anything he wanted. But as the 1950s came to a close and the 1960s came about and people started insisting their Government treat them better, Senator Thurmond made a choice. Instead of hanging on to the rhetoric of the past and the politics of the past, he embraced the future.

Here is what he does not get much credit for. Instead of going with the flow, which some people want to ascribe to him, he in a subtle way led a change. He could have been a barrier to change, but he made it easy for people in South Carolina, politicians on the

Democratic and Republican sides, to embrace change because when Strom came out for something, it made it easier for you to come out for something because it gave you cover. When Strom Thurmond appointed the first African-American judge in the history of South Carolina to the Federal bench, it made it easier for the people in the statehouse to give appointments to African Americans. That is what we do not need to lose.

When he embraced traditional Black colleges and started giving them the same recognition and funding as every other university in South Carolina, it made it easier for the legislature to improve the quality of life for everybody. At the end of his life, in 2001, he was awarded lifetime recognition from the Urban League in South Carolina, that is designed to build racial harmony, for his lifetime of service to traditionally African-American colleges.

That needs to be mentioned as much as the 1948 campaign. He will be held accountable in history for that part of his life. History should know that in many subtle ways, in many bold ways, he allowed my State to move forward, and everybody in my State is better off for it.

From a personal point, when I was in the House, I was the first Republican to be elected from my Third Congressional District in 120 years. One reason I was able to win when everybody behind me was beaten for 120 years was, Senator Thurmond, for the first time in his political career, embraced a campaign very directly—because he had been smart enough not to get involved in political races and try to represent everybody. He took to me, and I am the beneficiary of that. He said: I will come and campaign for you, Lindsey. I said: Great. And I turned to my staff and said: What do you do with a 92-year-old man? I was worried we would wear him out and we could not utilize his services. I was worried about him at age 92. Three days he campaigned for me. When he left, I said: Thank God he is gone. He wore me out.

He had a passion I had never seen. I picked him up at the airport on day 1, in an airplane flown by his personal pilot who was 75 years old, a single-engine plane. We went to a parade in September. It is hot in South Carolina in September. We went from one end of town to the other shaking hands. We went to the funeral home because he remembered the guy who owned the funeral home always gave him apples. He walked in unannounced because the Senator wanted apples, and he got the apples. He campaigned all day. We had a fundraiser that night. We went to a football game that night. He made a speech at half time. We went to a rodeo that started at 9 o'clock at night, and he got up in the middle of the ring on a barrel and gave a speech. He wanted to see the third shift change at the textile plant. I said: I am too tired, and I went home. That went on for 3 days.

When he left, I asked him to sign a fundraising letter for me. We were all

worn out. He looked at the letter and he said you misspelled your own name and you are in the Third District, not the Second District.

At 92 years of age, he had a passion and he helped me. I stand appreciative. When I ran for the Senate, he endorsed me in a primary. I can tell you, I would not be his successor if he had not come out and said: LINDSEY GRAHAM is the right guy to follow me. That will stick with me forever.

What have I learned from Senator Thurmond? If you are willing to change, you can serve your State and Nation well. If you care about people, they will take care of you. Let it be said that God gave to this Nation, my State, South Carolina, a public servant, a man of great character and heart, and that we miss him, but we thank God that he gave us J. Strom Thurmond.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Madam President, I enjoyed hearing my colleague from South Carolina tell his stories about Strom Thurmond. I rise to join the tribute to the memory of Strom Thurmond that is, very appropriately, the day after his death.

Most of the time when someone dies, we gather in great sorrow and we mourn his passing and we think about what might have been. In Strom's case, there is no reason to think about what might have been. He did it all. There was nothing left undone. There was nothing left to accomplish.

This should not be a time of mourning or sorrow but a time of celebration. So I rise to celebrate the life of Strom Thurmond. The best way to do that, I think, is to tell Strom Thurmond stories. All of us are full of Strom Thurmond stories.

I remember D-Day, when the big celebration occurred on the anniversary of D-Day and Strom Thurmond was not there. ARLEN SPECTER, who was there, greeted him in the Senate and said: Strom, it was a marvelous, marvelous celebration, and you should have been there. And his response was: I was there when it counted. It put us in our place.

My father had the experience of working with Strom Thurmond. My father was elected in 1950, and, as has been noted, Strom Thurmond was elected in 1954. They became instant friends, not just political friends. There were occasions when they disagreed politically, but they became personal friends.

When Strom married, my mother—old enough to be Strom's wife's mother—kind of took Nancy under her wing and they became friends. The Thurmonds and the Bennetts remained close for a long, long time, to the point when my children started getting married, my parents said: You have to send Strom Thurmond an announcement. And we did and thought we had taken care of our social obligation. Then we

get a phone call from Strom Thurmond's office: We got this announcement, and we don't mean to be prying, but who are you? Well, we are the children of Wallace Bennett. There was a pause. Then the person on the end of the line said: And who's Wallace Bennett?

But Strom knew who Wallace Bennett was, and when I came to the Senate, Strom greeted me very warmly and called me Wallace. It took a little while for him to figure out that I was not my father. And that was a compliment to me because I was very proud of my father and the service he performed in the Senate, and I took the opportunity to touch base with Strom.

From that, I thought: This man in his nineties is not all that sharp. He confuses me. He does not have all of this as straight as he might. Then I had a couple of experiences that set me straight. We had an issue with the State of Utah that was all wrapped up in the Armed Services Committee. It was quite a complicated issue. Someone said to me: Explain that to JOHN WARNER because JOHN WARNER is second ranking to Strom and is handling all of the detailed kind of things. You go talk to JOHN WARNER. He said: You will be talking to somebody who I know can handle the problem.

So I went to Senator WARNER and I started outlining the details of this situation to him. He cut me off. He said: You are going to have to talk to the chairman.

I, having had this image of this old man, thought, I don't really want to have to talk to the chairman. And, as delicately as I could, I said to JOHN: Can't we work this through and kind of handle it? He said no. He said: That is a serious enough issue, I don't dare handle that. You are going to have to talk to the chairman.

Just then, Senator Thurmond walked through the doors. So, gathering up my courage as a freshman Senator, I walked over to him and said: Senator Thurmond, I would like to visit with you about—and I no sooner got the title of the issue out of my mouth, than he said: It's all taken care of. And he kept walking. I followed him along, sure that he had not understood what I was talking about. This was a complicated kind of issue, and he had oversimplified it and assumed that it had been taken care of.

So I started to intrude again with some of the details. He was very respectful and wasn't patronizing. But he said: I know; I understand; all taken care of.

Well, thus dismissed, I went back to my staff and said: I think we have a problem here. Senator WARNER won't handle it, and he insists that Senator Thurmond has to handle it, and Senator Thurmond just said it has all been taken care of.

We contacted the Armed Services Committee staff, and they said: Oh, yes, that has all been dealt with. Senator Thurmond stepped in, he under-

stood the issue, he made his decisions, he took care of it, and it is all taken care of.

So I decided, well, I had better not underestimate this man, in spite of his age.

Then I had the experience while I was on the campaign plane with Senator Dole in the 1996 election when we were flying around the eastern States on the day of the South Carolina primaries. The word came in that Senator Dole was winning the South Carolina primary. We had some exit polls that looked pretty good. We decided to change our itinerary and fly to South Carolina so that Senator Dole could be there to receive the plaudits and applause and the excitement of winning the South Carolina primary. So we did. Of course, this had been a long day. We didn't leave South Carolina to come back to Washington on the campaign plane until after the returns were in and all of the celebrations had been held.

Senator Dole, very appropriately, went up into the front part of the plane to take a nap as we were flying back. Senator Thurmond had hitched a ride back to Washington on the campaign plane. That left Senator Thurmond and me and one or two others sitting around the table just behind the front part of the plane chatting.

It was now midnight, way past my bedtime, and here we were having political discussions on a campaign plane in the middle of the Presidential campaign—the kind of thing that political junkies like me love to do. It was a great discussion. But the interesting thing about it was that Strom Thurmond not only understood the discussion and participated in the discussion, but he led the discussion. He was instructing us about political lore. He was telling tales out of his past, which is what old people often do. But he was also analyzing things for the future and had a firm hand on everything. I thought I was talking to a man at least 20 and maybe 30 years younger than his chronological age. I understood: OK, this man still has all of his faculties, mental as well as physical.

We landed at Dulles Airport well after 1 o'clock in the morning. Everybody was dragging except Strom, who strode off to his car in fine style. I remember what he said on that occasion about how you live a long time. He said you eat right, you exercise regularly, and you keep a positive outlook. He did all of those things, although I am not quite sure about the eating right part because there were times when I caught Strom eating some things that I am not sure a dietician would recommend.

The time came for him to run for reelection. I couldn't believe at 94 he was going to run for reelection. Ninety-four is the time you retire. Being a skeptic, I had a hard time believing the people of South Carolina would vote for a 94-year-old man. So I sidled up to one of his top staffers as we were getting

ready for that campaign. I said: Can Strom Thurmond really win one more time in South Carolina? Is this going to be close? He said: No, it is not going to be close at all. Strom is going to win going away.

By the way, I remembered when the Republicans had taken control of the Senate in 1994 and we were having our discussions about platforms. One of the issues that was raised by one of the freshman Senators newly elected was term limits and how we needed to be for term limits. We were debating back and forth. Strom was sitting there not talking. Suddenly, he spoke up, and he said: I am for term limits. We all kind of giggled a little. He said: But if they are not enacted, I am going to run again.

Here he was running again—94 years old. And I was being told by his staff that Strom would win overwhelmingly. I said: Look, we all love him. We all love the history. But 94 years old? He said: Let me tell you a story.

This is my favorite Strom Thurmond story.

He said: I was Strom's AA, and I got a phone call from a woman in South Carolina who said to me: I need the Senator's help. Here is the situation. My fiance and I got married just before he shipped out in the Navy for a 6-month cruise in the Mediterranean. We knew we would not like the separation, but we decided, for a variety of reasons, that we should get married now rather than wait until after he got back. He has just called me and said he has been given leave. He has 2 weeks of leave right now in the middle of this 6-month tour, except that he cannot leave the theater in case something should arise that would require him to be back on the ship within 24 hours. He has to stay in or around the Mediterranean area where his ship is. So he said catch an airplane, come over here, we can have a 2-week honeymoon in the Mediterranean and I can still be available for the military situation, if it should arise.

She said: I went down to get my passport and I was told it takes 2 weeks to get a passport. By the time I get a passport to fly over to be with my husband, his leave will be up and he will have to get back on the ship. Can the Senator help me get a passport any faster than 2 weeks?

Well, said the staffer, I will find out. He called the woman in South Carolina who was handling passports and introduced himself and said: I am calling on behalf of Senator Thurmond to see what we can do about getting this woman's passport a little faster. The passport lady said: It takes 2 weeks. Well, Senator Thurmond would really be grateful. She said: I don't care what Senator Thurmond wants. It takes 2 weeks. I don't care who you are, and I don't care who he is. Passports take 2 weeks.

Well, he said, I have to tell you that under these circumstances, I am now going to have to call Senator Thurmond. When there is a situation I can't

handle myself, I have to involve him. Those are my instructions. She said: Call him. Tell him anything you want. He can call me. I don't care. Passports take 2 weeks.

So he said: Well, I am not threatening you. I am just telling you. I have to call Senator Thurmond.

So he hung up talking to the passport lady, and he picked up the phone and called Senator Thurmond. Now, it seems Senator Thurmond was in Germany, and it was in the middle of the night in Germany, but his instructions were that he was to call Senator Thurmond in any such situation. So he woke Senator Thurmond up, in the middle of the night in Germany, and started to explain this situation.

He did not get half way through the explanation I have given here when Senator Thurmond said: What is her name?

He said: Well, her name is—and he started to describe the wife of the marine who was sent out with the Navy.

Senator Thurmond said: No, no, no, not her name, the passport lady's name.

So he gave Senator Thurmond the passport lady's name.

Senator Thurmond said: Thank you very much—and hung up.

Ten minutes later the staffer said: I got a phone call from the passport lady. She exploded over the phone and said: He called George Shultz. The Secretary of State now knows my name.

Senator Thurmond called George Shultz and he said: George, you've been a marine. This is their honeymoon. Can't you get this lady to give the woman a passport?

She got her passport. She got to the Mediterranean. She had her honeymoon.

The staffer said to me: Senator, South Carolina is full of stories like that. South Carolina is full of people like that. Strom Thurmond will win, big time. No matter how old he is, no matter what his situation, that is the kind of service Strom Thurmond has rendered as a Senator.

One of our colleagues was in the Senate doctor's office, as we go in there from time to time, and he noticed Strom coming out of the doctor's office with a very worried look on his face. We were all very concerned about Strom and his health in his later years. So the colleague said to the doctor: What's the matter with Strom?

The doctor said, appropriately: I cannot discuss the medical condition of one patient with another patient, so I can't say anything to you. He said: However, I don't think it would be violating medical ethics to tell you that Strom is a little worried about the fact that he can no longer do one-arm push-ups.

This was a man of legend. Eat right, exercise, keep a positive attitude, always be available for your constituents, even when it is the middle of the night in Germany, and never worry about who you may call or upset as long as you are working on behalf of a

constituent. This was Strom Thurmond.

We have all kinds of stories. These are my favorite ones. I offer them as part of the celebration of an extraordinary life, a life fully lived, of someone about whom we need not say: Well, we worry about what might have been. In his case, there was nothing left over that might have been because he did it all.

I yield the floor.

The PRESIDING OFFICER (Mr. CORNYN). The Senator from South Carolina.

Mr. GRAHAM of South Carolina. Mr. President, I thank Senator BENNETT from Utah for that remembrance. It was just exactly what needed to be said. I say to the Senator, I know he loved you and your father dearly. On behalf of the people of South Carolina, I thank you very much for what you just said.

Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 191) was agreed to.

The preamble was agreed to.

Mr. GRAHAM of South Carolina. 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. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### LEGISLATIVE ACHIEVEMENTS

Mr. FRIST. Mr. President, most of our colleagues are departing, and we will shortly, in just a bit, for a recess which, as all of us know, is a time for visiting with our constituents, visiting around the country with people who give us the opportunity to serve in the Senate and interact with them in a way that we can ask questions. How are we doing? You elected us to fulfill a vision that you have had and which we are doing our best to lead with. So it gives us an opportunity to really sit back and assess how we are doing as public servants, as Senators representing our own States.

As I look back over the last week, it has truly been an exciting week for America. After years of discussion, after years of debate, we passed a bill this morning, in the middle of the night, late last night after midnight, that we know, once we work through conference, and once it is signed by the President of the United States, will strengthen Medicare, will improve Medicare, will modernize Medicare in a way that we simply never have since the origin of Medicare in the mid-1960s.

We know from this legislation that we developed in a bipartisan way, that

for the first time in this program and, indeed, in the history of the country, seniors, through the Medicare Program, will have access to prescription drugs. They will have for the first time the option to choose health care coverage that best suits their individual needs. It is all voluntary. They don't have to take advantage of any of these new options that they will have. Their health care coverage will be responsive not only to them, the way this program is designed, but to the constant advances in health care delivery and new medicines and new technology that we know characterize health care today but will even more so characterize health care in the years to come. It will be able to capture those lifesaving innovations of modern medicine.

Best of all—I keep mentioning it—I am very pleased with the way this bill came to the Senate floor, was debated, and in committee prior to that because it really was a bipartisan effort. Many times, especially when the American people look at the way we operate here, they say: That extreme partisanship and that rhetoric going back and forth; how in the world does any business get done?

This particular legislation, probably as complicated as any legislation that would be on this floor—and clearly it is big; this is the largest single expansion of an entitlement program in the last 30 years—was carried out in a way that debate took place in a civil fashion and people came together, not always agreeing, as we saw last night and early this morning, on every single issue, but we tackled the issues head on, something our seniors deserve, something the American people expect. And we delivered a bill that reflects the needs and priorities of both sides of the aisle.

Not everybody is perfectly happy with it. We know it is not perfect. But it is as good as can be generated from this body at this point in time.

That is sort of the last week, the last couple weeks. Over the last 6 months, as leadership in the Senate, we have tried to lead this body in a way that is very much mission focused, that is very much building on relationships, centered on different relationships on both sides of the aisle in a way that values are important—the values of civility and trust, and with a real action orientation, looking for solutions to problems, not just talking about them, not just legislating for legislation's sake but actually delivering where problems are identified.

So if you look at being mission focused and relationship centered and values based and action oriented, that is what you set out to do. Then it provides a good opportunity, now as we go into this recess about 6 months into the year, to see what sort of job we are delivering for the American people.

Again, I mentioned the bill last night because I think it fits all four of those

criteria and shows us with that common mission of moving America forward and doing it in a very respectful and civil way.

Over the past 60 days, the Senate has acted, responded, and provided solutions to many of the jobs problems and the challenges brought to us. Every Senator can leave for this Fourth of July recess today proud of what they have accomplished on behalf of our fellow citizens. We passed the third largest tax cut in history. The Jobs and Growth Act is providing immediate relief to millions of Americans, American citizens, their families, to States, to businesses. Of the \$350 billion stimulus and growth package that we passed, nearly \$200 billion, a full 60 percent, is provided this year and next, not way off in the future. Indeed, many of those checks will start flowing in the next 4 weeks.

This injection of money, this injection of resources will grow the economy, and by growing the economy will create jobs, will increase investment, will provide States with resources to maintain essential government services, and will reduce unemployment.

On this chart, I do list, in this whole jobs and growth dimension, the fact that we did do a budget, the second earliest in the history of this body in terms of generating a budget on April 11. And we did pass the jobs and growth package on May 23. If you look, just since this jobs and growth package was signed into law, stocks have surged about \$619 billion in value. We should not read too much into short-term fluctuations in stock prices, but indeed, recent trends in the stock market suggest that overall conditions are set for a resumption of strong overall economic growth.

As I mentioned, because of passage of this jobs and growth package, American workers will have more money in their paychecks. A family of four making \$40,000 will see their taxes reduced by \$1,133 in 2003. Those checks for \$400 will be sent to nearly 25 million taxpayers starting in about 4 weeks.

We also voted in these last several weeks to expand the child tax credit to include low-income families. Because of the jobs and growth act, working Americans will have more money in their pockets to spend, to save, to invest how they wish next month.

Last month, we also passed—I have this listed under health—the global HIV/AIDS bill on May 15. As a physician, as one who has been trying to fight this virus for the last 20 years—really since about 1983 when this virus first appeared—23 million people have been killed. It has infected another 40 million people alive today and will, in the best of all worlds, kill another 60 million people. This bill, in a bipartisan way, working with the President of the United States, who led, and with the House and with the Senate, will have the impact of helping prevent another 7 million infected people.

It will help care for 10 million HIV-infected individuals and AIDS orphans

and probably, most importantly, does bring back hope to millions of people in this country but indeed all over the world who recognize that ultimately that virus can and will be destroyed.

It links prevention, care, and treatment in a comprehensive way, led by the United States of America, where we can leverage our leadership so that countries all over the world will step up and join us arm in arm in fighting this deadly virus.

Our work in passing this global HIV/AIDS legislation demonstrates that we as a society place a high value on life. History will judge us on how we respond to such challenges and, indeed, we can now say very proudly that we are responding, that we in this body made the right choice. We are taking the necessary steps to put an end to one of the most deadly scourges of human life in recorded history. It is a moral challenge, a medical challenge, a humanitarian challenge. But we are responding, and we are leading.

Alongside these legislative accomplishments, we also passed a number of other measures. In the last 2 months we passed the Department of Defense authorization, the Federal Aviation Administration, FAA, authorization, and the extension of unemployment benefits.

We also allotted significant resources to upgrade technology at America's historically black colleges and universities.

I am particularly very excited about this legislation because, again, firsthand, I have had the opportunity to visit and speak at historically black medical schools. In fact, I was at Morehouse School of Medicine a few weeks ago. On my visit there, I had the opportunity of looking at their technology and innovation center, where they are actually using technology to best teach young physicians-in-training so they will be able to extend the great power they have as physicians in making others' lives better.

We took a historic step in bringing a National Museum of African American History and Culture to our Nation's Capital. There have been 80 years of petitions on bringing an African American museum to the family of museums we have here in Washington, but only in this Senate are we finally, by passing that legislation, close to having a museum of African American history in Washington on the Mall. I want to take the opportunity to thank all of my colleagues, but in particular Senator BROWBACK, and in the House, Congressman JOHN LEWIS, for their leadership on this initiative.

We passed expedited hiring authority for the Security and Exchange Commission under the leadership of Senator SHELBY. This legislation will allow the SEC to hire the accountants and the economists they need to enforce corporate accountability and maintain that investor confidence we know and trust, and that we know must be the undergirding foundation of our investor economy today.

Our colleague from Maine, Senator SUSAN COLLINS, led the campaign to increase public access to cardiac or heart defibrillation. We passed a trauma care systems planning piece of legislation that is potentially important to everybody listening to me. If you happen to be in a motor vehicle accident driving home from work today, where are you going to go? How quickly are people going to respond? Are you going to have a tertiary trauma center nearby? We, in effect, will double our national efforts through this legislation as we focus on trauma care systems planning. I had the opportunity to introduce that, and passage was on June 23.

My colleague from Tennessee, Senator ALEXANDER—through his leadership, we passed the American History and Civics Education Act. Because of this act, and through this act, America's students will be able to learn our Nation's great history and civic traditions.

That reminds me of Senator GREGG, the Senator from New Hampshire, and his tremendous work on the initiative called Keeping Children and Families Safe Act, which was signed by President Bush just this week, focusing on our children and their safety and their security.

Earlier this year, in March, we passed the ban on partial-birth abortion, a procedure that is unnecessary and offends the sensibilities of the American people.

The following month we passed the President's faith-based initiative—not the whole initiative, but an important aspect of it, through a bill called the CARE Act.

The same month we passed AMBER Alert. Some are listed here on the chart, including partial-birth abortion ban, faith-based initiative, AMBER Alert, which we have all seen on television and heard on radio where the names actually come forth, where we have a national alert in the event some tragedy has occurred.

Last week the child care conference report was passed. Millions of lives of Americans and future citizens will be protected by each of these initiatives passed. They all passed on the floor of the Senate, demonstrating our deep commitment and compassion for our most vulnerable citizens.

Internationally—and I have some of these under security—again, I will not go through each one. While all of this has been going on, we have funded Operation Iraqi Freedom. Who will ever forget that morning watching the Iraqi people pull down that statue of Saddam Hussein? The United States, this body, will continue to aggressively support the war on terror. We will continue that financial commitment, whatever it takes, and that moral commitment to the war until America's enemies are defeated.

Internationally, also globally, we passed the Moscow Treaty, the NATO expansion. When you look at Bulgaria and Estonia, Latvia, Lithuania, Slovakia, and Slovenia, we see democracy

in action, where 15 or 20 years ago people would have said "impossible." So the very freedoms we are fighting for, whether it is in Iraq or this ongoing war of terror, they are embodied in what we have voted on in this Senate—expansion of NATO to include these new democracies.

We also passed the Microenterprise Assistance Program, which will help impoverished citizens build and grow small businesses, so people who may not have access to capital are given some assistance, which, combined with their own entrepreneurial spirit, can grow and they can have that opportunity to take part in a growing economy. This economic tool is especially powerful for impoverished women in developing countries all over the world. I spend some time every year going to Africa and in a few months I will be going with a Senate delegation to South Africa, Botswana and Namibia. Last January, I was in Uganda, Tanzania, Kenya, and the Sudan. You see the importance of these what are called microenterprise grants, giving people that opportunity to grow economically, help their family return to dignity and opportunity that they simply don't otherwise have.

I listed here a series called values. I mentioned most of these. But the Burmese Freedom Act is an issue that is ongoing in a part of the world where we see the civil liberties we take for granted being stripped away. When you say freedom in this country, you think of freedom of speech, freedom of expression, and freedom of the press. But the Burmese Freedom Act is necessary because in that part of the world—particularly right now—those freedoms don't exist. Again, this was an important response on behalf of the Senator from Kentucky and others to bring attention to the human rights abuses that are being put forth and committed by the Burmese government against its citizens.

So the Senate, by working together, has accomplished a lot, with a lot of hard work and cooperation. I once again thank my colleagues for their efforts. We are doing all this, and I put "action" up here on the chart, and the goals that we have met because day to day we are focusing on each of these and we rarely have the opportunity to go back. The importance is on "action." This is occurring now in this first 6 months, but it occurred compared to the last Congress, when we never passed a budget.

In the last Congress, we didn't pass 11 out of 13 appropriations bills. In the last Congress, we did not pass Medicare. So it is the action, and the solution is fulfilling the agenda that we put forth. That is what the American people expect. We have made the legislative process work.

The one area that I believe continues to undermine the effectiveness of the Senate is the obstructionism towards the President's circuit court nominees, the judicial nominees. This is unprece-

ded in our 200-year history, the tactics to endlessly delay the process and prevent the Senate from performing its constitutional responsibility to vote on the President's judicial nominees. That is inconsistent with the Constitution.

Our responsibility is to advise and consent. Yet we are being denied a simple up-or-down vote, allowing people to vote how they wish, but allowing them to express advice and consent by voting which is, in the end, the only way we can express that advice and consent. The Senate has few constitutional responsibilities as important as exercising that advice and consent on the President's judicial nominees. I am determined to press forward in the next weeks to carry out a fair and orderly Senate process and return to the norms of the last 200 years, where Senators are given that opportunity for an up-or-down vote.

Looking ahead, July will be a busy month. I do want my colleagues to know—and we had some discussion with the Senator from West Virginia last night in terms of making sure we have good productive Fridays—I can assure my colleagues that in July, in large part because we will be addressing the appropriations bills very aggressively during that month, we will be working 5 days a week, and it is likely that votes will continue late in the day on Fridays, at least later than usual on Fridays.

During July, in addition to the appropriations bills, we will complete action on the Energy bill, which we all know is critical to generating an affordable, reliable energy supply.

I know we will be aggressive in passing these appropriations bills for the Cabinet agencies. Early on, I expect to see the Department of Defense, the Department of Homeland Security, Labor and Health and Human Services, and, at the same time, I want to address one other issue in July—and this is an ambitious schedule—but I do believe strongly, and I say this in part as a physician, yes—that we have an obligation to diminish—I would like to say eliminate—the frivolous medical liability lawsuits that are being applied today.

That needs to be the goal: to get rid of the frivolous lawsuits because they unnecessarily drive up the cost of health care, and if you unnecessarily drive up the cost of health care, you end up driving people to the ranks of the uninsured.

We will address that issue during the month of July, as well as issues surrounding genetic discrimination, an issue that has already been addressed in committee and is ready to come to the floor.

This is an impressive list, I think. It is one I am confident we will be able to handle in a systematic and productive way, always keeping in mind that goal of moving America forward and that we are working for the American people. They send us here to get results, not unnecessary legislation, but get re-

sults to the problems and challenges they face.

If we look at the list, I think we are on the right track. We have accomplished a lot. We have had a number of successes. We have seen results. We are delivering to the American people in strong, effective legislation, and I have every expectation that we will continue building on this record of success in the weeks and months to come.

To my colleagues, I do wish them all a happy Fourth of July. I hope they will travel safely. I extend my best wishes to them and their families.

Mr. President, in a few minutes I will be back with another statement, and then we will have some closing business over the course of the day.

For now, 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. DOMENICI. 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. DOMENICI. Parliamentary inquiry: What is pending before the Senate?

The PRESIDING OFFICER. The Senate is in morning business.

Mr. DOMENICI. The Senator from New Mexico desires to proceed as in morning business.

The PRESIDING OFFICER. The Senator has that right.

#### THE HOPE-FILLED SENATOR FROM NEW MEXICO

Mr. DOMENICI. Mr. President, I was in my office and I regret that I was unable to be in the Chamber when the distinguished majority leader, Dr. BILL FRIST, gave a rather elaborate, detailed, and enlightened discussion regarding illnesses, ailments, cures, and the evolution of diseases in this country and in the world.

I commend him for that. Had I been in the Chamber at that time, I would have taken the opportunity to present him with the first document that the Senator from New Mexico is having printed. It will be something that I choose to call "The Hope-filled Senator." The hope-filled Senator is the story of America's future in terms of diseases, prescriptions, and cures. It is my own story of what I believe is going to happen to prescription drugs, to the medical profession, and to the delivery of health care over the next 30 to 40 years.

I am hoping that this very brief summary of the hope-filled Senator's thoughts will be of some help to Senators and people who are so worried about the costs of prescription drugs. Will it really work; will we really have enough money to do it or not?

Today, I will not repeat the contents of this hope-filled statement that I delivered as the Senator from New Mexico, calling myself a hope-filled Senator.

Suffice it to say that when one discusses a program of the magnitude of this prescription drug program, that it is absolutely imperative that it is looked at from more than one vantage point. One vantage point is to look at it as Senators did on the Senate floor, in the back rooms and in caucuses. We talked about the specifics of who is going to get the drugs, how much is it going to cost, will we have enough money, and are we going to be able to pay for it? We asked will America go bankrupt? Will Medicare really survive and will it be competitive? Are we really building into the system? We examined the ingredients that are so well known for bringing prices down. We examined competition for delivery and competition for business. All of that is one way to look at it.

One must look at it that way, but another way to look at it is to try to think of what is going to happen to health delivery and medical care during the ensuing 10, 20, 30, or 40 years. The hope-filled Senator is talking about those things as he looks at the next four decades.

By way of recapitulation of what was in my statement of a hope-filled Senator, there are three or four big things. We finished mapping the chromosomes of the human anatomy. We call that the genome system. That means that after years of mankind researching to try to find where in the chromosome of the human body was the aberration that caused multiple sclerosis, and years of research at various institutions to locate the gene, or the number of genes that caused, perhaps, schizophrenia—what we finally did in a record period was to take them all, map them and index them. We can say we know where they all are. We do not have to go looking for them anymore.

I do not mean to make this a big thing, because people sometimes think they do not have to worry about it. But this is a big thing. For years, even in our lifetime, we can remember reading a story that would leave the medical journals and be big enough to hit the newspapers. The story would say, "Michigan State group of researchers discover the location on the genome system of a multiple sclerosis gene." Remember that? Boy, that was big time.

Soon, I am going to hand to the majority leader the first copy of a document called "The Hope-filled Senator." I am going to have it encapsulated with gold print. It is the hope-filled Senator's other side of the story. It is the story of the delivery system of health care during the next 40 or 50 years as it most assuredly will impact on this prescription drug system.

I did not go bother a bunch of scientists in putting this document together. So, they may find this document lacking. But what I did, and I repeat it now because our leader is in the Chamber, I used four or five big things that are going to change. I started with the genome mapping, indicating that

we have now located the aberrations on the chromosome system of the anatomy of every known disease from which mankind suffers.

Why is that important in the hope-filled Senator's dissertation regarding prescription drugs? Because there is no question during the delivery system that we tried so valiantly to find out how much it is going to cost. During that time many diseases for which we are spending huge amounts of money in prescriptions are going to be cured. Researches will know where where the illnesses are and they will be able to research how to fix them. And, they are going to fix many of them.

What does that mean? That means many of the expected costs that the Congressional Budget Office plugged into their estimates are going to be different. Indeed, there are going to be prescription drug breakthroughs that come from this genome mapping that are going to clearly indicate that there are different ways to do what we are doing today. We can achieve better results. So, as I said this will dramatically change the delivery system of health care.

I was foolish enough, as a hope-filled Senator, to predict that before the turn of 40 years the hospitals in America will not be the hospitals of today. I predicted that we would have hospitals that are going to be more concerned with genetics than with the individual curing of an ailment.

I did not dream that up. When I first started working on genomes, I had a magnificent, wonderful doctor who egged me on, and he was the inventor of Tylenol. He used to sit in my office and talk with me. He used to draw what he thought a hospital might look like in 30 or 40 years. I used to laugh and throw the drawings away. He drew a center where you would check your gene system and they would tell you, as you left, what was wrong with you and how they would fix you. Or if you got sick, that is what they would plug in. That would be the hospital.

He is still alive; he is currently practicing as a very old doctor. He joined up with doctors who are down in the South delivering health care to poor people free. He does this just because he wants to keep on being a doctor. He was so thrilled that he hooked me on this concept that we never lost contact.

In this hope-filled sermon, we start with that.

Then I said, the American economy is going to change so rapidly in terms of its productivity and, at the same time, produce new things because of nanoscience. I defined nanoscience as the newest science that is so unique, and so way out, that today's scientists are saying we will not recognize the products that humanity will be using because of nanoscience. They are practicing a science of changing the molecules that make up a substance. Imagine, compare that with making zinc by adding a couple of compounds. That

science is today's industry. They will be changing the molecular makeup so things change and become something different.

It is predicted with the five centers that exist in America today on nanoscience, and many more to come, that the breakthroughs, once they start, will occur with such rapidity that the productivity in America and in the world will change. That means those who make medicine and cures will be part of picking up that change and those breakthroughs also.

The third that I am aware of, and there are probably some I am missing, is a most incredible science. For lack of better terminology it is called microengineering or the production of microengines.

I visited the Sandia National Laboratory in New Mexico. They wanted to show me microengines. I thought, you have to be kidding; what kind of engines could there be that are so small they have now reached this level? They showed me. Microengines are so small. Now we have in the computer business a chip, and on the surface of the chip we can put these different things, and that is how we get these millions of megabytes. Now it is trillions and numbers we did not even use to use. They actually create engines that are so small they put them on a chip, but they can be synchronized and organized as engines on that little chip.

The engines look to me something like an oil patch when you see the drilling wells with the pumps. They are so small you could never see them unless you used an extremely powerful microscope.

What will happen with these engines? We do not know. But, they have a hypothesis. It is entirely possible that one of the first things we will do with these engines is organize them so well that we will be able to inject them in the human body. They will be directed to do some work, and they will do it like they are told. And, believe it or not, they possibly will go in and eat what you want them to eat. They will be able to go into the heart system to open up areas we worry are clogged. These little microengines will dissolve those clogs for you.

Those are engineers that can do that work. We will not even have to send patients over to Vanderbilt University to a bunch of scientists or heart specialists.

There will be huge numbers of breakthroughs if we add those three things to a vibrant American economy. We must not mess up by causing the American economic system to go to sleep. We must keep the economy vibrant, by doing the right things in terms of taxing the right things and not the wrong things. If we continue to fund the right research instead of the wrong things, and we keep on funding NIH but maybe we reach the point where 10 percent a year might be enough and maybe we move over and fund some physical science like the Energy Department

and a few other institutions of our Government that are doing basic science so physical science can catch up with the biological sciences. There will be huge numbers of breakthroughs.

My hope-filled delivery dissertation says: Don't be so worried about whether we will be able to deliver on what we promise. We may be able to deliver even more than we think we are going to deliver. And let's just watch out that in putting the system together—and I know the majority leader has been worried about this—that we don't just put bureaucracy in place where it inhibits the injection of these new things into the delivery system.

That is why HCFA, which this Senator personally as a young Senator found was such a terrible inhibitor to delivering appropriate care had to be changed. The management tool had grown so big that all we heard as Senators when we went home to our hospitals, to our doctors, to our clinics, to those centers that were taking care of people in shelters, all we heard was HCFA is messed up so badly that we are doing worse with their rules than if we did not have any rules. It was so bad once that I thought I would come back here and introduce a bill that recommended we experiment with 100 places where we will treat seniors with no regulations. We would look at them once every 6 months. And take a chance and see if they are not better run and the people taken care of better and cheaper than those who have to have someone checking off every time an apple was delivered to a senior that happened to have been decayed, if it was brown and faulty. At one time, you had to note that you delivered a bad apple, literally, to a senior.

Now, frankly, I know a lot about fiscal policy.

I know a lot of experts on this bill who are worried about whether we are going to have enough money to deliver under this system. But I chose to go over it and spend a little bit of time on it. Once I decided we were going to try this and to talk about this, I say to my friend, the majority leader—yesterday afternoon while he was still burdened, I sat down and wrote on a piece of paper what the score would be at whatever hour we voted last night. What I wrote down was the vote would be 78 yes, and 22 no. The vote turned out to be 76–21. I think I know what happened to one of them who would have made it 77, the Senator from Pennsylvania. But I think it became pretty clear to people like me that the Senate was ready. I had a hope they were ready, because even if they weren't, I had a hunch they had some hope we could get this done.

Mr. FRIST. Mr. President, will the Senator yield?

Mr. DOMENICI. I am pleased to yield.

Mr. FRIST. Mr. President, just about 30 minutes ago I sat down and wanted to review a little bit about the last 6 months. As I did that and came to the

floor and cited some of the legislation we have done, I so much appreciate the comments of the Senator from New Mexico because they fit with the hope which I translate into maybe additional dreams and hopes, but reality.

I have been blessed to be in this body for the last 8 years, but prior to that, 20 years in the scientific field and spending hours and nights in laboratories thinking and trying to hypothesize about what would occur 6 months later; or why a capillary muscle relaxed in a way based on the metabolic environment and doing my best to figure it out and doing the experiments; but then 6 months later because of the work of other people in maybe unrelated fields, having that hypothesis changed and productivity to increase to the point that my idea was solved—not the way I wanted to, but because of investment with science. I would run over from the laboratory to the clinical arena and work in a health care system that was beautiful, which was delivering the very best quality of care but looking at it through really a Medicare system at the time that was so rigid and inflexible because of the 130,000 pages of regulations from HCFA—the Health Care Financing Administration—which had evolved over a period of 30 years with good intentions but which so micromanaged and so straitjacketed the physicians, the scientists, the researchers, the patients, governing the doctor-patient interaction—130,000 pages of governing which meant you could not capture whether it is the nanotechnology or the 3 billion bits of information out of the human genome project today, with the micromanaging that the Senator was talking about—that can't be assimilated into the system of health care delivery at a rate which the American people deserve.

I mention that because as I was going through this legislation, I was thinking of AIDS/HIV, a huge problem with 23 million people dead and 40 million people infected, and there is no cure. Another 60 million people will die. Thus, we need to encourage that innovation, invent that vaccine, engage in that science. Right now we don't know what the hypothesis is. But it is there, and we are going to see it in our lifetime, because in part, just as the Senator from New Mexico led the support in the human genome at the time, at the time nobody really knew what was going to happen, he was out here 15 years ago leading on the human genome project, for a shorter period of time we had that phone book of 3 billion bits of information which is there. It is the phone book, as he said. Now it can be applied.

I mention that because 12 hours ago on this floor we passed a piece of legislation that delivers prescription drugs in an unprecedented way for the first time in the history of the Medicare program. We are helping seniors with prescription drugs. But at the same time it modernizes Medicare to get rid of the unnecessary bureaucracy, the

redtape, the straitjacket, the micromanagement, building in the flexibility where those new ideas, the dynamism from the marketplace, the innovation in the marketplace can be assimilated and speed up the process where we can address this huge unfunded liability which we know occurs in Medicare today because of what our seniors deserve. But we have a doubling of the number of seniors.

At the same time we offer the prescription drug package, we modernize Medicare in such a way that it is flexible. These new ideas will be incorporated in a rapid fashion.

Heart transplantation. At the time I first started heart transplants, it was very rare. Lung transplants had never been done successfully. I am not that old. But I had the opportunity to be involved in heart transplants. It took about 5 years after I was doing them routinely in the private sector for Medicare to allow any reimbursement for our seniors—5 years because of bureaucrats. It is the way Government works. It takes a long time. That is just one procedure.

The optimism which the Senator talked about, I think so realistically and eloquently, is there. There is no question.

When we talk about 14 years out trying to predict essentially a static system moving ahead, and it is not going to happen—the advances in technology are just like that. The half-life of science has gone from 10 to 7 to probably 4 years now, and it is going to be down to 2 years. It is the same way with the health care delivery systems, and the old fee-for-service.

My dad practiced medicine for 55 years. As the Senator was talking about the genetic testing that is going to be available, the appropriate response and how we are going to be able to develop cures, I was sitting there thinking of my dad with his black bag in the 1940s, 1950s, and 1960s. He didn't have any medicines. He had none. He had antibiotics after 1945, but none before that.

But the revolution I have seen when I was doing heart transplants and lifting people's hearts out and putting them in was made possible because of one drug—cyclosporine. If the pharmaceutical companies had not invested to get that drug, we would not have been able to do heart and lung transplants.

The advances we went through in that 20 or 25 years—and now I see because of the work like the human genome projects and nanotechnology—that combination—once we allow that to marry with our health care and government-sponsored programs, the sky is the limit. Productivity will increase. The advances can be assimilated. We will be able to think more in terms of, yes, longevity, but also quality of life.

It does come down to hope. I very much appreciate the Senator articulating the big vision, because every day we are here, in the back of my mind I am thinking the same thing. Prescription drugs are important, but at the

same time to develop a system that can capture that technology and at the same time look at HIV/AIDS and make sure there is a vaccine bill, and that we keep trying. We are all trying to get it through.

But right now, because of the medical liability issues which we are going to address in July, when you have predatory trial lawyers—not all are predatory—who are really going to come in and say that vaccine has certain side effects, there is going to be a lawsuit, and there will be a lot of frivolous lawsuits that drive up the cost of health care and drive people to the ranks of the uninsured.

One last issue which I didn't mention earlier but which we addressed on the floor goes into this—medical safety in the hospital.

The Institute of Medicine report said there are 100,000 people who die every year because of medical errors in the hospital. Most of that is cross-reaction from drugs and the like. The best way to approach that is to have information voluntarily shared by physicians and by nurses to learn in an ongoing, continuous quality management program and to have that information available, which is correct, and which is self-correcting. But if you have predatory trial lawyers all the way around, and you have incentives not to share that information, we are never going to make this system better.

So it all fits together: the science, the technology, the framework which the Senator explained so well. What we are doing in Medicare, the access to prescription drugs, global HIV/AIDS—you put all that together. If we keep moving things, as we have in the last, I would say, 6 months, I am absolutely—absolutely—convinced we are going to be able to capture those hopes.

In many ways, people say: You're dreaming. You describe them as hopes. Having seen science and technology in my own life, they may have started as dreams, and they may be hopes now, but in our lifetimes they are going to be reality.

Mr. DOMENICI. Thank you so much for your comments. I was very pleased to yield.

I just want to say, without hopes and dreams in these fields, there is no question we are overwhelmed. It is hopes and hope-filled ideas that keep us energized. But it does not mean we do not have a big job because, as a matter of fact, the hopes can truly be deenergized by systems that do not let it work. That is what we have to worry about.

In my opinion, the breakthroughs are going to be so rapid that the bureaucracy that manages the change is going to have to be looked at all the time by people who really know. The breakthroughs will occur, and it will make your 5-year example—of how long it took for the heart to go from being done to being accepted—it will make that example pale as compared to the breakthroughs that are going to be over and over and around here and over

there. We think the new bureaucracy—which the Senator and others helped put together—will make that work better.

I do want to hold the floor. I thank the Senator.

The PRESIDING OFFICER (Mr. BENNETT). The Senator from New Mexico.

#### IN REMEMBRANCE OF STROM THURMOND

Mr. DOMENICI. Mr. President, I rise to speak about my friend, Senator Strom Thurmond. I do not have any prepared remarks but I want to speak for a few moments about Senator Strom Thurmond.

Senator Strom Thurmond spent many, many years sitting in the seat, for those observing the Senate Chamber, right next to the seat where the distinguished majority leader is sitting right now.

I have eight children. Senator Thurmond, as everyone knows, lived a very long life with his first wife without children. I don't know if that had anything to do with his huge interest in asking people such as me how my children were, and I am not one who is very loathe to tell people about my children's successes.

So he used to say to me, and to anyone around, he would point at me, and say: "There is the Senator with all the smart kids." Of course, I was embarrassed, and I would bend down and say: "Senator, there are lots of Senators with smart children."

Then he would say: "Well, you told me about one" . . . and he would explain what I told him. He would ask, "how is that one doing?"

Well, obviously, those days are gone now. I was privileged, with my wife Nancy, to go to the wedding of his daughter here in this town not too many years ago. It was a beautiful wedding, a big wedding. It was a beautiful daughter and a beaming father, Strom Thurmond.

He was already past 90, for certain, and how thrilled he was to walk down the aisle and to be part of the normal wedding activities.

I note that with all the blessings he has received in his life, and all the legacy that he leaves, he got one blessing that he deserved; that is, that wedding and that marriage yielded his first grandchild. And I just wonder because he had already left the Senate; he was no longer here; he was in a hospital, but I just wonder, how happy that day must have been for him. He had a grandchild at that very old age.

There are Senators, such as from his home State, who have known him through campaigns and actions and activities that I hear of. I have read of these activities, but I did not participate in them, so they will do better than I in talking about him. But I am 71. I am very lucky, I feel, in that I have spent 31 years in the Senate. The only thing I did prior to that is, 6½ years before I came here, I accepted a

dare from a group of friends to run for an office. I ran and got elected. And that office was for city council, which put me in a mayorship of sorts in our biggest city.

So you know, if you write down, at 71, what I have done: I ran for a non-partisan office, got elected, served 4 years, waited 2 years, got elected to the Senate, and came here. But we all know, if we are going to put down what Strom Thurmond has done as a public servant, all of which clearly is one's legacy, it would take me quite a while to discuss it all. Just his military career would be a rather good speech and a rather good talk on the Senate floor.

The other thing that, to me, is of such rare, rare importance is that when you consider 100 years, and that 80 or 79 of those years he was an adult, you just think of all the things that have changed during his adulthood. Governance, governmental changes, cultural changes, philosophical leanings and tendencies of our great country changing. You have to conclude that this man, who represented a State that also changed and had become a great industrial State, and a great educational State, with fantastic educational institutions, that this great man also learned how to change. He changed with time, not changing in the sense of giving up but rather of gaining more for himself and becoming more rather than becoming less.

Now, I have known a lot of great Senators, more than most, because there are only five or six Senators who have been here longer than I, as of today, maybe five. So I have known a lot of them. I think it is only fair to say, for his family, for Nancy, for his children, there really have never been any Senators like him that I have been privileged to know.

He was indeed unique. He was so different that you cannot forget him. First, he was so personal to everyone. He was never forgetting. He was always considerate. He spent more time and effort at little things.

I know nothing about his constituent work. Let those who know speak. I speak of little things here in the Senate. The Chair and I both watched during a week at the end of a day's work, we watched Strom Thurmond while he was still around and healthy and walking. We watched what he did. He went with his staff from one event to another, perhaps three, four, five events an evening, because he had been invited and because it was somebody who said: "Would you come to my party?" "Would you come to my fundraiser?" "Would you come to my birthday?" "Would you come and join me; we have visitors from my State." What it was that made him that kind of person, who knows? I don't know. You don't know. The Senate doesn't know. I am not sure his family knows. But the truth is, we know he did that.

All of these would appear, what I have said so far, to be things that one might say are not very important.



Well, I stated them because I think they are very important. They are of utmost importance. I think they are the essence of who he is and what he is and what he was.

But don't let anyone think he didn't do his work. When you look at the committees he chaired, the events that happened during those chair-filled years, be it on the Judiciary, on Armed Services, or whatever, you have to know he had a great capacity for work and he did his work and got it done.

Can you just imagine not having a chance to know him when he was a judge? What a great judge he would have been. Can you imagine, not having a chance to know him, what a good school superintendent he must have been? Can you imagine not getting to know him, what a good commissioner he must have been at the local level where he governed? For I believe he is what he was. And it is probable that he took care to do everything right and he took care to be concerned and worried about people, as he did his job, and that he never forgot the people who were good to him and meant something to his success.

I, for one, am very sorry we will be going to a funeral. But, I guess it is really only fair to say that he has been very blessed. After all, we won't, any of us, ever go to a funeral for a fellow Senator who has lived 100 years—none of us. This will be the only one. Because he has been very, very blessed. The Lord has been kind and decent to him. Those around him should be very proud. Obviously, his kinfolk are sad.

I remember at that wedding, while we were celebrating youth, his daughter was a young lady. I remember meeting his sister, two sisters I believe. They were alive and there. I don't mean to cast any aspersions about the fact they were alive. They were lively, I assure you. They knew a lot. They were talking. They were carrying on conversations. Strom Thurmond was talking with them about us and my wife Nancy.

They were quick to ask us to sit down, and you could hardly believe that a man almost 100 was there with sisters at a wedding for a very young daughter of his, who has just since then had his first grandchild. What a beautiful, beautiful tribute all of this is to Strom Thurmond's family, to their heritage, and to those around them and those who love them.

My wife Nancy and I extend our heartfelt condolences to Nancy and all of the other kinfolk, to his relatives, and clearly to his daughter and son-in-law who have that young grandchild of whom he must be so proud.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mrs. DOLE. Mr. President, last evening we received the news of the passing of a dear friend and leader in this Chamber, Strom Thurmond. Strom Thurmond retired this year at the age of 100 after more than half a century

serving the people of South Carolina and our Nation as a Senator, as Governor of South Carolina, and as a State legislator.

Remarkably, his career in the Senate spanned the administrations of 10 Presidents, from Dwight Eisenhower to George W. Bush. His passing last night certainly will be felt by so many Members of this Chamber who had grown accustomed to the courtly gentleman from South Carolina. But his life leaves a lesson for us all in compassion, respect, civility, dedication, and hard work.

Before he was elected to the Senate in 1954, as the only write-in candidate in history to win a seat in Congress, Strom Thurmond was elected county school superintendent, State Senator, and circuit judge. He resigned his judgeship to enlist in the Army in World War II. He landed in Normandy as part of the 82nd Airborne assault on D-Day and, the story goes, flew into France on a glider, crash-landing in an apple orchard. He went on to help liberate Paris, and he received a Purple Heart, five Battle Stars, and numerous other awards for his World War II service.

My husband Bob and I were honored to have known Strom Thurmond for so many years and to count him among our very special friends. He and Bob shared a great deal of common history, dating from their World War II days. And his southern gallantry always had a way of making this North Carolinian feel right at home.

I first worked with Strom Thurmond when I served as Deputy Special Assistant to the President at the White House. Even then he was an impressive Senator. President Reagan praised his expert handling as chairman of the Senate Judiciary Committee of nominees to the U.S. Supreme Court.

In fact, it was Strom Thurmond's skill as chairman that helped to shepherd through the nomination of Sandra Day O'Connor as the Nation's first female on the U.S. Supreme Court. I had always admired Strom Thurmond for his constant dedication to the people of South Carolina and to the industries of that State.

Bob Dole has joked that someone once asked if Strom had been around since the Ten Commandments. Bob said that couldn't have been true; if Strom Thurmond had been around, the 11th commandment would have been: Thou shalt support the textile industry.

And that industry still needs a lot of help. In fact, when President Reagan called Strom to wish him a happy 79th birthday back in 1981, Strom Thurmond, with his constant attention to South Carolina interests, used the opportunity to talk to the President about the textile industry.

Indeed, South Carolina is full of stories of how the senior Senator from South Carolina managed to cut through redtape to make sure that his residents got the things they needed.

And whenever South Carolinians called, or anyone else for that matter, Strom Thurmond could always be counted on to show up—at a Fourth of July parade, a county festival, or a State fair, armed with his trademark Strom Thurmond key chains.

North Carolinians developed a fondness for Strom Thurmond. He often flew in to Charlotte before driving to his Edgeville, SC, home. He became so familiar in the airport that many of the workers there knew him, and he knew them all for stopping to share a kind word or a funny story.

I was so honored that just before Strom went home for good to South Carolina, he came in his wheelchair, with Nancy's help, to my little basement office to welcome me to the Senate.

Bob and I send our heartfelt condolences to Strom's family, our dear friend, Nancy, and the children, including daughter Julie, who worked with me at the American Red Cross. He was a loving husband, a proud father, and new grandfather, and, of course, the people of South Carolina, for whom he worked tirelessly throughout his career in public service and to whom he chose to return when his work was done in the Senate.

Today as I remember him, his life, and his legacy, I think of the Bible in the 25th chapter of Matthew when the Lord said:

Well done, thou good and faithful servant. . . . enter thou into the joy of thy Lord.

May God bless him and his family.

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.

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

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

(Mrs. DOLE assumed the Chair.)

#### FILIBUSTER REFORM

Mr. FRIST. Madam President, last Tuesday, the Committee on Rules and Administration favorably reported S. Res. 138, a proposal to amend the Senate's cloture rule. The committee's action represents an important milestone on the road to filibuster reform. It brings the Senate one key step closer to ending filibusters on nominations. On May 9 of this year, I introduced S. Res. 138, along with a bipartisan group of 11 cosponsors. Our purpose was to respond to a disturbing change in the way the Senate considers nominations.

Lengthy and apparently implacable filibusters have erupted on two judicial nominations. Although it has long been clear that a majority of Senators stand ready to confirm Miguel Estrada and Priscilla Owen, it is increasingly obvious that a minority of Senators never intends to permit these nominations to come to a vote.

Beyond these filibusters are the expressed threats to filibuster additional nominees, threats that may well materialize after the Senate reconvenes in July.

Given the record already established this year, we have every reason to take these threats seriously and to imagine they will be executed. Killing judicial nominations by filibuster is not simply business as usual in the Senate. Up until now, no judicial nomination has ever been rejected in that fashion.

Even the failed Supreme Court nomination of Abe Fortas 35 years ago is not truly an exception to this rule. In the Fortas case, one cloture vote was taken with 45 Senators supporting cloture and 43 opposed. At least five additional Senators who missed that vote expressed opposition to cloture. Yet another who supported cloture expressed opposition to the nomination.

It was far from plain, even to the nominee, that a majority was ready to confirm the nomination, much less a supermajority was available to invoke cloture.

After a single cloture vote taken four session days after the nomination was brought to the floor, the nominee asked that his name be withdrawn.

These facts differ dramatically from those pertinent to filibusters underway in this Congress and from the rest of Senate cloture history on judicial nominations.

Thus far, we have had six cloture votes on Mr. Estrada and two cloture votes on Justice Owen, with more than a majority of Senators but less than a supermajority, favoring cloture. So the filibusters endure with no end in sight.

Prior to this year, the record number of cloture motions filed on any single judicial nomination was 2, and 17 such motions were filed overall. In a majority of those cases, cloture was invoked and confirmation followed. Even when cloture failed, confirmation followed. In all cases, the nominations were brought to a vote, the full Senate worked its will, and the nominees were confirmed.

The Estrada and Owen filibusters and their threatened progeny are anything but customary. They represent a disturbing change in Senate norms, a change that has been defended on untenable grounds.

Proponents of the filibusters claim they have no choice. With the Senate and its committees controlled by the party of the President, they have no choice but to filibuster, or so they say. Their logic is facile but faulty, and it runs contrary to many years of Senate tradition.

For 70 percent of the 20th century, one party controlled the White House and the Senate. This was the case for 6 years of President Wilson's term and the entire terms of Presidents Harding, Coolidge, and Hoover. It was the case through 12 years of President Franklin Roosevelt and 6 years of President Harry Truman. It was the case for all of the Kennedy-Johnson years, all of

President Carter's years, 6 of President Reagan's years, and 2 years under President Clinton. In some of those eras, the Senate minority was Republican; in others Democratic. But at no time did those minorities resort to partisan filibusters of judicial nominees. At no time did those minorities deny the Senate the right to vote on confirmation.

What is happening now is aberrant. It breaks with Senate traditions. If the trend begun with the Estrada and Owen filibusters is not arrested, a disturbing new practice will take root.

Partisan filibusters to kill nominations will lead inevitably to more of the same in retribution. Left to fester, things can only get worse. The outcome cannot be good for current or future Senates, for current or future Presidents, for current or future nominees.

Those of us concerned about these consequences have two fundamental choices: We can either acquiesce to this partisan change in Senate norms, or propose a reform to Senate rules. Unwilling to accept a change in Senate traditions that will damage and weaken this institution, we offer a targeted and limited amendment to the rules.

Our remedy is narrow, aimed not against the filibuster generally, but against filibusters on nominations. If adopted, our proposal would have declining cloture requirements of 60, 57, 54, 51, and then a simple majority on successive cloture votes. The first cloture motion cannot be filed until a nomination has been pending for 12 hours. Successive cloture motions cannot be filed until the prior cloture motion has been resolved. As under current rules, each cloture motion will take 2 days to ripen. Our proposal is true to Senate traditions. It will permit robust debate and time for reflection, but also allow the Senate to reach a definite resolution on confirmations.

As I have said on this floor and before the committee, the filibuster is not sacrosanct. When it has been abused, it has been reformed. The very cloture rule itself represented just such a response to filibuster abuse. It has been amended five times since it was first adopted in 1917. Moreover, the very modest debate limitations we propose are significantly less restrictive than more than 25 provisions now in statute law that expedite Senate debate on measures ranging from budget reconciliation to the execution of war powers.

Madam President, some on the other side of the aisle have said our proposal is too extreme in that it would undermine their capacity to use existing rules to reshape Senate norms. Others from the same side have said our reform is too narrow because it does not attack filibusters in all circumstances.

My response is this: We must fix what is damaged, but we do not require radical surgery. We shall reform our rules to repair what is broken and restore traditions. Beyond that, we shall leave our rules alone.

Our opponents contend that our narrow reform will inevitably lead to the wholesale destruction of the filibuster in the Senate and that it will convert the Senate into a smaller copy of the House. I know of few, if any, Senators who would support that outcome, and I regard such predictions as fanciful. This proposal does not attack the use of filibuster on legislation. Instead, it builds on an existing tradition of distinctive procedures for the consideration of executive business.

One of those traditions is a 1980 precedent urged by Majority Leader BYRD which obviates debate on a motion to proceed to a nomination. Using the logic of our opponents, one could theorize that a next consistent step would be to mimic this precedent and kill debate on a motion to proceed to legislation. But 23 years have passed and that next step has not been taken. In its wisdom, the Senate has known how far it must go to resolve particular problems and when it must stop.

Our opponents argue that filibuster reform will undermine the balance of power between the President and the Senate. They claim if we adopt this proposal, the Senate will diminish itself and become the President's handmaiden. I do not desire that result, and I strongly disagree with that conclusion.

What their position amounts to is that Senate power to check a President can only be vindicated if a minority prevails against a majority ready to confirm.

Once again, for 70 of the last 100 years in this century, one party controlled both the Senate and the White House. Yet filibustering nominations was unheard of most all of that time. Was the Senate the President's handmaiden then and only now has awakened to its constitutional purpose?

Over two centuries, a number of judicial nominations failed on the Senate floor. Filibusters were unnecessary to defeat Clement Haynsworth, Harold Carswell, or Robert Bork, much less many earlier nominees, starting with President Washington's nominee, John Rutledge.

The full Senate, no President's handmaiden, asserted constitutional checks and balances. If we can only affirm Senate power by the filibuster, then we have come to a new and very unfortunate place. Thus, we propose to reform Senate rules in order to restore Senate traditions.

Filibuster reform is imperative. It will enable all Senators to meet their constitutional responsibility to advise and consent. With Senators so empowered, the voice of all Americans will again be heard on these matters.

## EXECUTIVE SESSION

NOMINATION OF VICTOR J. WOLSKI, OF VIRGINIA, TO BE JUDGE OF UNITED STATES COURT OF FEDERAL CLAIMS

Mr. FRIST. Madam President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Executive Calendar No. 88.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read the nomination of Victor J. Wolski, of Virginia, to be a Judge of the United States Court of Federal Claims.

## CLOTURE MOTION

Mr. FRIST. This nomination has been pending on the calendar since March 27. This is one of four nominations on the calendar to the U.S. Court of Federal Claims that we have been hoping to clear for Senate action. I now send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

## CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Executive Calendar No. 88:

Bill Frist, Orrin Hatch, Larry E. Craig, Craig Thomas, Michael B. Enzi, Chuck Grassley, Arlen Specter, M. Crapo, John E. Sununu, Elizabeth Dole, James Talent, John Ensign, Susan Collins, Judd Gregg, John McCain, R.F. Bennett, and Gordon Smith.

Mr. FRIST. I ask unanimous consent that the live quorum under rule XXII be waived, and that the vote occur on Tuesday, July 8, immediately following the vote on the Campbell nomination.

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

Mr. FRIST. I also announce if cloture is invoked and the nomination is subsequently confirmed, I will be prepared to ask unanimous consent that the remaining three nominations to the Court of Federal Claims be immediately confirmed so that all four nominations would be cleared at the same time.

## EXECUTIVE CALENDAR

Mr. FRIST. I ask unanimous consent that the Senate proceed to the consideration of the following nominations: Calendar Nos. 202, 246, 247, 251, 253, 278, 279, 280, 281, 282, 283, 284, 286, and all remaining nominations on the Secretary's desk.

I further ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, any statements relating to the nominations be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

The nominations considered and confirmed are as follows:

## DEPARTMENT OF JUSTICE

Robert D. McCallum, Jr., of Georgia, to be Associate Attorney General.

## LEGAL SERVICES CORPORATION

David Hall, of Massachusetts, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2005.

Lillian R. BeVier, of Virginia, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2004, vice Hulett Hall Askew, term expired, to which position she was appointed during the last recess of the Senate.

## THE JUDICIARY

Fern Flanagan Saddler, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Judith Nan Macaluso, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

## DEPARTMENT OF STATE

Marsha E. Barnes, of Maryland, a Career Member of the Senior Foreign Service, Class Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Suriname.

Robert W. Fitts, of New Hampshire, 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 Papua New Guinea, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Solomon Islands and Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Vanuatu.

John E. Herbst, of Virginia, 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 Ukraine.

William B. Wood, of New York, 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 Colombia.

Tracey Ann Jacobson, of the District of Columbia, a Foreign Service Officer of Class One, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Turkmenistan.

George A. Krol, of New Jersey, 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 Belarus.

Greta N. Morris, 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 the Marshall Islands.

John F. Maisto, of Pennsylvania, to be Permanent Representative of the United States of America to the Organization of American States, with the rank of Ambassador.

## FOREIGN SERVICE

PN678 Foreign Service nominations (193) beginning Ali Abdi, and ending Lawrence C. Mandel, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of May 22, 2003.

PN685-1 Foreign Service nominations (148) beginning Beth A. Salamanca, and ending

Peter H. Chase, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of June 3, 2003.

## BARRY C. BLACK, CHAPLAIN OF THE UNITED STATES SENATE

Mr. FRIST. I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 189, which is at the desk.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 189) electing Doctor Barry C. Black, of Baltimore, Maryland, as Chaplain of the United States Senate.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Madam President, this unanimous consent was with regard to our new Chaplain, ADM Barry Black, who will be joining us shortly as the 62nd Chaplain of the Senate. I have had the wonderful opportunity of initially meeting Admiral Black over the last several months and wish to point out his distinguished record of public service, his compelling life, his 27-year career in the Navy where he has delivered ministry to over 600,000 Navy, Marine Corps, and Coast Guard service members.

Since the year 2000 he has provided moral counsel, spiritual counsel to the Navy's top officers as the 22nd Chief of Navy Chaplains. He was the first person of color to hold that particular office in naval history. He has provided spiritual guidance to soldiers and their families during Operation Desert Shield and Desert Storm.

His calm manner, his soothing manner is a beautiful fit, I believe, for what this body both has come to depend on with our past Chaplains and has come to expect in our Chaplain, one of whom, Dr. Lloyd Ogilvie, I had the opportunity to know for the last 8 years.

Admiral Black has had an inspiring life, and I look forward to all of our colleagues and their spouses, their families, and the extended Senate family to come to know him in the way that I have.

I ask unanimous consent that the resolution be agreed to and that the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 189) was agreed to, as follows:

## S. RES. 189

*Resolved*, That Doctor Barry C. Black, of Baltimore, Maryland, be, and he is hereby, elected Chaplain of the Senate, effective Monday, July 7, 2003.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

WELFARE REFORM EXTENSION  
ACT OF 2003

Mr. FRIST. Madam President, I ask unanimous consent that the Senate immediately proceed to H.R. 2350 which is being held at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2350) to reauthorize the Temporary Assistance for Needy Families block grant program through fiscal year 2003, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill appear at this point in the RECORD.

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

The bill (H.R. 2350) was read the third time and passed.

BILL EMERSON AND MICKEY  
LELAND HUNGER FELLOWSHIPS

Mr. FRIST. I ask unanimous consent that the Senate immediately proceed to H.R. 2474 which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2474) to authorize the Congressional Hunger Center to award Bill Emerson and Mickey Leland Hunger Fellowships for fiscal years 2003 and 2004.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 2474) was read the third time and passed.

PROVIDING SECRETARY OF HOME-  
LAND SECURITY TO BE IN-  
CLUDED IN THE LINE OF PRESI-  
DENTIAL SUCCESSION

Mr. FRIST. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 179, S. 148.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 148) to provide the Secretary of Homeland Security to be included in the line of Presidential succession.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill appear in the RECORD at this point.

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

The bill (S. 148) was read the third time and passed, as follows:

S. 148

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. SECRETARY OF HOMELAND SECURITY IN PRESIDENTIAL LINE OF SUCCESSION.

Section 19(d)(1) of title 3, United States Code, is amended by inserting "Secretary of Homeland Security," after "Attorney General,".

PROHIBITION OF REMOVAL OF  
ART AND HISTORIC OBJECTS  
FROM SENATE WING OF CAPITOL  
AND SENATE OFFICE BUILDINGS

Mr. FRIST. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 181, S. Res. 178.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 178) to prohibit Members of the Senate and other persons from removing art and historic objects from the Senate Wing of the Capitol and Senate office buildings for personal use.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Madam President, I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD without any intervening action or debate.

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

The resolution (S. Res. 178) was agreed to.

The resolution reads as follows:

S. RES. 178

*Resolved*, That (a) a Member of the Senate or any other person may not remove a work of art, historical object, or an exhibit from the Senate wing of the Capitol or any Senate office building for personal use.

(b) For purposes of this resolution, the term "work of art, historical object, or an exhibit" means an item, including furniture, identified on the list (and any supplement to the list) required by section 4 of Senate Resolution 382, 90th Congress, as enacted into law by section 901(a) of Public Law 100-696 (2 U.S.C. 2104).

(c) For purposes of this resolution, the Senate Commission on Art shall update the list required by section 4 of Senate Resolution 382, 90th Congress (2 U.S.C. 2104) every 6 months after the date of adoption of this resolution and shall provide a copy of the updated list to the Committee on Rules and Administration.

THE CALENDAR

Mr. FRIST. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 170, S. Res. 174, and Calendar No. 171, S. Res. 175, en bloc.

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

Mr. FRIST. Madam President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc with no intervening action or debate.

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

DESIGNATING THURSDAY, NOVEMBER 20, 2003, AS "FEED AMERICA THURSDAY"

The resolution (S. Res. 174) designating Thursday, November 20, 2003, as "Feed America Thursday" was considered and agreed to.

The preamble was agreed to.

The resolutions, with its preamble, reads as follows:

S. RES. 174

Whereas Thanksgiving Day celebrates the spirit of selfless giving and an appreciation for family and friends;

Whereas the spirit of Thanksgiving Day is a virtue upon which our Nation was founded; Whereas 33,000,000 Americans, including 13,000,000 children, continue to live in households that do not have an adequate supply of food;

Whereas almost 3,000,000 of those children experience hunger; and

Whereas selfless sacrifice breeds a genuine spirit of Thanksgiving, both affirming and restoring fundamental principles in our society: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates Thursday, November 20, 2003, as "Feed America Thursday"; and

(2) requests that the President issue a proclamation calling upon the people of the United States to sacrifice 2 meals on Thursday, November 20, 2003, and to donate the money that they would have spent on food to a religious or charitable organization of their choice for the purpose of feeding the hungry.

DESIGNATING THE MONTH OF OCTOBER 2003 AS "FAMILY HISTORY MONTH"

The Resolution (S. Res. 175) designating the month of October as "Family History Month" was considered and agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 175

Whereas it is the family, striving for a future of opportunity and hope, that reflects our Nation's belief in community, stability, and love;

Whereas the family remains an institution of promise, reliance, and encouragement;

Whereas we look to the family as an unwavering symbol of constancy that will help us discover a future of prosperity, promise, and potential;

Whereas within our Nation's libraries and archives lie the treasured records that detail the history of our Nation, our States, our communities, and our citizens;

Whereas individuals from across our Nation and across the world have embarked on a genealogical journey by discovering who their ancestors were and how various forces shaped their past;

Whereas an ever-growing number in our Nation and in other nations are collecting,

preserving, and sharing genealogies, personal documents, and memorabilia that detail the life and times of families around the world;

Whereas 54,000,000 individuals belong to a family where someone in the family has used the Internet to research their family history;

Whereas individuals from across our Nation and across the world continue to research their family heritage and its impact upon the history of our Nation and the world;

Whereas approximately 60 percent of Americans have expressed an interest in tracing their family history;

Whereas the study of family history gives individuals a sense of their heritage and a sense of responsibility in carrying out a legacy that their ancestors began;

Whereas as individuals learn about their ancestors who worked so hard and sacrificed so much, their commitment to honor their ancestors' memory by doing good is increased;

Whereas interest in our personal family history transcends all cultural and religious affiliations;

Whereas to encourage family history research, education, and the sharing of knowledge is to renew the commitment to the concept of home and family; and

Whereas the involvement of National, State, and local officials in promoting genealogy and in facilitating access to family history records in archives and libraries are important factors in the successful perception of nationwide camaraderie, support, and participation: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the month of October 2003, as "Family History Month"; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe the month with appropriate ceremonies and activities.

#### THE CALENDAR

Mr. FRIST. Madam President, I ask unanimous consent that the Senate proceed to the following measures en bloc: Calendar No. 173, S. Res. 62; Calendar No. 174, S. Res. 149; Calendar No. 187, S. Res. 90.

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

Mr. FRIST. Madam President, I ask unanimous consent that the resolutions be agreed to, the amendments to the preambles, where applicable, be agreed to, and the preambles, as amended, if amended, be agreed to, and the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and that any statements regarding these matters be printed in the RECORD.

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

#### REGARDING THE HUMAN RIGHTS SITUATION IN CUBA

The resolution (S. Res. 62) calling upon the Organization of American States (OAS) Inter-American Commission on Human Rights, the United Nations High Commissioner for Human Rights, the European Union, and human rights activists throughout the world to take certain actions in regard to the human rights situation in Cuba, was considered and agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 62

Whereas the democracies of the Western Hemisphere have approved an Inter-American Democratic Charter that sets a regional standard regarding respect for human rights and fundamental freedoms;

Whereas the government of the Republic of Cuba approved and is bound to respect the Charter of the Organization of American States (OAS) and the American Declaration of the Rights and Duties of Man;

Whereas in 2001, 2000, 1999, 1998, and previous years, the government of the Republic of Cuba declined to reply to the OAS Inter-American Commission on Human Rights when it sought the government's views on human rights violations in the Republic of Cuba;

Whereas all countries have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and the Universal Declaration of Human Rights;

Whereas the United Nations Commission on Human Rights considered and passed a resolution in 2002 regarding the situation of human rights in the Republic of Cuba and called for the United Nations High Commissioner for Human Rights to send a personal representative to the Republic of Cuba;

Whereas the United States and other countries remain concerned about violations of human rights and fundamental freedoms in the Republic of Cuba, including the freedoms of expression, association, and assembly, and the rights associated with the administration of justice;

Whereas, according to the Department of State, Cuban authorities use exile as a means of repression and continue to harass, threaten, arbitrarily arrest, detain, imprison, and defame human rights advocates and members of independent professional associations, including journalists, economists, doctors, and lawyers with the goal of coercing them into leaving the country;

Whereas Cuban citizens are routinely jailed solely because their views do not coincide with those of the government;

Whereas Amnesty International in its 2002 report noted an increase in human rights violations in the Republic of Cuba, including short-term arbitrary arrests, threats, summonses, evictions, interrogations, losses of employment, restrictions on travel, house arrests, and other forms of harassment directed by the government against political dissidents, independent journalists, and other activists in an effort to limit their ability to exercise fundamental freedoms;

Whereas Amnesty International also noted with concern the beginning of a trend toward the increased use of violence by Cuban authorities in order to repress dissent;

Whereas Cuban political prisoners are deliberately exposed to harm and poor conditions as a means of punishment, including beatings, denial of medical treatment, forced labor against medical advice, unsanitary eating conditions, and coexistence with inmates carrying highly infectious diseases;

Whereas peaceful dissidents in the Republic of Cuba, such as Oscar Elias Biscet, who upon finishing more than 3 years in jail for "instigation to commit a crime" is again in police custody and facing a possible year-long sentence, are subjected to ongoing harassment and imprisonment;

Whereas many Cubans, such as journalist Bernardo Arevalo Padron, who is currently in jail serving a 6 year sentence, are routinely jailed under the charge of "disrespect" for making negative statements

about the government of the Republic of Cuba;

Whereas many Cubans, such as Carlos Oquendo Rodriguez, who is serving 2 years in prison, are routinely jailed under the charge of "public disorder" for criticizing the Castro regime;

Whereas many Cubans, such as Francisco Chaviano Gonzalez, the longest serving current Amnesty International prisoner of conscience in the Republic of Cuba, are imprisoned on charges of "revealing state security secrets" and "falsifying public documents" for promoting democratic practices and human rights;

Whereas many Cubans, such as Juan Carlos Gonzalez Leiva, a blind lawyer and president of the Cuban Foundation for Human Rights, are imprisoned on charges of "disobedience" and tortured while incarcerated for peacefully protesting the Republic of Cuba's brutal treatment of dissidents;

Whereas many Cubans, such as Leonardo Miguel Bruzon Avila, president of the 24th of February Movement (named for both a turning point in the Spanish-American War and the day in 1996 when 2 civilian aircraft carrying 4 members of the Cuban American Brothers to the Rescue movement were shot down over international waters by Cuban fighter jets), are charged with "public disorder" and held without trial for planning peaceful public ceremonies;

Whereas many Cubans, such as Nestor Rodriguez Lobaina, who is president of the Cuban Youth for Democracy Movement and currently serving a 6 year prison sentence, are charged with "damages" for denouncing violations of human rights by the Cuban government and communicating the brutality of the Cuban regime to Cuban citizens and the world;

Whereas many Cubans, such as Jorge Luis Garcia Pérez, who is a founder of the Pedro Luis Boitel Political Prisoners Movement and serving a 15 year prison sentence, are charged with "enemy propaganda" and suffer systematic abuse and a lack of medical assistance while in prison, for criticizing communism;

Whereas Amnesty International reports that participants in Oswaldo Paya's Varela Project collecting the required 10,000 signatures on a petition for peaceful change to the legal system of the Republic of Cuba have been harassed, detained, subjected to confiscation of signed petitions, and "kicked, punched, and threatened" by Cuban state security officials; and

Whereas the European Parliament rightfully recognized Oswaldo Paya for his work on the Varela Project with the 2002 Sakharov Prize for his human rights work in the Republic of Cuba: Now, therefore, be it

*Resolved*, That the Senate calls upon—

(1) the Organization of American States Inter-American Commission on Human Rights to continue its reporting on the human rights situation in the Republic of Cuba and to request a visit to the Republic of Cuba for the purposes of reviewing and reporting to the international community on the human rights situation there;

(2) the United Nations High Commissioner for Human Rights and his newly appointed personal representative to vigorously pursue the implementation of the 2002 Resolution regarding the situation of human rights in the Republic of Cuba;

(3) the European Union, to build upon the European Parliament's recognition of Cuban dissidents and, through the appropriate bodies and mechanisms, request to visit the Republic of Cuba for the purpose of reviewing the human rights situation there and issue a report to the international community on its findings; and

(4) human rights organizations throughout the world to issue statements of solidarity with the Cuban human rights activists, political dissidents, prisoners of conscience, independent journalists, and other Cubans seeking to secure their internationally recognized human rights and fundamental freedoms.

EXPRESSING THE SENSE OF THE SENATE THAT THE INTERNATIONAL RESPONSE TO THE CURRENT NEED FOR FOOD IN THE HORN OF AFRICA REMAINS INADEQUATE

The Senate proceeded to consider the resolution (S. Res. 149) expressing the sense of the Senate that the international response to the current need for food in the Horn of Africa remains inadequate, which had been reported from the Committee on Foreign Relations with an amendment to the preamble.

(Strike the part in black brackets.)

S. RES. 149

Whereas, according to the United Nations World Food Program, there are nearly 40,000,000 people at risk of starvation in Africa this year due to drought and widespread crop failure;

Whereas more than 14,000,000 of those people live in Ethiopia and Eritrea;

[Whereas the World Food Program has raised only 25 percent of the \$100,000,000 it needs to assist 900,000 people in Eritrea;]

Whereas increased food and transportation costs have reduced the purchasing power of aid organizations;

Whereas the United States has contributed more than any other donor country in responding to the food crisis;

Whereas food aid is only part of the solution to the complex problems associated with famine, and non-food aid is also critical to lowering fatality rates;

Whereas the number of people at risk of food shortages in the Horn of Africa could exceed the levels of the famine of 1984;

Whereas urban areas in the region lack effective food security and vulnerability monitoring and sufficient assessment capacity;

Whereas countries in Africa have the highest HIV/AIDS infection rates in the world;

Whereas malnutrition lowers the ability of people to resist infection by the HIV/AIDS virus and hastens the onset of AIDS;

Whereas a person infected with HIV/AIDS needs to consume a higher number of calories per day than the average person does in order to survive; and

Whereas there is not enough food in the assistance pipeline to satisfy the dire food needs of the people in drought-affected countries of the Horn of Africa: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that the President should—

(1) review our food assistance programs to ensure that we are as committed to, and successful at, meeting food needs in Africa as we are to meeting food needs in other parts of the world;

(2) take all appropriate measures to shift available United States food assistance resources to meet food needs in the Horn of Africa, including drawdowns of the remainder of the reserve stocks in the Emerson Humanitarian Trust;

(3) encourage other donors to commit increased food assistance resources through bilateral and multilateral means; and

(4) direct the Secretary of State, the Secretary of Agriculture, and the Administrator

of USAID to work with international organizations, other donor countries, and governments in Africa to develop a long-term, comprehensive strategy for sustainable recovery in regions affected by food crisis that—

(A) integrates agricultural development, clean water access, inoculations, HIV/AIDS awareness and action, natural disaster management, urban vulnerability measures, and other appropriate interventions in a coordinated approach;

(B) estimates costs and resource requirements; and

(C) establishes a plan for mobilizing resources, a timetable for achieving results, and indicators for measuring performance.

The resolution (S. Res. 149) was agreed to.

The amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

The resolution, with its preamble, as amended, reads as follows:

(The resolution will be printed in a future edition of the RECORD.)

EXPRESSING THE SENSE OF THE SENATE THAT THE SENATE STRONGLY SUPPORTS THE NON-PROLIFERATION PROGRAMS OF THE UNITED STATES

The Senate proceeded to consider the resolution (S. Res. 90) expressing the sense of the Senate that the Senate strongly supports the nonproliferation programs of the United States, which had been reported from the Committee on Foreign Relations with an amendment to the preamble.

(Strike the part shown in black brackets and insert the part shown in italic.)

S. RES. 90

Whereas on March 6, 2003, the Senate gave its advice and consent to the Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions, done at Moscow on May 24, 2002 (the Moscow Treaty), which treaty will result in the [draw down] *withdrawal from operational deployment* of thousands of strategic nuclear weapons by December 31, 2012;

Whereas the lack of strict and effective control over and security of all weapons of mass destruction by the governments having jurisdiction over such weapons continues to be of grave concern to all nations that are threatened by terrorism, especially after the catastrophic terrorist attacks of September 11, 2001; and

Whereas despite some recent improvements in cooperation at the highest levels of the Russian Federation, various officials and agencies of the Russian Federation have been counter-productive in barring access and information to the United States with respect to nonproliferation programs and activities, thereby needlessly hindering the progress of such programs and activities: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) the Senate strongly supports the nonproliferation programs of the Department of Defense, the Department of Energy, and the Department of State, which programs are intended to reduce the worldwide threat posed by nuclear, chemical, and biological weapons that remain unsecured in the Russian Federation and elsewhere;

(2) the Russian Federation should continue to improve the access of the United States to

key facilities, and the sharing of information with the United States, so as to bring a successful and timely conclusion to various nonproliferation programs and activities; and

(3) the United States should redouble its efforts to achieve full implementation of the nonproliferation programs of the Department of Defense, the Department of Energy, and the Department of State under effective management, and make full use of all funds that Congress appropriates or otherwise makes available for such programs.

The resolution (S. Res. 90) was agreed to.

The amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

The resolution, with its preamble, as amended, reads as follows:

(The resolution will be printed in a future edition of the RECORD.)

Mr. BYRD. Madam President, on March 6, 2003, the Senate gave its advice and consent to ratification of the Moscow Treaty on strategic nuclear arms reductions. The 97 to 0 vote belied significant weaknesses in the treaty: it contains no verification procedures, it does not require the destruction of any warheads or missiles, and it expires on the same day that it goes into effect.

Those weaknesses should not be ignored. I joined with my colleagues in voting to approve a formal treaty on U.S. and Russian arms reductions in order to send a message that more work is needed to reduce, control, and secure the most dangerous weapons that mankind has created. The Moscow Treaty is a modest step away from the Cold War threat of nuclear holocaust, but more steps need to be taken.

The resolution that I offer represents the Senate's next step in pushing for more action in the control of nuclear, chemical, and biological weapons. I am grateful to the chairman of the Foreign Relations Committee, Senator LUGAR, for his support of the resolution as its principal cosponsor. The Byrd-Lugar resolution urges the administration and the Russian Federation to do more to implement nonproliferation programs.

The United States has a good record in working with the countries of the former Soviet Union on nonproliferation programs. The Cooperative Threat Reduction program, conceived by former Senator Sam Nunn and of Senator RICHARD LUGAR, has an astounding record of success. That program has destroyed more than 6,000 Soviet-era nuclear weapons and more than 800 ballistic missiles. The program helped to remove all nuclear warheads from Belarus, Ukraine, and Kazakhstan. It has made significant progress in securing nuclear materials, chemical weapons, and biological weapons.

The Byrd-Lugar resolution states the sense of the Senate on three important issues relating to U.S. nonproliferation programs.

First, the resolution states clearly the strong support of the Senate for nonproliferation programs that "are intended to reduce the threat posed by

nuclear, chemical, and biological weapons that remain unsecured in the Russian Federation and elsewhere.”

Second, the resolution urges the Russian Federation to increase access to key weapons facilities and to share more information about its weapons programs. According to General Accounting Office testimony delivered to the House Armed Services Committee on March 5:

Russia will not allow DOD [Department of Defense] and DOE [Department of Energy] the level of access they require to design security improvements [at weapons storage sites], verify their installation, and ensure their proper operation. As a result, agencies have been unable to help protect substantial portions of Russia’s nuclear weapons. . . . In addition, many Russian biological sites that store dangerous biological pathogens remain off-limits. (GAO testimony, 3/5/03, GAO-03-526T)

Third, the resolution urges our country to redouble efforts to achieve full implementation of nonproliferation programs, under effective management, and with full use of the funds that Congress may appropriate for nonproliferation activities.

Critics have been active in pointing out that poor management of some nonproliferation projects has resulted in wasted money and lost time. Most recently, some have leveled criticism at two projects that were intended to eliminate Russian rocket fuel. The United States spent \$200 million to build two facilities to eliminate fuel that was left over from destroyed Russian missiles, only to find that the fuel was diverted into the Russian civil space program. As a result, these facilities are left with no rocket fuel to destroy.

It is a very serious issue when such a great amount of money is devoted to an unsuccessful program. There is no excuse for poor planning and management. We should not lose sight of the importance of nonproliferation programs, and to ensure their success we must not ignore such examples of mismanagement. That is why the Byrd-Lugar resolution makes a point about the need for effective management in our nonproliferation programs.

But just as management improvements are needed, the Executive Branch has been slow to implement nonproliferation programs. There has been delay after delay in spending funds that Congress appropriates for these projects.

According to the administration’s fiscal year 2004 budget, \$543 million in DOD nonproliferation funds will remain unexpended this year. To put that figure in perspective, the White House has requested \$439 million for these programs in its fiscal year 2004 budget. I support that request, but that money—like the half a billion dollars that remains in our coffers—will do nothing to improve our security unless it is spent by the administration. Whatever funds that Congress appropriates to nonproliferation programs should be used in a timely manner that

recognizes the serious nature of the threat posed by loose nuclear weapons in Russia.

The Byrd-Lugar resolution underscores the important nonproliferation tasks ahead of us by spotlighting problems that need to be addressed by the United States and Russia. Just as this resolution follows up on the Moscow Treaty, there is much more work to do after this resolution. These are matters on which the Armed Services Committee, of which I am a member, and the Foreign Relations Committee, of which Senator LUGAR is chairman, should continue to work together.

One issue that is particularly deserving of increased attention is expansion of non-proliferation programs to countries outside of the former Soviet Union. The supplemental appropriations bill passed by the Senate on April 3, 2003, included temporary authority for the President to spend up to \$50 million in nonproliferation funds outside of the former Soviet Union during this fiscal year. Unfortunately, this provision was not included in the final version of that bill that was signed into law by the President on April 16, 2003.

The Director of the Central Intelligence Agency warned the Armed Services Committee on February 11 of a new nuclear arms race among smaller countries. Let us look beyond the borders of the former Soviet Union to address the heart of the growing menace of nuclear proliferation, and start thinking about how to leverage the success in Russia of the Nunn-Lugar programs into results in other countries.

The Nunn-Lugar programs have greatly reduced the chance that a poorly secured Russian military facility may serve as a one-stop shop for terrorists seeking a nuclear, chemical, or biological weapon. I count myself as a consistent and strong supporter of these programs.

But there is much more work to do. The Moscow Treaty, which requires that thousands of nuclear warheads be removed from deployment, but not necessarily destroyed, renews the need for a cooperative program to keep these weapons out of the hands of terrorists. The Byrd-Lugar resolution sends a message to the White House and to the Kremlin that we need to fix the problems that have surfaced in the nonproliferation programs between our countries and accelerate our work to secure and destroy unneeded and unwanted weapons of mass destruction.

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MEASURE INDEFINITELY  
POSTPONED—S. CON. RES. 23

Mr. FRIST. Madam President, I ask unanimous consent that Calendar No. 34, S. Con. Res. 23, be indefinitely postponed.

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

AUTHORITY FOR COMMITTEES TO  
REPORT LEGISLATIVE AND EXECUTIVE MATTERS

Mr. FRIST. Madam President, I ask unanimous consent that notwithstanding the recess or adjournment of the Senate, committees be authorized to report legislative and executive matters on Wednesday, July 2, from 10 a.m. to 12 noon.

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

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AUTHORIZING THE CHAIR TO  
MAKE APPOINTMENTS

Mr. FRIST. Madam President, notwithstanding the Senate’s adjournment or recess for the Fourth of July recess, I ask unanimous consent that the Chair be authorized to make chair appointments.

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

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AUTHORIZATION TO SIGN DULY  
ENROLLED BILLS OR JOINT RESOLUTIONS

Mr. FRIST. Madam President, I ask unanimous consent that during this adjournment of the Senate, the majority leader or the assistant majority leader or Senator ALLEN be authorized to sign duly enrolled bills or joint resolutions.

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

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MORNING BUSINESS

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A SMALL TOWN WITH A BIG  
HEART

Mr. DASCHLE. Madam President, Independence Day marks a time for Americans to celebrate our country’s creation through an epic struggle for freedom and liberty. Families come together to commemorate the qualities displayed by the early patriots: a commitment to democratic expression, a yearning to be free from tyranny, and a sober willingness to sacrifice life itself on behalf of these aims.

This Fourth of July, thousands of men and women in our military will be in Iraq, dedicating themselves to the reconstruction of this country that has lived so long in the shackles of Saddam Hussein’s reign of terror. Our objective is much the same as in 1776: creating conditions in which the people are protected from oppression and in which free expression and democratic government can flourish. We know this is not an easy task—indeed, our forces continue to suffer casualties but its success or failure will be very important, not only to Iraq, but also to the future of this country and the entire Middle East.

I am so proud of the service members who have stepped forward, making tremendous sacrifices, to fight for the liberty of a foreign people in a foreign land. These men and women have been

unflinching in their resolve and have already accomplished much.

I am particularly proud of the roughly 2,000 South Dakotans who have been involved in the Iraq campaign. Many of them are South Dakota National Guard members, who participated in a mobilization with few precedents in our State's history. It was, by far, the largest mobilization since World War II. At the time the fighting began, units from more than 20 communities had been called up, from Elk Point in the south to Lemmon in the north, from Watertown in the east to Custer in the west. Indeed, our State's mobilization rate ranked among the highest of all the States on a per-capita basis. Also, hundreds of personnel from Ellsworth Air Force Base were deployed overseas at the height of the campaign.

But no community in South Dakota, or perhaps the even country, is more remarkable in its contribution to this effort than the small town of Frederick.

Frederick lies roughly 30 miles from my hometown of Aberdeen. It is a small, close-knit community with a population of fewer than 300 people. But twenty-six of Frederick's sons and daughters answered the call to duty—nearly ten percent of its population! Frederick's military personnel are serving in nearly every branch of the armed forces, including the Army, Navy, Air Force, Marines, Army National Guard, Air National Guard, and Army Reserve. To put this tremendous display of patriotism in perspective, the boroughs of New York City would need to send roughly 750,000 people to match Frederick's effort.

On July Fourth, Frederick is commemorating the patriotism of its service members with a community parade and celebration that will feature a fly-over by a B-1 bomber out of Ellsworth Air Force Base. They will honor their friends, neighbors and loved ones serving in the U.S. military, and I want to join them by recognizing them here today. They are:

Air Force: A1C Justin Wallace, SSgt. Jason Strand, Senior MSgt LeRoy Fiekens, SSgt. Tara Meyers,

A1C Paul Sumption, and TSgt. Reiff Mikkonen.

Air Force National Guard: SSgt. Brian Achen.

Army: LTC Ronald Claeys, PFC Gary Kurtzhals, and PFC Mikael Schmit.

Army National Guard: SPC Stephen Achen, Sgt. Ryan Henningsen, Sgt. Robert Heider, PFC Jeff Pierce, Cpl. Mike Bunke, Col. Gordon Niva, SSgt. Eric Kinslow, Sgt. Dave Gunther, SPC Ben Deuter and Sgt. Ryan Bakeburg.

Army Reserve: Maj. Susan Lahr and PFC Glenn Gunther.

Navy: PFC Josh Larsen and Petty Officer Randy Jensen.

Marine Corps: Sgt. Eric Thompson and MSgt. Scott McCullough.

Let me also take a moment to recognize another young patriot from Frederick, 10-year-old Peyton Healy. Though she does not know any of the 26

deployed soldiers personally, Peyton took the initiative to develop a way for the people of Frederick to support troops serving abroad, creating the "Project Patriotic Penny Fund." Working with the local American Legion post, she placed donation cans in area businesses to raise money for postage on care packages to the troops. She hoped to raise roughly \$100—enough to pay for one package to every Frederick service member. The people of Frederick placed \$195 in these cans—19,500 pennies. They also donated supplies for the packages, such as crossword puzzles, pens and paper, batteries, hygiene products, and candy.

Most importantly, Peyton helped us see the defining characteristic of the people of Frederick. She helped us see that the people of this tiny town have enormous hearts. I call upon my colleagues and the people of this Nation to join with me in commending the people of Frederick, and in celebrating alongside them on Independence Day the democracy and liberty they so proudly defend and promote.

#### BURMA

Mr. McCONNELL. Madam President, on June 11, 1995 my colleagues joined Senator FEINSTEIN and myself in passing the Burma Freedom and Democracy Act. This legislation prohibits the importation of all products from Burma, freezes the assets of Burma's ruling thugs and their political arm, bans travel to the United States for the junta's political and military leadership, and provides assistance for democracy activists inside the country. At this time, our House colleagues are working to pass their version of this legislation and I urge them to do so quickly.

Today we have news reports from Tokyo that the Japanese Foreign Ministry will be suspending new development assistance pending the release of Daw Aung San Suu Kyi. This is a positive first step, but this is not enough.

I urge our Japanese allies to reflect upon the junta's continual efforts to smother democracy in Burma and review their overall engagement policy towards the junta. The junta put the final nail into the coffin of constructive engagement when it signaled its hostility to political dialogue and national reconciliation on May 30 by arresting Suu Kyi and murdering Burmese democrats. It is painfully clear now that the junta's support for engagement was nothing more than a farce used to bankroll its corrupt and vicious rule.

Constructive engagement for Japan and Association of Southeast Asian Nations, ASEAN, has done nothing to improve the political, economic, or social situation in Burma. The ASEAN policy of noninterference will not stand. Burma's military government is a festering sore infecting the region with narcotics, HIV/AIDS, and instability. In fact, without question, Burma is

worse off now than at any point in its history. The path now is clear: isolate the vile thugs who rule this country. We must encourage Burma's neighbors to use their considerable influence to make clear to the military regime that they, too, find the political situation intolerable; it must change.

When the Prime Minister of Thailand visits the United States and his meetings with American officials are dominated by the issue of Burmese atrocities, it displaces Thai national security and economic issues from the discussion. When the Association of South East Asian Nations convened in Phnom Penh, Cambodia, this month and the discussions centered not on fighting HIV/AIDS or improving regional economic development but on the arrest of Suu Kyi and the murder of National League for Democracy political activists, it distracts ASEAN from other important issues.

The regime in Burma is pulling down the region, and it is time that its neighbors owned up to their responsibility in fixing this problem once and for all. This is not a problem that can be pushed under the rug; ASEAN and Burma's neighbors must confront this problem. Until the region confronts the junta and demonstrates backbone in the face of corrupt despotism, they will find the United States a less willing negotiating partner.

Clearly, the transfer of power 1990 elected government will provide peace, stability, and the opportunity for enhanced regional economic growth. It is this goal, not merely the release and continued harassment of Suu Kyi, that should drive the foreign policies of Burma's regional neighbors.

I welcome the statements coming from Japan demanding Aung San Suu Kyi's release from the notorious Insein Prison—a jail Burmese political prisoners call "The Hell of Asia." However, her release from prison alone will solve none of Burma's problems. There is much more that needs to be done here in Congress, and at the White House, by Japan, ASEAN, the European Union, and by Secretary General Kofi Annan and the United Nations Security Council to ensure that the thugs now ruling Burma are one day soon consigned to the ash heap of history.

#### PRESCRIPTION DRUG AND MEDICARE IMPROVEMENT ACT

Mr. AKAKA. Madam President, I rise today to speak on S. 1, the Prescription Drug and Medicare Improvement Act of 2003.

For far too long Medicare has lacked a prescription drug benefit. The lack of this benefit has been the gaping hole in the Medicare safety net. Prescription drugs are the largest out-of-pocket health care cost for seniors. Many who cannot afford drug coverage often break the drugs in half, skip doses, or do not fill their prescriptions.

The legislation the Senate passed last night will finally establish a benefit. I supported this bill because it is



an important step forward in meeting the prescription drug needs of seniors. However, I am particularly concerned that the bill provides insufficient prescription drug coverage for seniors and depends excessively on private plans.

Medicare beneficiaries will experience a gap in their prescription drug coverage after their drug expenditures reach \$4,500. They will not receive any benefits until their total drug expenditures reach at least \$5,813 unless they qualify for the additional low-income support. This gap in coverage will occur while they are still paying premiums. It is unfortunate that amendments designed to fill in the gap were defeated. This issue must be revisited in the future. Also, the eligibility requirements for the additional low-income support are too restrictive and will deny many seniors in need the extra help that they need.

The dependence on private insurers to administer this benefit presents additional challenges to providing seniors with access to prescription drugs. Prescription drug-only insurance policies are currently not offered and they will need to be developed. The utilization of private plans creates a system in which insurers have incentives to limit access to needed drugs. In addition, the premiums that seniors pay for coverage are likely to vary depending on what region people live in. It is not equitable for a Federal benefit to have different prices across the country. Seniors should have the option of choosing a Medicare-administered plan instead of one that is run by a private insurer.

It is unfortunate that amendments to strengthen the prescription drug coverage and to provide seniors with an option to enroll in a Medicare administered plan were defeated. I look forward to continue working with my colleagues to address these important issues to improve the Medicare prescription drug benefit.

Again, I supported this bill because it is an important step towards providing much needed prescription drug coverage for seniors. Also, I am pleased that my amendment to restore a Medicaid disproportionate share hospital, DSH, allotment for Hawaii was adopted. This amendment is vital to Hawaii's hospitals which are struggling to meet the elevated demands placed upon them by the increasing number of uninsured patients. DSH payments will help Hawaii hospitals meet the rising health care needs of our communities. I hope that this provision is retained in conference.

#### S. 1, THE MEDICARE PRESCRIPTION DRUG BENEFIT ACT

Mr. ROCKEFELLER. Madam President, as the Medicare prescription drug debate draws to a close, I would like to take a few moments to give my colleagues my honest assessment of this legislation.

I join many of my colleagues in recognizing how difficult it has been for

the managers of this bill to hold to a proposal that fits within a \$400 billion budget constraint. In that respect, they are to be commended for their discipline. But for my part, I believe that constraint, combined with the fervent intent by some to move Medicare to a private insurance model, has produced a bill that is fatally flawed. Seniors will not get the affordable, meaningful prescription drug coverage they expect because the majority of Members seem to have concluded that we cannot break the \$400 billion barrier. I think it is a false choice.

The actual prescription drug benefit in this bill is inadequate to meet the needs of more than 40 million Medicare beneficiaries and eventually America's seniors are going to figure that out. The fact of the matter is that \$400 billion is simply not enough to buy an adequate benefit. But we already knew that—our debates last year made that abundantly clear.

I believe that insisting on the capped amount of \$400 billion for a Medicare drug benefit as a precondition of moving a new benefit through the legislative process serves as a convenient excuse. It means this drug benefit is sure to fail to meet seniors' real drug coverage needs. It also means that we will only cover 20-25 percent of seniors' drug costs.

What is worse, the complicated structure of this bill will cause seniors to be angry and confused by the benefit—and they will be entitled to be. This is not the straightforward guaranteed Medicare prescription drug benefit seniors have been repeatedly promised. There is no standard premium and there is no uniform benefit. For the first time under Medicare there is no universal coverage for all Medicare beneficiaries. This bill falls far short of what seniors expect and need.

Let's take a few minutes to look at how the shortcomings of this bill will become apparent to a Medicare beneficiary—a senior or disabled person who enrolls in this benefit. For illustrative purposes, let's take an 80-year-old West Virginia widow living at 250 percent of the poverty level.

Assume this widow spent her entire career working for the same employer. Since her retirement, her employer has provided her with a fairly generous drug benefit—\$150 deductible, \$10 copays, and catastrophic coverage. However, once the Senate's proposed drug benefit is enacted, she becomes one of the 37 percent of Medicare beneficiaries who currently receive good employer-sponsored coverage who lose that coverage. That is because the way this bill works her former employers' contribution to her drug costs are meaningless because they do not count toward her catastrophic limit.

I want to note here that, during the health care reform debates of more than a decade ago, one of the few things that we seemed to agree on was that we should not disrupt the health care coverage that Americans already

rely on. My friends on the other side of the aisle, in particular, were quite adamant about that point. Well, this bill would not just disrupt the drug coverage for millions of seniors, it would completely strip the drug coverage from 4.5 million seniors who have employer-sponsored coverage today.

It will strip their employer-sponsored coverage and leave them with an inferior drug benefit which is either less generous or more expensive. I offered an amendment to correct this problem, but it failed just 2 days ago.

To return to my example, as a result of having lost her employer-sponsored coverage, this 80-year-old senior decides she has to enroll in the new drug benefit next year—in 2004—only to find out that it will not be implemented until 2006. There is a discount drug card, but it is not substantially better than the discounts she gets today—and it is far worse than the drug benefit she used to receive from her former employer.

This widow spends the next 2 years trying to figure out whether it is to her benefit to enroll in this new Medicare prescription drug benefit. But she can't really make an informed decision because she has no idea what the premium will be or what the benefit will actually look like. She decides to enroll in the voluntary benefit having been told that if she waits to enroll she will have to pay a very harsh late enrollment penalty.

This particular 80-year-old senior lives in West Virginia, so let's assume that no private insurers enter the area to provide a drug benefit. That has been my State's experience with the Medicare+Choice Program and I have no reason to believe that this proposal will produce a different outcome.

My illustrative senior citizen enrolls in the fallback. Her sister, however, lives in northwestern Ohio and has enrolled in a Medicare Advantage Plan. For the first time under Medicare, the West Virginia widow and her sister in Ohio have a different Medicare benefit and are paying a different premium for that benefit. In addition, her sister is being offered additional benefits like a catastrophic limit on her medical expenditures and disease management. These additional benefits are not even being offered to the West Virginia senior because she remains in traditional Medicare.

Now, fast forward 1 year and assume that private insurers decide to enter West Virginia. The fallback plan she received through traditional Medicare disappears and she is required to enroll in a private insurance plan. She cannot see the doctor she was seeing because he is not in the private insurer's network. She cannot go to the pharmacy she usually visits—the one that is right down the street—because it is also outside the network. She can't have the drug she was taking because it is not on the insurers' formulary.

Again, fast forward, this time it is 2 years later. Let's assume that the private insurers did not make enough

profit to continue to provide a drug benefit in West Virginia—then what happens? The now 83-year-old widow will have to start the process all over again.

What is worse is that each senior will face a different calculation in determining how this bill will or won't help them. Senior citizens with incomes of 135 percent of the poverty level should theoretically pay no deductible, 5 percent cost sharing up to \$4,500 in total spending, 10 percent cost sharing between \$4,500–\$5,800 and 2.5 percent cost sharing above \$5,800.

But this bill has an asset test that will prevent millions of seniors from getting the low-income subsidies in this bill. If a senior owns a burial plot worth \$1,000, a \$3,000 Treasury bill, and a vehicle worth \$6,000—indeed, if a senior owns anything that adds up to over \$10,000 in assets, not including his or her home, the cost sharing they have to pay will double.

Our Nation's neediest seniors, those with incomes 74 percent of Federal poverty, will not be permitted to enroll in the new Medicare prescription drug benefit at all. Even though these low-income seniors are Medicare beneficiaries, they will not be eligible for this particular Medicare benefit because they are now eligible for Medicaid. They will be discriminated against for the very first time under this new Medicare benefit.

Seniors who are forced to remain in Medicaid may well end up seeing their drug coverage dramatically cut back. With our Nation's economy still fairly stagnant, State budget situations remain dire. In some States, dual-eligible Medicare beneficiaries may only have coverage for three prescriptions per year, regardless of their medical needs.

Put simply, the Medicare drug benefit the Senate is about to vote on has fatal flaws. The following is a list of 10 fatal flaws that, combined, persuade me this bill should not get my vote.

1. The drug benefit has no national premium. CBO estimates that \$35 will be the national average premium. That number appears nowhere in the legislative language. It is a projection, a best guess—and it certainly could be higher.

2. Under this prescription drug plan, the premium will vary in every region of the country, perhaps State by State, and there is no limit on how high it can be. We defeated an amendment that would have limited the variation to no more than 10 percent above the national average, but it failed.

3. Private insurers will actually decide what the premium will be. And, this premium will grow each year by the rate of increase in drug costs—that is roughly 10–12 percent increases every year. That means seniors in 2008 could well be paying \$50 a month for their drug premium alone—and that is on top of the cost of their deductible and copayments.

4. There is no requirement for private plans to offer a standard benefit—private plans are only required to offer an

actuarially equivalent benefit. That means West Virginians and other rural beneficiaries may not have access to the same drug benefit that other seniors will have—again, for the very first time under Medicare seniors in some States won't get the same benefits as seniors in other States. I am not very confident that West Virginia seniors will end up with the better benefit—we never do.

5. The bill currently has a completely unstable fallback. Under this proposal, the only time a beneficiary will have the option of receiving coverage through Medicare is if there are not at least two bids from private insurers to serve a region. There is no guaranteed Medicare prescription drug benefit of the kind I believe seniors fully expect. Moreover, if private insurers do not enter an area, the fallback moves into place for 1 year. The next year, a new bidding process begins, and if two plans show up, the Medicare fallback disappears. Private insurers can then change or terminate coverage every 2 years. This means that seniors, especially seniors in rural areas where preferred provider organizations or PPOs and private plans are not likely to come to the table, may end up bouncing between a fallback, then a private plan, and then back to a fallback. Back and forth, back and forth. All the while, this senior will be forced to change doctors and pharmacists, their cost sharing will be changing, as may their premiums. The Senate prescription drug plan we are considering leaves the big HMOs and insurance companies in charge.

6. There is a significant gap in coverage. That gap is \$1,300—seniors pay their monthly premiums but get no drug benefit in that gap. Two amendments to address this problem did not achieve sufficient votes for passage. One was an amendment to eliminate this gap. Another one would have said that seniors would not have to pay premiums when they were not receiving any benefit. The failure of these two strengthening amendments means that under this legislation, if a Medicare beneficiary has \$5,900 in drug spending per year, by October 7 of that year, their benefit will run out. That beneficiary will continue to need the drugs each day for the rest of the year but her benefit will run out on October 7. Fifteen million Medicare beneficiaries will fall into the gap.

7. Low-income seniors who are eligible to receive a drug benefit under Medicaid will not be eligible for the Medicare prescription drug benefit, as I illustrated in my earlier example. This means that 43,000 West Virginians will not be eligible for this Medicare prescription drug benefit. Millions more across America won't be eligible for this Medicare benefit even though they paid their whole lives into the Medicare program rightfully expecting that it would cover their health care costs.

8. Again, under this legislation, CBO estimates that 37 percent of Medicare

beneficiaries who currently receive a drug benefit from their employer will lose that coverage because of the way this legislation defines out-of-pocket costs.

9. This proposal requires private insurers to provide beneficiaries with a catastrophic limit on expenditures for medical benefits, disease management, chronic care services and preventive benefit. But, such benefits are not made available to beneficiaries remaining in traditional Medicare. Everyone keeps arguing that these private plans will provide better, more comprehensive, preventive care. But, the fact is that this bill precludes the traditional Medicare from providing better, more coordinated care. There is no reason that traditional Medicare cannot provide the same level of care as a private plan—at a significantly lower administrative cost, I might add—but not if we preclude it from doing so.

10. And if those reasons weren't enough, consider what is headed our way in conference: today, the House will include in its prescription drug bill new tax shelters for health care, that disproportionately help the rich and undermine employer-based health insurance coverage . . . the very system that the vast majority of Americans depend on for their health care and a voucher system for Medicare beneficiaries beginning in the year 2010.

Under this system, seniors would receive a defined contribution payment rather than a defined benefit. In other words, rather than defined benefits beginning in 2010, seniors would receive a set premium payment—like a voucher—from the Government.

We need to think about what we are doing here. In my judgment, every Member of Congress should think about this benefit from the perspective of their beneficiaries. This proposal is a great opportunity for seniors to shop for new coverage every few years. If you have the utmost faith in private insurers to provide good health coverage to elderly Americans and the disabled, then this is the plan for you. This plan puts private insurers in the driver's seat by giving them flexibility to vary premiums and change or terminate coverage every 2 years. But, as far as providing long-term security, this proposal fails.

Finally, several Members have come to the floor and claimed that this proposal is just a downpayment—that we will be able to revisit the benefit over the years and make it more generous. That is simply untrue. We have an administration that is intent on large tax cuts, that is focused on the minimization of Government and that is committed to the privatization of the Medicare Program. Most every amendment offered during this debate to improve this benefit has lost. I don't know why any senior would believe that we will be able to revisit this program and make it better. We should take the time to get it right.

Mr. LIEBERMAN. Madam President, I want to state my support for the

Medicare Prescription Drug Bill, S. 1, and my reasons for doing so.

I believe that by passing this legislation, we begin to answer the prayers of many seniors who are struggling to cover the rising costs of the prescription drugs they need to live longer and healthier lives. I commend the bipartisan Congressional effort to beat back the worst pieces of the President's initial proposal—which would have forced seniors out of Medicare en masse and paved the road to privatizing the system—and forged this more sensible compromise.

But my support is not an enthusiastic endorsement. We cannot ignore the substantial weaknesses in this proposal. For one, the bill does not take effect until 2006—seniors have waited long enough. More specifically, this bill has an enormous gap in coverage—the so-called “doughnut hole”—that leaves millions of seniors without the assistance they need. Premiums may vary from plan to plan. Some seniors may be forced to go round and round in a revolving door, changing plans as private plans come and go. And seniors covered under employer-based retiree plans would not get the catastrophic benefit they need. Unfortunately, Republicans defeated Democratic amendments to remedy these shortcomings.

Nevertheless, the bill represents a dramatic improvement in prescription drug coverage for our nation's seniors. It would provide comprehensive prescription drug coverage for our lowest income elderly with no or minimal premiums. It also guarantees that a drug benefit is available to all Medicare beneficiaries by giving them a “fallback” traditional government plan when there is a lack of private plans in their area. Even with the existing gap, 80 percent of Medicare beneficiaries will get back more in benefits than they pay in premiums.

Both problems and advantages to the bill are summarized in more detail below.

All in all, this is a foundation upon which to build in the months and years ahead. Senator KENNEDY is right. Seniors deserve the basic coverage this plan will provide—and an end to the political stalemate that has blocked action for the last several years. Thanks to the persistent, principled, and passionate advocacy of him and other Democrats—and the strength of Republicans who resisted President Bush's divisive prescription—that's precisely what they're getting.

But I do think we can and should do more to improve this plan, and there are several specific areas we should focus on as we go forward. First, we must fill the doughnut hole I described above. This gap in coverage will hurt our seniors at their time of greatest need—financially and physically. The gap occurs because after a senior's drug spending reaches a certain amount, the benefit ends. The benefit doesn't start again until there is a significant out-of-pocket payment, at which time cata-

strophic coverage kicks in. Many of the beneficiaries who fall into that gap are likely to be seriously ill and financially strapped, and therefore faced with the same awful choice between medicines and necessities that too many seniors face today.

That's not the only problem with this bill. Another is that the drug benefits paid by employer-based retiree plans would not count toward the catastrophic benefit promised to seniors. Therefore, seniors covered under these plans would not gain from this new benefit. In fact, these seniors may get less Medicare coverage than other beneficiaries. Also, CBO estimates that as many as 37 percent of employers may drop their retiree drug coverage, which is the last thing we want to happen as a result of this bill.

In addition, there is no set premium for seniors under this plan. Many seniors will enroll in private drug-only plans because that will be their only option. The premiums for these plans may vary significantly and may be quite high in certain parts of the country. This is clearly unfair and will hurt those seniors in locations where premiums are high.

Moreover, the drug coverage approach in the bill relies on uncertain and historically unstable private health insurance plans. In fact, there will not be a guaranteed “fallback” option for coverage in a traditional Medicare plan. This fallback will only occur when there are less than two private plans in any region. Seniors may be pushed from plan to plan as the private plans come and go.

But on balance, this bill has more strengths than weaknesses, starting with the fact that it commits \$400 billion to help reduce the costs of prescription drugs for America's senior citizens. This is a historic breakthrough, and we should not minimize that.

One of the most encouraging parts of this bill is that it provides comprehensive coverage for low income seniors up to 160 percent of poverty with no or minimal premiums and cost sharing—40 percent of all Medicare beneficiaries. There is no “doughnut hole” for this group. Although I wish that there were better coverage for the remaining 60 percent of beneficiaries, there is at least strong, reliable coverage for the lowest income group.

Another positive aspect of the current bill is that all Medicare beneficiaries are provided a “fallback” traditional government plan when there are not two private plans in their area. This means that all Medicare beneficiaries are guaranteed that a drug benefit is available. I co-sponsored Senator STABENOW's amendment to guarantee this fallback without regard to the presence or absence of private plans to increase the stability of coverage and decrease the risk of needing to move from plan to plan. That amendment failed.

There were other important amendments that I did not have the oppor-

tunity to vote on. I would like to note my position on them for the record.

Stabenow Amendment No. 931 to Bill S. 1: I was a co-sponsor of this amendment that would have ensured the availability of the traditional Medicare plan in all areas. Bill S. 1 guarantees a “fallback” plan only when there are not two private plans in any region. This amendment would have guaranteed the availability of a Medicare-administered drug benefit for all Medicare beneficiaries in all regions and this “fallback” would not be dependent on the presence or absence of private insurers. This would have avoided the revolving door of drug insurance we may face with the enactment of the underlying bill. As discussed, seniors could be forced to change insurers and drug formularies from year to year. This amendment would have provided stability, by allowing seniors access to the federal fallback plan at all times. It is important that seniors don't just have drug coverage, but have coverage they can trust. For this reason, I was a co-sponsor of this amendment and would have voted for it.

Daschle Amendment No. 939 to Bill S. 1: This amendment would have ensured that an affordable plan would have been available to all Medicare beneficiaries by limiting the variations in the amount beneficiaries have to pay in premiums to only 10 percent above the national average, no matter where they live. Currently, premiums for Medicare HMO plans with drug coverage vary from \$99/month in Connecticut to \$16/month in Florida. Similarly, the premiums in Medicare PPO plans vary from \$166/month in New York to \$39/month in Alabama. This amendment would have limited these types of inequities. For this reason, I would have voted for this amendment.

Gregg Amendment No. 945 to Bill S. 1: This bipartisan amendment attempts to help ensure that Americans have access to generic drugs in a timely fashion. This amendment speeds the market entry of generic drugs by eliminating some patent extension practices used by brand name manufacturers. I voted for similar generic drug legislation in the last Congress, which passed the Senate. I would have voted for this amendment.

Dayton Amendment No. 957 to Bill S. 1: This amendment would require that Members of Congress receive prescription reimbursements at the same level as Medicare beneficiaries. I believe that that this it is appropriate and fair for us to be subject to the same problems to which our constituents will be subject. For these reasons, I would have voted for this amendment.

Dodd Amendment No. 969 to Bill S. 1: This amendment would have allowed an ongoing open enrollment period for two years so that beneficiaries could enroll and disenroll in Medicare Prescription Drug Plans and Medicare Advantage plans during 2006 and 2007. Medicare beneficiaries would have been able to choose which plan they wanted

as they gathered more information about each plan during the first two years of this benefit. For this reason, I was a co-sponsor of this amendment and would have voted in favor.

Dodd Amendment No. 970 to Bill S. 1: This amendment would have provided 50 percent cost sharing through the "donut hole" for seniors between 160 percent and 250 percent of poverty. Beneficiaries who have an income of only \$15,000/year (or \$20,000/year for a couple) are just over the 160 percent cut-off. This amendment would have helped these beneficiaries who have reached the initial coverage gap and before these beneficiaries have reached the annual out-of-pocket limit. I am greatly concerned that the bill voted out of the Finance Committee will hurt these beneficiaries. For these reasons, I would have voted for this amendment.

Harkin Amendment No. 991 to Bill S. 1: I was a co-sponsor of this amendment to have a demonstration project through the Medicaid program to encourage community-based services for individuals with disabilities. I believe that it is important that we treat disabled and challenged individuals in their communities to try and decrease the institutionalization of this population. We need demonstration projects to establish cost effectiveness and quality. For these reasons, I co-sponsored this amendment and would have voted for it.

Dodd Amendment No. 998 to Bill S. 1: This amendment would have increased the amount of the direct subsidy to employers who provide retiree prescription coverage. It would have encouraged retiree benefit plans to continue to exist as an alternative to Medicare. I am deeply concerned that the bill voted out of the Finance Committee will hurt seniors who currently have employer prescription drug coverage. Seniors who have worked hard all of their lives and earned drug insurance from their former employers should not lose this coverage and this bill could, according to CBO estimates, eliminate over a third of these benefits. For these reasons, I would have voted for this amendment. This provision needs to be corrected.

Clinton Amendment No. 1000 to Bill S. 1: I was proud to cosponsor Senator CLINTON's amendment to ensure that seniors get the information that they need to make informed choices about which medication they should take for a given medical condition. Often, there is more than one medication that is available for treatment. This measure would have supported research to determine which of these drugs is most effective and would have ensured that this information would be made available to patients and their physicians. I believe that it is important to support these studies as a means of improving the quality of prescribing practices and make certain that patients get the best possible care. For these reasons, I co-sponsored this amendment and would have voted for it.

Boxer Amendment No. 1001 to Bill S. 1: This amendment would have filled the coverage gap or "doughnut" for beneficiaries who are ill and who have drug expenditures that exceed \$4500. Bill S. 1 contains a provision that after Medicare beneficiaries' drug expenditures reach \$4500, there is no more coverage until the total drug expenditures reach at least \$5813 (unless beneficiaries qualify for low-income protections). No other private or public health insurance policy has this kind of coverage gap. In addition, S. 1 requires that during this coverage gap, Medicare beneficiaries would be required to pay their monthly premium. This is unfair. This amendment would have ensured that Medicare beneficiaries continue to receive the same drug coverage even after drug costs reach \$4500 and before they reach \$5800. They are paying their premiums and should continue to receive benefits. For these reasons, I would have voted in favor of this amendment.

Sessions Amendment No. 1011 to Bill S. 1: I support the Senate's vote to defeat Senator SESSIONS' amendment. The Senate Finance committee included provisions in S. 1 to extend Medicaid and S-CHIP coverage to legal immigrants. These benefits would aid tax-paying residents who have come to this country for a better future. It is only right that hard working newcomers who play by the rules receive our help when needed. Senator SESSIONS' amendment would have eliminated these provisions. For these reasons, I would have voted to oppose the Sessions amendment.

I attempted to cast as many votes as possible during the Senate Medicare debate. I did not miss any votes for which my vote would have changed the outcome, including the vote for Senator HARKIN's amendment. Although I missed this vote and the count was 50-48 in favor of a motion to table the amendment, even if both I and another Senate absentee had cast our votes, Vice President CHENEY would have cast the deciding vote. Most of the amendments passed or failed by wide margins, as did the final bill.

In conclusion, Mr. President, I want to reiterate that on balance I view this bill as real progress, despite its flaws. But I also want to make clear that I will oppose any effort to tip that balance against senior citizens in conference. I am troubled by provisions in the House bill that would undermine traditional Medicare and force seniors into private plans. And I will not support any effort to include these provisions or ones like them into the conference report and make the bill weaker instead of stronger.

Mr. CORZINE. Madam President, I rise today to discuss the Grassley-Baucus Medicare prescription drug legislation approved by the Senate late last night.

I supported this legislation, though I did so reluctantly. On balance, I believe the proposal represents a modest

step forward toward the goal of a guaranteed prescription drug benefit under Medicare. It is a first step.

From a New Jersey perspective, I am particularly pleased that the managers agreed to my request to include a provision that will protect the ability of nearly 250,000 New Jersey seniors to continue to receive benefits through our State's 27-year-old pharmaceutical benefit program, known as the PAAD program. This program, which enjoys bipartisan support, is uniformly believed to have served our State exceedingly well. Similar long standing programs exist in other States, as well.

Unfortunately, the bill adopted by the Senate also has many shortcomings. I am hopeful that many of those problems will be addressed before the final version of the legislation is sent to the President. The Senate bill is the minimum first step I can support, however. And I will oppose the final conference report if it drops my provision protecting the ability of States to administer long standing prescription drug programs.

As I have traveled New Jersey I've heard from my constituents about their struggle to deal with rising drug prices. Many New Jerseyans fear that the cost of prescription drugs will bankrupt them in their last years. They worry about the burden those costs can impose on their families. And around our country, too many seniors are forced to choose between paying rent and buying their prescription drugs. That's a choice that no American should have to face.

I believe strongly that seniors who have worked hard all their lives, paid taxes and contributed to Medicare should have access to the medicines they need to maintain independent, productive lives. Modern medicine largely is based on pharmaceutical treatment. Providing a prescription drug benefit is the right thing to do for our seniors and their families. But it also serves broader public goals.

After all, we all pay the price if we fail to provide a guaranteed prescription drug benefit. That failure increases the number of hospital admissions and surgical procedures. It also increases costly institutionalization in nursing homes, and deprives seniors of the ability to live independently in their communities.

My own State of New Jersey recognized the value of a prescription drug benefit in 1975 when it created the PAAD program, which serves low- and middle-income seniors. New Jersey's PAAD program is considered the Nation's most generous State administered prescription drug program for the elderly. Together, PAAD and Senior Gold, a more recent program with broader eligibility added under a Republican governor, provide comprehensive prescription drug coverage to nearly 250,000 low-income seniors and disabled people in New Jersey, without deductibles or premiums.

It is absolutely essential that seniors who currently receive higher quality

benefits under state drug programs than they would under the Medicare drug benefit continue to receive the state benefits. Their position should not be diminished by Federal edict. For example, seniors in the New Jersey PAAD program pay only \$5 for their prescriptions. They do not pay premiums or deductibles. By contrast, seniors who enroll in this Medicare benefit would pay a substantial premium averaging \$35 per month, along with a \$275 deductible, and a 50 percent copay. It is unthinkable that we would force these seniors to disenroll in their more generous state program to receive less coverage under Medicare—particularly those seniors with low and moderate incomes.

I have been making this point to my colleagues on the Finance Committee for a long time, and I am very pleased that a provision to protect my State's seniors has now been included in the bill. I want to thank Senators GRASSLEY and BAUCUS for their tremendous assistance in addressing this issue. The bill before us not only allows New Jersey to continue to administer the PAAD program, but it contains language I sought to ensure that state payments on behalf of a beneficiary count toward the beneficiary's out of pocket costs, helping that beneficiary reach catastrophic coverage sooner. This will save the state of New Jersey an estimated \$105 million annually.

I particularly want to thank Liz Fowler and Andrea Cohen of Senator BAUCUS' staff for all of their efforts on these issues. They have devoted many hours to these issues and done great work, and I want them to know that I appreciate their assistance.

I would note that giving states the money we would otherwise give private plans to administer benefits would allow states to expand their programs. Rough estimates indicate that the Medicare subsidy for those seniors currently enrolled in New Jersey's PAAD program is at least \$300 million. With this new Federal money, the State of New Jersey could expand this successful program to higher income seniors, eliminating gaps and strengthening the program in many ways. This is a win-win for everybody. And, I want to note that the provision is budget neutral: it won't cost the taxpayers one penny. I will work hard with my colleagues in the New Jersey delegation to ensure that this provision will be retained in conference.

In addition to preserving state pharmaceutical assistance programs, we must also work to make this drug benefit better for all Americans. While I plan to support the underlying bill in order to push the legislative process forward, let me be clear: this is not the Medicare prescription drug proposal I would have preferred and it is not the proposal I have advocated with my constituents for the last few years.

The bill before us would require seniors to pay hefty premiums—premiums that will vary by region, and are likely

to be especially burdensome in my State of New Jersey. The bill also won't pay a penny in benefits until seniors pay \$275, on top of those premiums. And, even after paying that \$275 deductible, the program still will pay only 50 percent of the cost of drugs.

I'm also concerned that the proposal contains what is called a "doughnut hole"—a gap in coverage that will leave seniors with high drug costs paying premiums but not getting coverage for some time. While the Federal Government would pay 50 percent of a beneficiary's drug costs up to \$4,500, a beneficiary with drug costs that exceed that level would have to pay all of their drug costs between \$4,500 and \$5,800. Those Medicare beneficiaries who require drugs that exceed \$4,500 are usually the sickest and most vulnerable seniors. And it is wrong to force them to bear these costs on their own, especially considering that they will be paying premiums at the same time. Some have called this the sickness tax.

In addition, the bill fails to provide equal benefits for low-income Medicare beneficiaries who also qualify for Medicaid, the so-called "dual eligibles." These seniors will not be guaranteed the same benefit, and the burden on states will be increased.

When you add up all the limitations and all the costs that will be imposed on seniors, you end up with a benefit that's a far cry from the comprehensive coverage provided under the traditional Medicare program. In fact, most seniors actually will pay into this program more than they receive. That's not what most seniors were expecting. It's not what many of us have been promising. And, as more older Americans appreciate what this bill is really about, more are getting angry about it, and understandably so.

Compounding matters, even the limited benefit provided in this bill will not go into effect until 2006. There is no good excuse for that. I was pleased to cosponsor an amendment offered by my distinguished colleague from New Jersey, Senator LAUTENBERG, to make the benefit effective in July of next year. That would have given the Administration as long as it took to get the entire Medicare program underway back in the 1960's. Unfortunately, the amendment was defeated.

Another concern of mine is that the bill before us could serve to weaken private insurance coverage, and actually might encourage employers to eliminate prescription drug coverage to their retirees. The Congressional Budget Office has estimated that the Grassley-Baucus bill could lead to a 37 percent reduction in employer-sponsored retiree drug benefits. This is largely because under the Grassley-Baucus plan, retirees with employer sponsored prescription drug coverage would not qualify for catastrophic coverage if their employer plan paid for their drug costs.

This is a major disincentive for employers to offer their retirees prescription drug benefits. Today, approximately 12 million seniors have some form of prescription drug coverage through their former employers. By and large, these employer-based drug benefits are more generous than those provided for in this bill. And it is imperative that the final version of this legislation ensure that all prescription drug costs paid by an employer help the beneficiary achieve catastrophic coverage. Without this critical provision, seniors enrolled in retiree health plans may never trigger their Medicare catastrophic drug coverage.

Today I have noted several problems with the substance of this bill, and many of them are quite serious. There are many others. At the same time, it is important to remember that, for all its problems, the bill provides \$400 billion to create a critical new public program for our Nation's seniors. It's a start. And for many seniors, especially those with very low incomes, it will be of tremendous help.

Given that, I hope my colleagues will join me in approving the legislation before us and sending it to conference. And then I hope the conferees will listen more closely to the concerns of America's seniors and improve it. If those concerns are heard, and the conferees respond, we could soon witness an historic achievement that makes a huge difference in the lives of millions of America's seniors.

Mrs. CLINTON. Madam President, I have long championed a prescription drug benefit that would provide real prescription drug coverage for seniors and individuals with disabilities. Last year and again during this debate, I voted for proposals that provided a comprehensive, reliable benefit without gaps in coverage that force seniors to pay premiums even while they get no benefits in return.

S. 1, the Grassley-Baucus bill that passed, however, contains serious shortcomings, including these large benefit gaps. So I must reluctantly oppose this legislation unless it is improved.

I am particularly concerned that it poses a strong danger to significant numbers of New Yorkers. It leaves 37 percent of seniors who rely on their retiree drug coverage at risk of losing their employer coverage because of incentives in the bill for employers to drop coverage. It also leaves out 300,000 of New York's nursing home residents who rely on Medicaid and another 230,000 low-income New Yorkers who also rely on Medicaid because Medicare beneficiaries who are also eligible for Medicaid are excluded from receiving the prescription drug benefit that passed last night. These New Yorkers could actually find themselves worse off than they are today if their employers or Medicaid programs drop or reduce coverage.

The provisions excluding those beneficiaries who are dually eligible for

Medicare and Medicaid also harms New York State's finances. New York State has effectively been subsidizing the Federal Government for years in the absence of a Federal provision for prescription drug benefits, by paying for the drug costs of these Medicare beneficiaries. But by failing to include dually eligible Medicare beneficiaries in the Medicare prescription drug benefit, this bill continues to leave New York, which is in a precarious State budget situation, to subsidize the Federal Government's lack of adequate investment.

Finally, the bill includes a Grassley-Baucus amendment that starting in 2009 will allow for government subsidization of private plans at levels much higher than the government funding for beneficiaries in traditional Medicare, and would then allow the private plans to offer benefits not available to the 90 percent of seniors in traditional Medicare, which I believe begins to subordinate the goal of health care for seniors to the goal of privatizing Medicare.

While I am pleased that New York's State drug program, EPIC, will still be available under a provision that Senators CORZINE, LAUTENBERG, SCHUMER and I worked hard to include, the other measures I supported to make sure seniors with other sources of coverage were not harmed by this proposal were unfortunately left out of the bill.

For their sake, for the sake of New York's fiscal situation, as well as for the sake of other New York seniors who will be confronted with an unnecessarily complex maze of bureaucracy to navigate in order to access benefits, I felt obliged to oppose the bill. There were some important provisions in the bill, including Senator SCHUMER's amendment that provides greater market competition for generic drugs so that seniors will have a cheaper alternative and don't have to rely on higher priced name-brand drugs.

These positive provisions were not enough, however, for me to vote for the bill unless it is substantially improved. While I believe New York deserves a better bipartisan alternative than the one that passed the Senate yesterday, I hope that those in conference will fight against changes that make the bill even worse for New York, and I will continue fighting this year, as well as in years to come, to correct these deficiencies and actually to deliver on the long-awaited promise of a simple, affordable, comprehensive prescription drug benefit for all seniors.

I request that this statement and a separate document, Governor Pataki's letter dated June 12, 2003, be submitted for the RECORD.

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

STATE OF NEW YORK,

June 12, 2003.

DEAR NEW YORK CONGRESSIONAL DELEGATION MEMBERS: Prescription drug costs continue to strain the budgets of the nation's senior citizens. I applaud your efforts this year to address this important issue. As you

begin consideration of legislation to provide prescription drug coverage to all senior citizens, please consider two issues vitally important to New York State.

First, New York taxpayers continue to support a significant cost for prescription drug coverage for its dual eligible population. The dual eligibles are elderly and disabled individuals who qualify for both the Medicare and Medicaid programs. Medicaid is required to provide medical services not covered by Medicare—including prescription drugs.

More than 600,000 New Yorkers are considered dual eligibles and each year New York's Medicaid program spends nearly \$1.5 billion on prescription drugs for the dual eligible population alone. We have always believed that these costs should be borne by the federal government and strongly support efforts to federalize prescription drug costs for the dual eligible population.

In addition, New York administers the nation's largest prescription program for seniors, EPIC. Today, more than 300,000 seniors are enjoying the significant benefits EPIC offers and savings thousands of dollars each on vitally important medicines. Costs for this program exceed \$600 million annually in State only dollars. Currently eighteen states have programs similar to New York's to provide prescription drug benefits to senior citizens.

Any federal program created this year to provide prescription drug coverage should recognize state efforts and allow seniors to choose their benefit plan (in New York, that choice would be between EPIC and the federal plan) while providing a direct Medicare subsidy to the state program for individuals that choose that option.

The Federal government has accepted responsibility of providing health care to senior citizens and I strongly urge an expansion to include prescription drug coverage. I applaud President Bush for his leadership on this issue and our Congressional delegation for its commitment to our seniors.

Your efforts on this important legislation could dramatically improve the health of a segment of our population that has given so much to New York's and America's safety and prosperity. We urge you to work with us to ensure that our seniors get the prescription drug coverage they deserve, and that the federal government assumes its rightful role in supporting services for our dual-eligible population.

Very truly yours,

GEORGE E. PATAKI,  
Governor.

#### MEDICARE REIMBURSEMENT OF MAMMOGRAPHY

Ms. MIKULSKI. Madam President, I rise to state for the record my strong support of Senator HARKIN's amendment to the Medicare prescription drug bill (S. 1) to increase Medicare reimbursement for mammograms. I am a proud cosponsor of this amendment. I am pleased that Senator GRASSLEY and Senator BAUCUS agreed to include it in the Medicare prescription drug legislation that passed the Senate earlier today. Americans must have access to mammography because it is an important tool to screen and detect breast cancer.

It is vital for Medicare beneficiaries to have access to mammography. A woman's risk of having breast cancer increases with age. A woman's chance of getting breast cancer is 1 out of 2,212

by age 30. This increases to 1 out of 23 by age 60 and 1 out of 10 by age 80. More than 85 percent of breast cancers occur in women over the age of 50. There will be 70 million Americans aged 65 and over in 2030. At the same time about 700 mammography facilities have closed nationwide over the last 2 years. Adequate reimbursement is essential to help ensure that women have access to this important screening tool. This amendment will increase Medicare reimbursement for mammograms. This amendment is also an important step to help radiologists enter and remain in the field of mammography by providing more adequate reimbursement. Mammography is not perfect, but it is the best tool we have now.

I have long fought to ensure that Medicare beneficiaries have access to mammography. I cosponsored the Assurance Access to Mammography Act, S. 869, that would increase Medicare reimbursement for mammograms. It would also increase the number of radiologists by increasing Medicare graduate medical education, GME, to provide three additional radiologists in each teaching hospital. In 1990, I introduced the Medicare Screening Mammography Amendments of 1990 to provide Medicare coverage of annual screening mammography. My legislation was included in the Omnibus Budget Reconciliation Act of 1990. Before that, Medicare did not cover routine annual screening mammograms. Additional legislation since then has expanded access to mammography for Medicare beneficiaries. I will continue to fight to ensure that women have access to quality mammography, and I urge that the final version of the Medicare prescription drug bill include provisions to increase Medicare reimbursement for mammograms.

#### EDUCATION FUNDING

Mr. KENNEDY. Madam President, there is troubling news on the education front. Yesterday, the Republican majorities on the House and Senate Appropriations Committees approved education budgets filled with harsh cuts that will hurt families, students, schools, and teachers throughout the country.

Unfortunately, the pattern is all too clear. Our Republican colleagues promise strong support for education and quietly break the promise. The bills unveiled yesterday contain a litany of broken promises on education.

Obviously, money is not the answer to all the problems of our schools. But the way we allocate resources in the Federal budget is a clear expression of our Nation's priorities. And the priorities on education reflected in this Republican Appropriations bill are profoundly wrong.

In January 2002, President Bush promised that "America's schools will be on a new path of reform . . . our schools will have greater resources to meet those goals." But yesterday, on a

strict party-line vote, our Republican colleagues voted to cut funding for the No Child Left Behind Act by \$200 million. We have raised standards and raised expectations on schoolchildren. We intend to hold schools accountable for better performance. Yet now the Republican majority wants to cut funding for school reform.

President Bush promised that we would "leave no child behind," and that became the title of the landmark school reform bill he signed into law a year and a half ago. But yesterday, behind closed doors, our Republican colleagues approved a budget that leaves 6 million children behind. It underfunds the title I program for needy children by over \$6 billion. Under the Republican education budget, needy children will not get smaller classes, will not get supplemental services, and will not get special attention in reading and mathematics.

In March last year, President Bush promised to support teachers, making sure they "get the training they need to raise educational standards." But yesterday, Republicans on the Appropriations Committees proposed to cut 20,000 teachers from professional development programs. They proposed to eliminate training for teachers in technology.

We need to upgrade teacher quality, not downgrade teacher training. The No Child Left Behind Act requires schools to give every classroom a high quality teacher. They need more resources, not fewer resources, to reach that goal.

President Bush promised that his administration "will promote policies that expand educational opportunities for Americans from all racial, ethnic, and economic backgrounds." But yesterday, our Republican colleagues approved a budget that cuts 32,000 children from education programs in English as a Second Language. They want to eliminate the Thurgood Marshall Scholarship program. They want a zero increase in Pell grants, a zero increase in campus-based financial aid, and a zero increase in College Work Study.

President Bush promised to increase AmeriCorps by 25,000 volunteers. Two weeks ago, the Administration told us that AmeriCorps programs would be cut by 25,000 volunteers.

Clearly, Federal resources are being limited unfairly because of the massive tax breaks already enacted that benefit the wealthy. If we freeze future tax breaks for the wealthy, we can obtain the resources we need for education.

In the Senate and the House, Senator BYRD and Congressman OBEY have shown impressive leadership on this issue. Instead of providing millionaires with an average tax cut of \$88,000 each as the President proposes, they would use the savings to fund the No Child Left Behind Act, invest in teachers, and help students pay for college.

But the Republican majority rejected those amendments. The Republican

majority voted to give \$88,000 to each millionaire and to cut funds for education. These are the wrong priorities for America, and we are going to oppose them on the Senate floor.

Next week on the Fourth of July, we will all celebrate our Nation's founding values, values whose preservation depends heavily on the quality of education of each generation. As Senators go home to their States for the recess, they should ask constituents whether they give higher priority to tax breaks for millionaires or to education. They should ask their constituents if they value investing in school reform and improvement. They should ask teachers what they think of a cut in the No Child Left Behind budget.

If we intend to hold schools and students accountable, Congress has to be accountable, too.

On this Fourth of July, let's reflect on our history, on the need to keep our promises, and on the importance of building a better future.

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#### LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Madam President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred in New York, NY. On September 12, 2001, a 66-year-old Sikh was savagely attacked by three white teenagers. The man was shot with a pellet gun and chased down by the teens who battered him with a baseball bat. The victim was hospitalized with head, back and wrist injuries.

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 is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

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#### HILARY B. ROSEN, PRESIDENT AND CEO OF THE RECORDING INDUSTRY ASSOCIATION OF AMERICA

Mr. LEAHY. Madam President, I come to the floor today to offer congratulations and heartfelt appreciation for the exceptional work of Hilary Rosen, Chair and CEO of the Recording Industry Association of America. Hilary will step down at the end of this year, after 17 years with the RIAA. She leaves a legacy of remarkable efforts to ensure that innovations are protected while finding legitimate new venues in the Digital Age. She has accomplished a great deal while at the same time ushering the organization, and the music industry, through extremely trying years.

After matriculating at George Washington University and earning a Bachelor of Arts in International Business, Hilary devoted her energies to working for a former Governor of New Jersey in addition to two senatorial transition teams, those of my distinguished colleague and former colleague, DIANNE FEINSTEIN and Bill Bradley. She was an accomplished advocate and began her own consulting firm in 1987. Hilary's hard work and talent were rewarded in 1998 when she assumed the position of Chair and CEO at the RIAA.

She has represented the music industry with both tenacity and good humor. While the Internet has ushered in a new era of information and communication capabilities, we are now well aware of the dangers posed by this innovation. These dangers take many forms: the security issues that result when we have achieved so much interconnectedness, the proliferation of child pornography that seeks to exploit society's most vulnerable, and of course the threat posed to copyright holders by those who distribute, for free, the work products of artists. Hilary has made genuine headway, sometimes single-handedly, in harnessing the power of the Internet to further the goals of the music industry while helping in the fight against the worst abuses of technology.

But her political activities extend well beyond the boundaries of the organization she leads. She was a founding member of Rock the Vote, a group which has successfully sought to reach out to younger Americans, imbuing those coming of age with the belief that they can have a positive impact on our political processes. And she sits on numerous not-for-profit boards including the Human Rights Campaign Foundation, Y.E.S. to Jobs, and the National Cancer Foundation. Looking at the list of groups she is involved with, the variety of causes she champions rivals the diversity of artists and labels she represents.

We know that her partner, Elizabeth Birch, and their twins, Jacob and Anna, will enjoy having more time with Hilary. If past experience is a predictor of future performance, she will shine in whatever endeavor she next chooses.

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#### SUPREME COURT NOMINATIONS

Mr. KENNEDY. Madam President, in considering potential nominees for a possible vacancy on the Supreme Court, I hope President Bush will consider the example of earlier Presidents who followed both the letter and the spirit of the Constitution, and fully respected the role the Framers gave the Senate to share with the President.

The Framers originally rejected a proposal that the President alone appoint judges, and they seriously considered allowing the Senate to exercise that responsibility alone. In the end,

they decided to make that responsibility a shared function of the President and the Senate, through the "advice and consent" mechanism.

There is nothing "novel" or extra-constitutional about Presidents consulting in advance with the Senate before nominating a person to a lifetime position on the Supreme Court. George Washington wanted the Senate to be his own "privy council" and refused to do so, but for the past century many Presidents have taken the opposite course. They have decided not only that such consultation was fully consistent with the Framers' system of checks and balances, but also that their concern for achieving a consensus in the selection of strong and independent Justices could be best achieved by consulting in advance with the Senate.

Presidents who did so often achieved broad Senate and national support for their nominees, avoided divisive and unnecessary battles, and prevented embarrassing rejections of their selections.

President Theodore Roosevelt frequently consulted with Senators before making Supreme Court nominations, including the 1902 nomination of Oliver Wendell Holmes, Jr., who was confirmed the day he was nominated.

In 1932, President Herbert Hoover presented his list of possible nominees to Senator William Borah, a fellow Republican. Benjamin Cardozo, a Democrat, was at the bottom of the President's list, but Senator Borah persuaded the President to nominate Cardozo, who was confirmed nine days after his nomination was sent to the Senate.

President Franklin Roosevelt also shred his list of potential nominees with Senator Borah in advance. Senator Borah expressed his enthusiastic support for William O. Douglas, who was quickly confirmed by a vote of 62-4.

In 1975 President Gerald Ford shared his list of 11 prospective nominees with both the Senate and the American Bar Association. Although there was support for others on the list, his choice, John Paul Stevens, was confirmed in three weeks by a vote of 98-0.

President Bill Clinton consulted with Senators from both parties on each of his two Supreme Court nominees. Senator Dole, Senator HATCH, and others advised him that his favored candidate would be controversial, and supported the nomination of Ruth Bader Ginsburg. Later, Senators from both parties, including Senator HATCH, recommended Stephen Breyer. Both Ginsburg and Breyer were quickly and overwhelmingly confirmed.

Nominations which generated the most controversy were those which had little or no consultation with the Senate, or where the President ignored advice of the Senate.

President Richard Nixon sought little or no direct advice from Senators who were not friends and supporters of

his prospective nominees. He suffered two consecutive defeats, and the opponents included members and party leaders of the President's own party.

President Ronald Reagan's Chief of Staff, former Senator Howard Baker, consulted with leading Senate Democrats, and received strong advice that Robert Bork would have substantial opposition. Bork was nominated nevertheless, and was defeated by a vote of 58-42.

There is no down-side to serious consultation with the Senate. If a well-known prospective nominee has significant bipartisan support, the President will know in advance that he is likely to achieve prompt confirmation of the nominee, without a divisive debate in the Senate that would also be divisive for the country. The selection of a Supreme Court Justice with broad national support would help bring the country together at a time when we are facing many difficult challenges, and I hope very much that the Members of the Senate can work closely with the President and with one another to achieve that goal.

#### IN REMEMBRANCE OF STROM THURMOND

Mr. HOLLINGS. Madam President, last night with the passing of our revered colleague, Senator Strom Thurmond, I indicated I would have a longer recount of his work. The Nation has lost one of its most distinguished and longest-serving public servants, my State has lost its greatest living legend, and I would like to add to my comments.

By any measure, Senator Thurmond ranks as a giant of modern American politics. Few people in recent memory have had greater influence on the shape and substance of American politics, and few elected officials have shown themselves more devoted to serving the people of their State and nation. There was no more hard-working politician in America than Senator Thurmond. Right up to the day he retired from the Senate, he remained devoted to his constituents.

Of course, any discussion of Senator Thurmond's political and legislative legacy ultimately turns to a discussion of Senator Thurmond the man. He was one of the most amazing men anyone in this Chamber ever has met. He was what we attorneys call "sui generis." When God made Strom, He broke the mold for sure. Merely listing all of Senator Thurmond's "firsts" conveys the prodigious energies and talents of the man.

In 1929, he began his political career by becoming the youngest person ever elected Superintendent of Education in Edgefield County, South Carolina. He entered state-wide politics in 1933, when he was elected to the State Senate. As a South Carolina Senator, he was known for his devotion to improving public education and promoting opportunities for the people of my State.

His concern for the common man motivated many of his legislative efforts, such as writing the act that raised workers' compensation benefits and sponsoring South Carolina's first Rural Electrification Act. Although these efforts may seem far removed from our concerns today, they were crucial to my State at the time.

He left the Senate in 1938 to become Judge Thurmond. Continuing his lifelong love affair with politics and public service, he served as a South Carolina Circuit Judge until the United States entered the Second World War in 1941. Then Judge Thurmond took off his robe and volunteered for active duty. He enlisted despite the fact that, as a 39-year-old Circuit Judge, he was exempt from military service.

He fought in five battles in 4 years, and on D-Day, he rode a glider into Normandy with the 82nd Airborne. For his wartime service, Senator Thurmond was awarded 18 decorations, including the Purple Heart, Bronze Star for Valor, and Legion of Merit with Oak Leaf Cluster. He remained in the Army Reserves after the War and was made Major General in 1959.

After the war, he came home and ran for Governor. He was elected in 1947, and his administration was known for its progressive policies on education and infrastructure. During his tenure, 60,000 new jobs were created in the private sector, teacher pay was boosted to unprecedented levels, and the State Farmers' Market was begun. These initiatives helped start South Carolina on the road to a dynamic, modern economy.

In 1948, Governor Thurmond ran for President on the States' Rights ticket. In 1954, he became the first person ever elected to the Senate as a write-in candidate. That election established him as a force in national politics and a giant in South Carolina.

He was reelected to the Senate eight times, more than any Senator. When he left in January, he was the oldest and longest-serving Senator in U.S. history. He served as chairman of two powerful committees: Judiciary and Armed Services. In those capacities, he played an important role in keeping our national defense strong and ensuring the quality of our Federal judiciary.

He took controversial stands on civil rights and other divisive issues, but over time he changed and ended up garnering the support of many of those whom he opposed. He will go down in history for his devotion to his constituents.

Senator Thurmond also changed the course of politics in the South. His conversion to the Republican party in 1964 heralded a new age in party affiliation in the South and led the way for the region's transformation from a one-party, Democratic stronghold.

Senator Thurmond is gone, but his legacy will live on for many lifetimes. The people of South Carolina loved him as they have loved no other politician.



Today his loss is mourned across my state, by Democrats and Republicans alike. Those of us who have the privilege of serving in the Senate lament the loss of an admired colleague whose influence on this institution will stand for generations.

Mr. HATCH. Madam President, I want to take a minute to say a few words in honor of Strom Thurmond, our friend and former colleague, who has passed away.

From the moment Strom Thurmond set foot in this Chamber in 1954, he has been setting records. He was the only person ever elected to the U.S. Senate on a write-in-vote. He set the record for the longest speech on the Senate floor, clocked at an astounding 24 hours and 18 minutes. He was the longest-serving Senator in the history of the U.S. Senate. He was also the oldest serving Senator. Many of my colleagues will recall the momentous occasion in September of 1998 when he cast his 15,000th vote in the Senate. With these and so many other accomplishments over the years, he has appropriately been referred to as "an institution within an institution."

In 1902, the year Strom Thurmond was born, life expectancy was 51 years—and today it is 77 years. Strom continued to prove that, by any measure, he was anything but average.

He was so much in his life. To provide some context, let me point out that during his lifetime, Oklahoma, New Mexico, Arizona, Alaska and Hawaii gained Statehood, and 11 amendments were added to the Constitution. The technological advancements he witnessed, from the automobile to the airplane to the Internet, literally spanned a century of progress. Conveniences we have come to take for granted today were not always part of Strom Thurmond's world. Perhaps this explains why, during Judiciary Committee hearings, he was often heard asking witnesses who were too far away from the microphone to "please speak into the machine."

The story of his remarkable political career truly could fill several volumes. It began with a win in 1928 for the Edgefield County Superintendent of Schools. Eighteen years later, he was Governor of South Carolina. Strom was even a Presidential candidate in 1948, running on the "Dixiecrat" ticket against Democrat Harry Truman.

I must admit that he came a long way in his political career, given that he originally came to the Senate as a Democrat. I was happy to say that wisdom came within a few short years when Strom saw the light and joined the Republican Party.

When I first arrived in the Senate in January of 1977, he was my mentor. As my senior on the Judiciary Committee, it was Strom Thurmond who helped me find my way and learn how the committee functioned. He was not only a respected colleague, but a personal friend.

During his tenure as chairman of the Judiciary Committee, Strom Thur-

mond left an indelible mark on the committee and the laws that came through it. He became known and respected for many fine qualities and positions—his devotion to the Constitution, his toughness on crime, his sense of fairness.

He was famous for his incredible grip. Many of us in this Chamber had the experience of Strom Thurmond holding our arm tightly as he explained a viewpoint and asked for our support. I might add that this proved to be a very effective approach.

Strom was also known to have a kind word or greeting for everyone who came his way, and for being extremely good to his staff. Despite his power and influence, he never forgot the importance of small acts of kindness. For example, whenever he ate in the Senate Dining Room, he grabbed two fistfuls of candy. When he returned to the floor of the Senate, he handed the candy out to the Senate Pages. Unfortunately, it was usually melted into a kaleidoscope of sugar by then! I have a feeling that the Pages preferred it when Strom took them out for ice cream.

Strom Thurmond was truly a legend—someone to whom the people of South Carolina owe an enormous debt of gratitude for all his years of service. Clearly, the people of South Carolina recognize the sacrifices he made and are grateful for all he did for them. In fact, you cannot mention the name Strom Thurmond in South Carolina without the audience bursting into spontaneous applause. He truly was an American political icon.

Abraham Lincoln once said that "The better part of one's life consists of friendships." With a friend like Strom Thurmond, this sentiment couldn't be more true. I am a great admirer of Strom Thurmond, and I am proud to have called him my friend.

One final note about Strom Thurmond: He was a great patriot. A decorated veteran of World War II who fought at Normandy on D-Day, Strom Thurmond loved this country. Let me close by saying that this country loved him, too.

Mr. LEVIN. Madam President, this is a sad day for the family of our late and beloved colleague, Strom Thurmond. I want to begin my remarks by extending my and Barbara's heartfelt condolences to all of them for their great loss. It is also, though, a day for all Americans, and most especially those of us in the Senate community, to remember a man who spent a lifetime—in fact more than the average lifetime—in dedicated public service to this nation.

When I joined the Armed Services Committee in 1979, Senator Thurmond had already served on the committee for 20 years. I knew of him as a passionate and effective advocate for a strong national defense even before I joined the committee. In the 24 years that we served on the committee together, I came to appreciate even more his commitment to the welfare of the

men and women who serve and who have served in our nation's military, as well as their families.

One of the reasons Senator Thurmond was such an effective leader on national security issues is that he spoke from his heart and from personal experience. He served his country in uniform for 36 years. He was commissioned in the Army Reserve even before he began his remarkable career in politics. He retired as a Major General in the Army Reserves.

In June 1944, Lt. Col. Strom Thurmond landed behind German lines in a glider with the rest of the 82d Airborne Division as part of the D-Day invasion. He truly was a member of what Tom Brokaw called "the greatest generation."

During Senator Thurmond's long tenure on the Armed Services Committee, our Armed Forces faced challenge after challenge in Western Europe, Vietnam, the Middle East, the Persian Gulf, the Balkans, and Afghanistan. Through it all, Senator Thurmond was unwavering in his support for our men and women in uniform. His steadfast commitment to our national defense was a rock upon which they and we could all depend. He never stopped working to ensure that our military is always ready to answer the call whenever and wherever needed.

Senator Thurmond served as chairman of the Senate Armed Services Committee in the 104th and 105th Congresses. I had the honor and pleasure to serve as his ranking member in 1997 and 1998. I know from personal experience how seriously Senator Thurmond treated his duties as chairman and how hard he worked to be fair and evenhanded with every member of the committee. Our former colleague and chairman, Senator Sam Nunn, was right when he said that there was not a single national security issue facing this country that has been or could be solved by one political party. That legacy of bipartisanship on the Armed Services Committee was continued under the chairmanship of Strom Thurmond. I am sure that I speak for all of our colleagues in saying just how much we appreciate not only the commitment that Senator Thurmond brought to his duties as chairman, but also his lifelong dedication to the defense of our Nation and to the welfare of those who defend us.

In my 24 years of service with Strom Thurmond, I never knew him to be anything other than unfailingly optimistic, always courteous, and ever-thoughtful of his Senate colleagues and their families. I cannot say how many times he gave me and all my colleagues advice on exercise, on diet, and on taking care of ourselves and our families in general. I wish I had followed his advice more often because it was always given out of his true concern as a friend. Strom himself was a marvelous specimen of physical fitness. One need only receive a handshake or a shoulder slap from Strom Thurmond to fully appreciate his strength and stamina.

Sadly Strom Thurmond has left this Earth and we will always miss him. I hope his family takes comfort in knowing, though, that he leaves an example of dedicated public service that will stand as an inspiration for generations to come.

Mr. COCHRAN. Madam President, we are deeply saddened by the death of our former colleague, Strom Thurmond. He was a beloved friend, always gracious, and affectionate.

His service in the Senate was distinctive not only because he served so many years but because of his love for his job and his dedication to serving the interests of the people of South Carolina.

He was determined to make his influence felt in the committees and on the floor. He took an active part in the debates even on the most controversial issues.

His 24 hour speech on the Civil Rights Act was a record-setting event. He also was a fervent and effective supporter of our military forces and the veterans who had risked their lives in military service to our Nation.

I will always count it as one of my richest blessings that I got to know Strom Thurmond and the members of his family. My hope is that Nancy and their children will be comforted by the warmth and sincerity of the esteem and affection in which the Thurmond family will always be held by their many close friends in the Senate family.

Mr. DODD. Mr. President, I rise to pay tribute to my colleague and dear friend, Senator Strom Thurmond, who passed away last night at the age of 100.

A few months ago, as he was about to retire from the United States Senate, I said on this floor that I could not even begin to imagine the Senate without Senator Thurmond. And since he left this Chamber, I can't tell you how many times, during a vote, when the clerk would reach the lower half of the alphabet, I've looked up from wherever I was on the floor—expecting to see the man who was, for so long, South Carolina's senior Senator.

He was truly an institution within this Chamber—a ranking Member, a committee chairman, a President pro tempore, and the first ever President pro tempore emeritus. He cast over 15,000 votes. His service spanned the terms of 10 U.S. Presidents. And he was directly involved in the confirmation hearings of all nine current Supreme Court Justices.

Strom Thurmond's life was one devoted to public service. He was a teacher, a school superintendent, a State Senator, a judge, a war hero, Governor, and, of course, a Senator for nearly 50 years.

At each step in his life, Strom Thurmond was searching for ways to serve his country. As a circuit judge in South Carolina, he took a leave of absence to volunteer to parachute behind enemy lines during the D-Day invasion

at Normandy. For his valor in World War II, he received the Purple Heart, five Battle Stars for Bravery and numerous other decorations. And shortly after the war ended, he was elected Governor of South Carolina, an office he held for 4 years.

But there is no doubt that when his constituents remember Strom Thurmond, their thoughts will immediately turn to his years as their Senator. He served them in this body for over one-fifth of our Nation's history. For many South Carolinians, when he retired earlier this year, he was the only senior Senator they had ever known.

Strom Thurmond did not merely serve in the Senate; he did so, even during his final years, with unparalleled vigor. His commitment to the people of South Carolina was legendary—whether it was helping an elderly constituent get a Social Security check, or ensuring that the widow of a law enforcement officer could keep her husband's badge, Strom Thurmond never forgot the people who sent him to Washington.

And the dozens of schools, buildings, parks, and streets in South Carolina that bear his name today show that they never forgot him either.

I served with Strom Thurmond for 22 years in the Senate, and my father served with him for 12—that's 34 years in which a Dodd served in this body with Senator Thurmond. Both of us certainly had our share of disagreements with him. But those disagreements always came in the spirit of respect, thoughtfulness, and collegiality that are hallmarks of the Senate. And Strom Thurmond truly embodied those qualities.

To the Dodd family, though, Strom Thurmond was more than just a colleague—he was a true and loyal friend. We will never forget the loyalty and friendship he showed us even during some trying and difficult times.

It is impossible to look back at the years of Strom Thurmond's life without being amazed. He lived through the invention of the Model T Ford and the creation of the Internet. As a child, he read newspaper accounts of battles that were fought with bayonets in the trenches of Europe. And in his later years, he watched satellite television reports of conflicts won with smart bombs and laser technology. He experienced the Great Depression of the 1930s and the technology bubble of the 1990s.

And as America matured and changed during his lifetime, Strom Thurmond grew, as well.

Senator Thurmond didn't just live through a century of history. He was intimately involved in it. In each step that America took, Strom Thurmond was there. In that respect, and in so many others, Strom Thurmond was a truly unique and rare individual.

I offer my condolences to the entire family of Strom Thurmond. We will miss him very much.

Mr. CRAIG. Madam President, a constant of the universe has changed.

Strom Thurmond is no longer with us. We mourn because this world is poorer for his passing, but we also know he smiles down upon us from a better, happier place.

True to the creed taught him by his father, Strom always gave of himself, to his family, his beloved state of South Carolina, and to his country. He understood that the essence of leading is serving.

Strom changed his times and changed with his times. Born during the administration of Theodore Roosevelt, he retired a thoroughly modern Senator.

He wanted to be history's first 100-year-old Senator. Through faith and force of will, he made it. Even more happily, he wanted to see the birth of his first grandchild, and he did, just recently.

Like many great persons, Strom combined changeless values with an amazing ability to adapt in a changing world. In turns, he was a liberal and a conservative; a Democrat, Independent, and Republican; a famous bachelor, widower, husband, father, and now grandfather. He came to the Senate from what they call the "Old South," but when I came to Congress, I saw in Strom a Senator committed to equal opportunity and inclusiveness. He was young at heart, had a sense of fun and adventure, and was always open to new ideas. This is the way Strom should be remembered, as an example of how the human spirit can grow and mature gracefully.

Yet, for all the changes, Strom's constituents were reassured by a sense of his being changeless. What never changed was a foundation of timeless values. He was devoted to faith, family, patriotism, integrity, public service, hard work, and compassion for everyday people.

Only in recent years, did Strom and I discover from a genealogy website that we were distant cousins. After that, we enjoyed greeting each other with, "Hi, Cousin!"

Today, I say, "Farewell for now, Cousin. Your life has honored and inspired your family, friends, and Nation."

#### ADDITIONAL STATEMENTS

##### ON THE 100TH ANNIVERSARY OF SAN PEDRO HIGH SCHOOL

• Mrs. BOXER. Mr. President, I rise to reflect on the proud history of San Pedro High School, which is celebrating its centennial this year. The school has grown considerably since 1904, when the San Pedro community honored its first graduating class at a ceremony at the town hall building. Maude Wayne was the only member of that class, and also served as student body president for the school's other 22 students.

When San Pedro High School first opened, students were taught in a single room on the second floor of 16th

Street Elementary School. Today's campus has existed since 1937, educating athletes Garry Maddox and Alan Ashby, and astronaut Anna Fisher.

San Pedro High School is a fixture in the community, filled with many fond memories. Many alumni have lived in the San Pedro community all their lives, and take pride in the school that educated them, their children and their children's children. San Pedro Pirates young and old have attended many anniversary celebrations and have enjoyed exchanging stories about their high school years. San Pedro High truly plays a significant role in the community.

I would like to extend my congratulations to principal Stephen Walters and all the past principals, as well as current and past teachers, administrators, and students. They have all been a part of the school's success over the years. This is a proud moment for them and for the entire community, and I thank them all for making San Pedro High the best it could be.●

#### TRIBUTE TO DOCTOR A. MICHAEL ANDREWS II

● Mr. INHOFE. Mr. President, I rise to pay tribute today to an outstanding American for his significant, lasting contributions to the soldiers of the United States Army.

On June 23, 2003, Dr. A. Michael Andrews II, the Deputy Assistant Secretary of the Army for Research and Technology/Chief Scientist, returned to the private sector after over six and a half years of selfless service to the Army and the Nation. Mike hails from the great state of Oklahoma, and received his B.S. and M.S. in Electrical Engineering from the University of Oklahoma. In 1971, he received his Ph.D. in Electrical Engineering from the University of Illinois.

Following a stellar 25-year career as a senior engineer and senior executive at Rockwell International Corporation, Mike came to the Pentagon in January 1997 as the Director for Technology in the Office of the Assistant Secretary of the Army for Research, Development and Acquisition.

His exemplary performance as Director of Technology led to Mike's appointment as the Deputy Assistant Secretary of the Army for Research and Technology/Chief Scientist, DAS, R&T, in November 1998. As DAS, R&T, Mike was responsible for the Army's entire Research and Technology program, spanning 21 Laboratories and Research, Development and Engineering Centers, with approximately 10,000 scientists and engineers and a budget that, under his leadership, grew over 30 percent to reach \$1.8 billion in Fiscal Year 2004.

In October 1999, the Army Secretary and the Chief of Staff of the Army announced their Vision for transforming the Army to an Objective Force—a force that is rapidly deployable and can operate in both large-scale wars and

urban peacekeeping operations. It was clear that the Army's Science and Technology, S&T, program was the cornerstone to achieving their vision of a full spectrum force within this decade. Mike took bold steps to shift the focus of the Army's technology by judiciously refocusing and redirecting the Army's \$10 billion plus S&T investments over 2000–2007 towards developing and demonstrating Objective Force technologies.

Understanding the importance of Congressional support for the Army S&T program, Mike consistently worked to develop better communications with Members of Congress and Congressional Staff. These efforts resulted in Congress providing over 98 percent of the requested Army S&T program funding over the last five Fiscal Years and 100 percent, thus far, for Fiscal Year 2004.

In addition to his pursuit of achieving a lighter, more lethal Army, Mike also initiated a unique partnership with the private sector to link the Army and the entertainment industry to establish unique training environments for our soldiers. By leveraging significant entertainment industry investments and capabilities in modeling and simulations, e.g., electronic games, theme parks and digital movies, and existing Army efforts, Mike established a university-based center called the Institute for Creative Technologies. The Institute provides an environment for shared investment and joint projects to enhance Army training. The Institute has expanded beyond Hollywood to the Army's Field Artillery Center and School at Fort Sill, OK, where its significant simulation and modeling capabilities can be brought directly to soldiers undergoing basic and advanced Field Artillery training.

Finally, Mike was also the driving force in launching the Cybermission program, a personal initiative of Chief of Staff of the Army CSA, General Eric K. Shinseki. This program raised the visibility of the Army's commitment in the education of America's youth in science, math and technology among 7th–8th grade students across America. ECybermission introduces young Americans and potentially future soldiers to the Army and the theme of Service to Our Nation while supporting the President's commitment to education.

Mike was honored with the Presidential Rank Award in 2001, elected as a Fellow of the Institute of Electrical and Electronic Engineering in 2001, and presented the National Defense Industry Association Firepower Award in 2000.

In this short space, it is difficult to fully document the many significant, positive ways that Mike has shaped the future of the Army. Through his tireless attention to detail and personal involvement, Mike has shepherded the FCS program through the past five years and has brought attention and

credit to the Army's S&T community for the outstanding achievements that they have made. Mike Andrews' effective work with senior Army and DoD staff principals, scientists and engineers, and industry significantly enhanced the Army's efforts toward the development of the Future Combat Systems, Objective Force, and Transformation. He demonstrated visionary leadership, planning and organizational skills throughout his tenure. As we honor him, we note that this institution and our country is better off for the major contributions he has made. We wish him all the best in his future endeavors.●

#### MESSAGE FROM THE HOUSE

At 10:18 a.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. 2417. An act to authorize appropriations for fiscal year 2004 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 231. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

#### ENROLLED BILLS SIGNED

The message further announced that the Speaker has signed the following enrolled bills:

H.R. 1596. An act to designate the facility of the United States Postal Service located at 2318 Woodson Road in St. Louis, Missouri, as the "Timothy Michael Gaffney Post Office Building".

S. 858. An act to extend the Abraham Lincoln Bicentennial Commission, and for other purposes.

H.R. 2030. An act to designate the facility of the United States Postal Service located at 120 Baldwin Avenue in Paia, Maui, Hawaii, as the "Patsy Takemoto Mink Post Office Building".

H.R. 1740. An act to designate the facility of the United States Postal Service located at 1502 East Kiest Boulevard in Dallas, Texas, as the "Dr. Caesar A.W. Clark, Sr. Post Office Building".

H.R. 925. An act to redesignate the facility of the United States Postal Service located at 1859 South Ashland Avenue in Chicago, Illinois, as the "Caesar Chavez Post Office".

H.R. 917. An act to designate the facility of the United States Postal Service located at 1830 South Lake Drive in Lexington, South Carolina, as the "Floyd Spence Post Office Building".

H.R. 825. An act to redesignate the facility of the United States Postal Service located at 7401 West 100th Place in Bridgeview, Illinois, as the "Michael J. Healy Post Office Building".

H.R. 1609. An act to redesignate the facility of the United States Postal Service located at 201 West Boston Street in Brookfield, Missouri, as the "Admiral Donald Davis Post Office Building".

H.R. 981. An act to designate the facility of the United States Postal Service located at 141 Erie Street in Linesville, Pennsylvania, as the "James R. Merry Post Office".

H.R. 985. An act to designate the facility of the United States Postal Service located at 111 West Washington Street in Bowling Green, Ohio, as the "Delbert L. Latta Post Office Building".

H.R. 1055. An act to designate the facility of the United States Postal Service located at 1901 West Evans Street in Florence, South Carolina, as the "Dr. Roswell N. Beck Post Office Building".

H.R. 1368. An act to designate the facility of the United States Postal Service located at 7554 Pacific Avenue in Stockton, California, as the "Normal D. Shumway Post Office Building".

H.R. 1465. An act to designate the facility of the United States Postal Service located at 4832 East Highway 27 in Iron Station, North Carolina, as the "General Charles Gabriel Post Office".

The enrolled bills were subsequently signed by the President pro tempore (Mr. STEVENS).

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 11. A bill to protect patients' access to quality and affordable health care by reducing the effects of excessive liability costs.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2417. An act to authorize appropriations for fiscal year 2004 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CAMPBELL, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 344. A bill expressing the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity, and for other purposes (Rept. No. 108-85).

By Mr. LUGAR, from the Committee on Foreign Relations, without amendment and with an amended preamble:

S. Res. 90. A resolution expressing the sense of the Senate that the Senate strongly supports the nonproliferation programs of the United States.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LEVIN (for himself, Mr. WARNER, Mr. BIDEN, Mr. HOLLINGS, Mr. BINGAMAN, Ms. STABENOW, Mr. KENNEDY, Mr. LAUTENBERG, Mr. PRYOR, Ms. LANDRIEU, Mrs. CLINTON, Ms. MIKULSKI, Mr. DURBIN, Mr. DODD, Mr.

LIEBERMAN, Mr. CORZINE, Mr. MILLER, Mr. KERRY, and Mr. JEFFORDS):

S. 1368. A bill to authorize the President to award a gold medal on behalf of the Congress to Reverend Doctor Martin Luther King, Jr. (posthumously) and his widow Coretta Scott King in recognition of their contributions to the Nation on behalf of the civil rights movement; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. AKAKA (for himself, Mr. WARNER, Mr. ALLEN, Mr. SARBANES, and Ms. MIKULSKI):

S. 1369. A bill to ensure that prescription drug benefits offered to medicare eligible enrollees in the Federal Employees Health Benefits Program are at least equal to the actuarial value of the prescription drug benefits offered to enrollees under the plan generally; to the Committee on Governmental Affairs.

By Mr. BROWNBACK (for himself and Mr. KYL):

S.J. Res. 14. A joint resolution expressing support for freedom in Hong Kong; to the Committee on Foreign Relations.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. FRIST (for himself, Mr. DASCHLE, Mr. GRAHAM of South Carolina, Mr. HOLLINGS, Mr. STEVENS, Mr. BYRD, Mr. MCCONNELL, Mr. REID, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. ALLEN, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. BUNNING, Mr. BURNS, Mr. CAMPBELL, Ms. CANTWELL, Mr. CARPER, Mr. CHAFEE, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORNYN, Mr. CORZINE, Mr. CRAIG, Mr. CRAPO, Mr. DAYTON, Mr. DEWINE, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FITZGERALD, Mr. GRAHAM of Florida, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MCCAIN, Ms. MIKULSKI, Mr. MILLER, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. NICKLES, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. SUNUNU, Mr. TALENT, Mr. THOMAS, Mr. VOINOVICH, Mr. WARNER, and Mr. WYDEN):

S. Res. 191. A resolution relative to the death of the Honorable J. Strom Thurmond, former United States Senator and President Pro Tempore Emeritus from the State of South Carolina; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 271

At the request of Mr. SMITH, the name of the Senator from Massachu-

setts (Mr. KERRY) was added as a cosponsor of S. 271, a bill to amend the Internal Revenue Code of 1986 to allow an additional advance refunding of bonds originally issued to finance governmental facilities used for essential governmental functions.

S. 377

At the request of Ms. LANDRIEU, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 377, a bill to require the Secretary of the Treasury to mint coins in commemoration of the contributions of Dr. Martin Luther King, Jr., to the United States.

S. 464

At the request of Mr. REID, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 464, a bill to amend the Internal Revenue Code of 1986 to modify and expand the credit for electricity produced from renewable resources and waste products, and for other purposes.

S. 595

At the request of Mr. HATCH, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 595, a bill to amend the Internal Revenue Code of 1986 to repeal the required use of certain principal repayments on mortgage subsidy bond financings to redeem bonds, to modify the purchase price limitation under mortgage subsidy bond rules based on median family income, and for other purposes.

S. 623

At the request of Mr. WARNER, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 623, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 678

At the request of Mr. AKAKA, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 678, a bill to amend chapter 10 of title 39, United States Code, to include postmasters and postmasters organizations in the process for the development and planning of certain policies, schedules, and programs, and for other purposes.

S. 724

At the request of Mr. ENZI, the name of the Senator from Missouri (Mr. TALENT) was added as a cosponsor of S. 724, a bill to amend title 18, United States Code, to exempt certain rocket propellants from prohibitions under that title on explosive materials.

S. 894

At the request of Mr. WARNER, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 894, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 230th Anniversary of the United States Marine Corps, and to support construction of the Marine Corps Heritage Center.

S. 976

At the request of Mr. WARNER, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 976, a bill to provide for the issuance of a coin to commemorate the 400th anniversary of the Jamestown settlement.

S. 982

At the request of Mr. SANTORUM, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 982, a bill to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil, and hold Syria accountable for its role in the Middle East, and for other purposes.

S. 1011

At the request of Mr. KERRY, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 1011, a bill to amend title II of the Social Security Act to restrict the application of the windfall elimination provision to individuals whose combined monthly income from benefits under such title and other monthly periodic payments exceeds \$2,000 and to provide for a graduated implementation of such provision on amounts above such \$2,000 amount.

S. 1015

At the request of Mr. GREGG, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1015, a bill to authorize grants through the Centers for Disease Control and Prevention for mosquito control programs to prevent mosquito-borne diseases, and for other purposes.

S. 1046

At the request of Mr. DASCHLE, his name was added as a cosponsor of S. 1046, a bill to amend the Communications Act of 1934 to preserve localism, to foster and promote the diversity of television programming, to foster and promote competition, and to prevent excessive concentration of ownership of the nation's television broadcast stations.

S. 1064

At the request of Mr. BREAUX, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1064, a bill to establish a commission to commemorate the sesquicentennial of the American Civil War, and for other purposes.

S. 1082

At the request of Mr. BROWNBAC, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 1082, a bill to provide support for democracy in Iran.

S. 1172

At the request of Mr. FRIST, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1172, a bill to establish grants to provide health services for improved nutrition, increased physical activity, obesity prevention, and for other purposes.

S. 1316

At the request of Mr. BROWNBAC, the names of the Senator from Indiana (Mr. LUGAR) and the Senator from Missouri (Mr. TALENT) were added as cosponsors of S. 1316, a bill to treat payments under the Conservation Reserve Program as rentals from real estate.

S. RES. 169

At the request of Mrs. CLINTON, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. Res. 169, a resolution expressing the sense of the Senate that the United States Postal Service should issue a postage stamp commemorating Anne Frank.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEVIN (for himself, Mr. WARNER, Mr. BIDEN, Mr. HOLLINGS, Mr. BINGAMAN, Ms. STABENOW, Mr. KENNEDY, Mr. LAUTENBERG, Mr. PRYOR, Ms. LANDRIEU, Mrs. CLINTON, Ms. MIKULSKI, Mr. DURBIN, Mr. DODD, Mr. LIEBERMAN, Mr. CORZINE, Mr. MILLER, Mr. KERRY, and Mr. JEFFORDS):

S. 1368. A bill to authorize the President to award a gold medal on behalf of the Congress to Reverend Doctor Martin Luther King, Jr. (posthumously) and his widow Coretta Scott King in recognition of their contributions to the Nation on behalf of the civil rights movement; to the Committee on Banking, Housing, and Urban Affairs.

Mr. LEVIN. Madam President, joined by a number of my colleagues in the Senate, I am today introducing legislation, S. 1368, that will authorize the President to award a Congressional Gold Medal to Reverend Doctor Martin Luther King, Jr., posthumously, and his widow, Coretta Scott King, in recognition of their countless contributions to the Nation as leaders of the civil rights movement. A companion bill is being introduced in the House by Congressman JOHN LEWIS of Georgia. This medal is one small way for Congress to recognize and honor this couple's distinguished record of public service, sacrifice, and commitment to protect the dignity of a people and awaken the conscience of a country.

Dr. King embraced all Americans in his quest to make a living reality of equality of opportunity and economic and social justice for all humankind, those fundamental principles in our Constitution. The vision of equality which guided his life and contributed to his death is indelibly woven into the fabric and history of our Nation. This medal will pay tribute to Dr. King's many great accomplishments: from his courageous application of the doctrine of nonviolent civil disobedience to combat segregation to his leadership in the Montgomery bus boycott, from his efforts on behalf of 1964 Civil Rights Act and 1965 Voting Rights Act to his soaring speeches that inspired a nation to action. For these and for all his

other contributions, Dr. King deserves our highest honor.

Mrs. Coretta Scott King joined her husband in his lifework and has continued his legacy to this day. Like Dr. King, Mrs. King was a leader in our country's civil rights movement, striving through nonviolent means to promote social change and attain full civil rights for African-Americans and other discriminated people. Mrs. King worked to preserve Dr. King's memory and ideals by, among other things, developing and building the Martin Luther King, Jr. Center for Nonviolent Social Change in Atlanta, establishing the "Freedom Concerts" organization to increase awareness of the Southern Christian Leadership Conference, and leading a campaign to recognize Dr. King's birthday as a national holiday. Mrs. King's continuing contributions to our nation also merit her receipt of this award.

Here in America we have come a long way towards achieving Dr. King's dream of liberty, justice and equality for all. But we still have work to do. Let us rededicate ourselves to continuing the struggle that he died for and that Mrs. King continues to work for. The Congressional Gold Medal is a fitting tribute to these two heroes who tirelessly fought to create a united America.

I hope that my colleagues will join Senators WARNER, BIDEN, HOLLINGS, BINGAMAN, STABENOW, KENNEDY, LAUTENBERG, PRYOR, LANDRIEU, CLINTON, MILKULSKI, DURBIN, DODD, LIEBERMAN, CORZINE and me in commemorating the efforts of the late Reverend Doctor Martin Luther King, Jr. and his widow, Coretta Scott King, by supporting this legislation.

By Mr. BROWNBAC (for himself and Mr. KYL):

S.J. Res. 14. A joint resolution expressing support for freedom in Hong Kong; to the Committee on Foreign Relations.

Mr. BROWNBAC. Mr. President, I rise to introduce a joint resolution for myself and Senator KYL regarding the United States' commitment to preserving freedom in Hong Kong. It is not simply the responsibility of the United States, but also of the Administration of Tung Chee Hwa, Hong Kong's chief executive and the People's Republic of China.

This resolution emphasizes an isolated event taking place on July 9 of this year—the passage of draconian laws on sedition, subversion, and theft of state secrets. This law evokes something out of one of the novels of George Orwell. Just as the resolution states, the law, as now drafted, is vague and overly broad in its definitions of subversion, sedition, and official secrets.

The Secretary of Security, an appointee of the Government of the People's Republic of China, would have very broad authority to ban organizations not approved by his Beijing masters. Nothing less than the survival of

the Catholic Church in China and the Falun Gong, a quasi-religious practice that emphasizes breathing and meditation, are at stake with this law. Beijing has clearly targeted these and many other groups promoting democracy and human rights.

In addition, the Secretary of Security would have the authority to waive the right to notice and the right to be heard—something that person could execute on a whim. This horrendous bill would allow the Hong Kong Government to prosecute members of the news media for publishing information that would arbitrarily be deemed a "state secret."

These "state secrets" might include Hong Kong-Mainland cooperation on the Severe Acute Respiratory Syndrome or SARS. If China handled a new outbreak of some contagion the same way it handled SARS, I would think the people of Hong Kong should know that their lives might be in danger because of the Government's negligence.

This is the extreme case, however, it must be made clear to my colleagues, and to the world, that the legislation to be voted on July 9, in Hong Kong would create a severe chilling effect on the press to freely report information. The Hong Kong Journalists Association, the Overseas Press Club, and the Committee to Protect Journalists all oppose this bill.

In addition, the legislation would strip other provisions contained in a current Hong Kong law, the Societies Ordinance, of due process protections. On top of that, the Hong Kong police would have new powers to search without having a warrant. Those two provisions are the bedrock of a free society. How does the Hong Kong government think it can get away with this?

It assumes that it can ride out the cries of outrage from inside Hong Kong and throughout the world. I hope that Chief Executive Tung's administration understands that this resolution only represents the beginning. Sir, if you read these comments, please understand you are on the losing side of history.

Hong Kong has been remarkably free in the last six years. That is a true statement. The fact that Mr. Tung and his colleagues fail to understand is that without these freedoms, Hong Kong will surely fail.

Unfortunately, the People's Republic of China has increasingly interfered in Hong Kong's independent judiciary, intimidated the media to induce self-censorship, and excluded visitors who disagree with the Chinese Communist Party's policies.

The Hong Kong SAR Government, encouraged by the Government of the People's Republic of China, has eroded Hong Kong's political independence, international prestige, and its appeal as a business and financial hub of Asia. Recently, the American Chamber of Commerce in Hong Kong reversed its position regarding the bill saying that it would be a disaster for business in Hong Kong.

The South China Morning Post reported: "In a letter to all legislators, chamber chairman James Thompson said the bill contained worrying provisions, such as that seeking to ban organisations. These would jeopardise Hong Kong's distinctive features, in particular its transparent legal system and free flow of information."

Similarly, the International Chamber of Commerce in Hong Kong in its submission to the Hong Kong Government opposing the bill stated "We regret that the Administration has chosen to ignore our request, and that of many others in Hong Kong for a second round of public consultation before bringing the matter to the Legislative Council, and rigidly following its own timetable.

They continued saying, "The Consultation Document is complicated enough, and has taken us much time to prepare a response. The Bill is even more difficult to study as it relates to a number of existing ordinances, if nothing else. Yet we have to rush to forward our comments to meet a deadline. This timetable also puts undue pressure on the Legislative Council to finish scrutiny in a hurry. For a matter of such great significance, it is to be regretted that it should have to be rushed through at the risk of sacrificing quality."

The lifeblood of Hong Kong's existence, its business community, opposes the bill and the Hong Kong Government pressured by Beijing fails to understand why there is all this outrage. The business community in this fascinating center for finance, shipping and media is well known for its cozy relationship with Mr. Tung, his cabinet and other officials, and even for being close with Beijing to get the favorable treatment it receives in China.

Yet, this community, arguably the most influential in Hong Kong's affairs, is out right opposed to the effort to suppress freedom in Hong Kong. It is not such a large leap to understand that Hong Kong's vibrancy results from its freedom.

I underline these concerns for my colleagues today in the hope that it will give pause to legislators in Hong Kong, and deter this and any future assaults on freedom in this important territory.

I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

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

S.J. RES. 14

Whereas Hong Kong has long been the freest economy in the world, renowned for its rule of law and its zealous protection of civil rights and civil liberties;

Whereas the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong, done at Beijing December 19, 1984 (the Sino-British Joint Declaration of 1984) explicitly guarantees that all of Hong Kong's freedoms, including

freedom of the press, religious freedom, and freedom of association, will continue for at least 50 years after the transfer of Hong Kong's sovereignty from the United Kingdom to the People's Republic of China on July 1, 1997;

Whereas in the 6 years since the transfer of the territory, the citizens of Hong Kong have enjoyed a certain degree of individual liberty, religious freedom, freedom of the press and freedom of speech, which keep it both politically vibrant and stable;

Whereas the People's Republic of China has increasingly interfered in Hong Kong's independent judiciary, intimidated the media to induce self-censorship, and excluded visitors who disagree with the policies of the Chinese Communist Party;

Whereas the Government of the Hong Kong Special Administrative Region (SAR), encouraged by the Government of the People's Republic of China, has eroded Hong Kong's political independence, international prestige, and appeal as a business and financial hub of Asia;

Whereas the freedoms cherished by the people of Hong Kong serve as a constant reminder to the world and to the Government of the People's Republic of China that such freedoms could, but do not, prevail on mainland China;

Whereas the traditional liberties of Hong Kong's 7,000,000 people are now immediately threatened by a new national security bill proposed by the SAR Government that would revise Hong Kong's laws regarding sedition, treason, subversion, and theft of state secrets;

Whereas the national security bill, as now drafted, is vague and overly broad in its definitions of subversion, sedition, and official secrets, weakens existing due process protections in the Societies Ordinance, and gives dangerous new powers to the police to make searches without warrant;

Whereas the proposed legislation would give the Hong Kong SAR Secretary for Security, an appointee of the Government of the People's Republic of China, broad authority to ban organizations not approved by Beijing, thereby threatening religious organizations such as the Falun Gong and the Roman Catholic Church;

Whereas, under the proposed legislation, such basic and fundamental procedural rights as notice and opportunity to be heard could be waived by the Secretary for Security if honoring these rights "would not be practicable";

Whereas the proposed legislation provides for the imprisonment of individuals accused of "unauthorized disclosure of protected information," making it possible for the Hong Kong SAR Government to prosecute members of the news media for publishing any information relevant to relations between the People's Republic of China and Hong Kong;

Whereas similar subversion laws in the People's Republic of China are regularly used to convict and imprison journalists, labor activists, Internet entrepreneurs, and academics;

Whereas the members of Hong Kong's Legislative Council who have been elected by universal suffrage oppose the proposed legislation, but are powerless as a minority to block the votes controlled directly and indirectly by the Government of the People's Republic of China;

Whereas the clear majority of people in Hong Kong have expressed strong concerns about, and opposition to, the proposed legislation;

Whereas the scheduled consideration of these proposals to restrict Hong Kong's freedoms in the Legislative Council on July 9, 2003, makes the threat to the people of Hong Kong clear and imminent; and

Whereas the United States has consistently supported the desire of the people of Hong Kong to be free, and, as Congress declared in the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5701 et seq.): "The human rights of the people of Hong Kong are of great importance to the United States and are directly relevant to United States interests in Hong Kong. Human rights also serve as a basis for Hong Kong's continued economic prosperity": Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress—*

(1) declares that restrictions on freedom of thought, expression, and association in Hong Kong are limits on the fundamental rights of the people of Hong Kong;

(2) declares that the national security bill would undermine freedom of the press and access to information, both of which are fundamentally important to the economic and commercial success of Hong Kong;

(3) calls upon the SAR Government to—

(A) avoid implementing any law that restricts the basic human freedoms of thought and expression, including the proposed implementation of Article 23 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China (the Basic Law); and

(B) immediately schedule and conduct elections for the Legislative Council of the Hong Kong SAR according to rules approved by the people of Hong Kong through an election law convention, by referendum, or both; and

(4) calls upon the President of the United States to—

(A) urge the Government of Hong Kong, including Hong Kong Chief Executive Tung Chee Hwa and the Legislative Council, not to implement any law, including any law established pursuant to the proposed implementation of Article 23 of the Basic Law, that restricts the basic human right to freedom of thought and expression;

(B) call upon the People's Republic of China, the National People's Congress, and any groups appointed by the Government of the People's Republic of China to leave all revisions of Hong Kong law to a democratically-elected legislature;

(C) call upon the Government of the People's Republic of China to fully respect the autonomy and independence of the Independent Commission Against Corruption and the chief executive, civil service, judiciary, and police of Hong Kong;

(D) declare that the continued lack of an elected legislature in Hong Kong constitutes a violation of the Sino-British Joint Declaration of 1984; and

(E) call upon the Government of the People's Republic of China to honor its treaty obligations under the Sino-British Joint Declaration of 1984.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 191—RELATIVE TO THE DEATH OF THE HONORABLE J. STROM THURMOND, FORMER UNITED STATES SENATOR AND PRESIDENT PRO TEMPORE EMERITUS FROM THE STATE OF SOUTH CAROLINA

Mr. FRIST (for himself, Mr. DASCHLE, Mr. GRAHAM of South Carolina, Mr. HOLLINGS, Mr. STEVENS, Mr. BYRD, Mr. MCCONNELL, Mr. REID, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. ALLEN, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT,

Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. BUNNING, Mr. BURNS, Mr. CAMPBELL, Ms. CANTWELL, Mr. CARPER, Mr. CHAFEE, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORNYN, Mr. CORZINE, Mr. CRAIG, Mr. CRAPO, Mr. DAYTON, Mr. DEWINE, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FITZGERALD, Mr. GRAHAM, of Florida, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MCCAIN, Ms. MIKULSKI, Mr. MILLER, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. NICKLES, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. SUNUNU, Mr. TALENT, Mr. THOMAS, Mr. VOINOVICH, Mr. WARNER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 191

Whereas the Honorable J. Strom Thurmond conducted his life in an exemplary manner, an example to all of his fellow citizens;

Whereas the Honorable J. Strom Thurmond was a devoted husband, father, and most recently, grandfather;

Whereas the Honorable J. Strom Thurmond gave a great measure of his life to public service;

Whereas, having abandoned the safety of high position, the Honorable J. Strom Thurmond served his country during World War II, fighting the greatest threat the world had thus far seen;

Whereas the Honorable J. Strom Thurmond served South Carolina in the United States Senate with devotion and distinction;

Whereas his service on behalf of South Carolina and all Americans earned him the esteem and high regard of his colleagues; and

Whereas his death has deprived his State and Nation of a most outstanding Senator: Now, therefore, be it

*Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable J. Strom Thurmond, former Senator and President Pro Tempore Emeritus from the State of South Carolina.*

*Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.*

*Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable J. Strom Thurmond.*

#### NOTICES OF HEARINGS/MEETINGS

##### SUBCOMMITTEE ON NATIONAL PARKS

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that the following hearing has been scheduled before the Subcommittee on National

Parks of the Committee on Energy and Natural Resources:

The hearing will be held on Tuesday, July 8, 2003, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to conduct oversight of the maintenance backlog, land acquisition backlog, and deficit in personnel within the National Park System, including the impact of new park unit designations on resolving each of these concerns.

Because of the limited time available for the hearings, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD-364 Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please contact Tom Lillie at (202) 224-5161 or Pete Lucero at (202) 224-6293.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, July 10 at 10 a.m., in Room SH-216 of the Hart Senate Office Building.

The purpose of the hearing is to discuss the reasons behind the high price of natural gas, its affect on the economy and to consider potential solutions.

Because of the limited time available for the hearings, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC, 20510-6150.

For further information, please contact Scott O'Malia at 202-224-2039.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that the Committee on Energy and Natural Resources will hold a hearing on July 22, 2003, at 10 a.m., on issues related to forest health problems in our Nation's forests.

The Committee will examine impacts of insects, disease, weather-related damage, and fires on public and private forest lands. Processes for implementing forest health and hazardous fuels reduction projects on public and private lands will also be examined. Witnesses will be requested to suggest changes needed to improve the timeliness and effectiveness of projects to reduce hazardous fuels and to combat the spread of insects and disease infestations. The Committee will also consider S. 1314, the Collaborative Forest Health Act; H.R. 1904—the Healthy

Forest Restoration Act, as well as other related legislation that addresses these issues.

Because of the limited time available for the hearings, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD-364, Washington, DC 20510-6150 prior to the hearing date.

For further information, please contact Frank Gladics (202-224-2878) or Meghan Beal (202-224-7556).

#### ORDERS FOR MONDAY, JULY 7, 2003

Mr. FRIST. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 2 p.m., Monday, July 7. I further ask consent 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 the Senate then begin a period of morning business, with Members permitted to speak for up to 10 minutes each.

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

Mr. FRIST. I would further ask that on Tuesday, July 8, the Senate vote on the confirmation of the nomination of Executive Calendar No. 227, at 11:45 a.m.

#### SCHEDULE

Mr. FRIST. On Monday, July 7, the Senate will be in a period of morning business. This will provide an opportunity for Members, who have not yet had the opportunity, to deliver statements honoring our friend and colleague, Strom Thurmond. As I mentioned last night, we will have the tributes to Senator Thurmond printed as a Senate document for distribution.

Also, on Monday, it was my hope that the Senate would be able to begin consideration of S. 11, the medical malpractice legislation. We will continue to work towards a consent for consideration of this important measure, and it may be necessary to proceed to that bill on Monday if an agreement is not reached.

As I announced, there will be no roll-call votes during Monday's session. The next scheduled votes will occur on Tuesday, July 8, at 11:45 a.m. The first vote will be on Executive Calendar No. 227, the nomination of David Campbell, to be a U.S. District Judge for the District of Arizona, to be followed by a vote on invoking cloture on the nomination of Victor Wolski, to be a Judge of the U.S. Court of Federal Claims.

Again, I thank my colleagues for their hard work over the past few weeks, and I wish everyone a safe and restful recess.

#### ADJOURNMENT UNTIL MONDAY, JULY 7, 2003, AT 2 P.M.

Mr. FRIST. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the provisions of H. Con. Res. 231; further, that the Senate adjourn as an additional mark of respect for Senator Strom Thurmond.

There being no objection, the Senate, at 4:14 p.m., adjourned until Monday, July 7, 2003, at 2 p.m.

#### CONFIRMATIONS

##### Executive Nominations Confirmed by the Senate June 27, 2003:

###### LEGAL SERVICES CORPORATION

DAVID HALL, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2005.

LILLIAN R. BEVIER, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2004.

###### DEPARTMENT OF STATE

MARSHA E. BARNES, OF MARYLAND, 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 SURINAME.

ROBERT W. FITTS, OF NEW HAMPSHIRE, 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 PAPUA NEW GUINEA, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SOLOMON ISLANDS AND AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF VANUATU.

JOHN E. HERBST, OF VIRGINIA, 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 UKRAINE.

WILLIAM B. WOOD, OF NEW YORK, 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 COLOMBIA.

TRACEY ANN JACOBSON, OF THE DISTRICT OF COLUMBIA, A FOREIGN SERVICE OFFICER OF CLASS ONE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO TURKMENISTAN.

GEORGE A. KROL, OF NEW JERSEY, 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 BELARUS.

GRETA N. MORRIS, 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 THE MARSHALL ISLANDS.

JOHN F. MAISTO, OF PENNSYLVANIA, TO BE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE ORGANIZATION OF AMERICAN STATES, WITH THE RANK OF AMBASSADOR.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

###### DEPARTMENT OF JUSTICE

ROBERT D. MCCALLUM, JR., OF GEORGIA, TO BE ASSOCIATE ATTORNEY GENERAL.

###### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

###### To be General

LT. GEN. JOHN P. ABIZAID

###### THE JUDICIARY

FERN FLANAGAN SADDLER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

JUDITH NAN MACALUSO, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

###### IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

###### To be major general

BRIGADIER GENERAL GEORGE A. ALEXANDER  
BRIGADIER GENERAL EDMUND T. BECKETTE  
BRIGADIER GENERAL WESLEY E. CRAIG, JR.  
BRIGADIER GENERAL JAMES R. MASON  
BRIGADIER GENERAL GERALD P. MINETTI  
BRIGADIER GENERAL RICHARD C. NASH  
BRIGADIER GENERAL GARY A. PAPPAS  
BRIGADIER GENERAL CLYDE A. VAUGHN  
BRIGADIER GENERAL DEAN A. YOUNGMAN

###### To be Brigadier General

COLONEL WILLIAM E. ALDRIDGE  
COLONEL LOUIS J. ANTONETTI  
COLONEL MICHAEL W. BEAMAN  
COLONEL ROBERT T. BRAY  
COLONEL NELSON J. CANNON  
COLONEL ROBERT F. DANIELS  
COLONEL DAVID M. DAVISON  
COLONEL DAVID M. DEARMOND  
COLONEL MYLES M. DEERING  
COLONEL JAMES B. GASTON, JR.  
COLONEL ALAN C. GAYHART, SR.  
COLONEL DAVID K. GERMAIN  
COLONEL FRANK J. GRASS  
COLONEL GARY L. JONES  
COLONEL JAMES E. KELLY  
COLONEL KEVIN R. MCBRIDE  
COLONEL JAMES I. PYLANT  
COLONEL STEVEN R. SEITER  
COLONEL THOMAS L. SINCLAIR  
COLONEL FRANK T. SPEED, JR.  
COLONEL DEBORAH C. WHEELING  
COLONEL MATTHEW J. WHITTINGTON

###### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

###### To be brigadier general

COL. WILLIAM J. GERMAN

###### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

###### To be brigadier general

COL. WILLIAM M. JACOBS

###### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

###### To be major general

BRIG. GEN. JOHN W. BERGMAN  
BRIG. GEN. JOHN J. MCCARTHY, JR.

###### IN THE AIR FORCE

THE FOLLOWING OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

###### To be brigadier general

COL. THOMAS F. DEPPE

###### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

###### To be admiral

ADM. WILLIAM J. FALLON

###### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

###### To be lieutenant general

MAJ. GEN. MICHAEL M. DUNN

###### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

###### To be lieutenant general

MAJ. GEN. KEITH B. ALEXANDER

###### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

###### To be lieutenant general

LT. GEN. WALLACE C. GREGSON, JR.

###### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:



*To be rear admiral (lower half)*

CAPT. TERRY L. MCCREARY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*CAPT. MARTIN J. BROWN  
CAPT. WILLIAM A. KOWBA  
CAPT. MICHAEL J. LYDEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*CAPTAIN JOHN M. BIRD  
CAPTAIN JOHN T. BLAKE  
CAPTAIN FRED BYUS  
CAPTAIN FRANK M. DRENNAN  
CAPTAIN MARK E. FERGUSON III  
CAPTAIN JOHN W. GOODWIN  
CAPTAIN RICHARD W. HUNT  
CAPTAIN ARTHUR J. JOHNSON, JR.  
CAPTAIN MARK W. KENNY  
CAPTAIN JOSEPH F. KILKENNY  
CAPTAIN WILLIAM E. LANDAY  
CAPTAIN MICHAEL A. LEFVEVER  
CAPTAIN GERARD M. MAUER, JR.  
CAPTAIN DOUGLAS L. MCCLAVIN  
CAPTAIN WILLIAM H. MCCRAVEN  
CAPTAIN RICHARD O'HANLON  
CAPTAIN KEVIN M. QUINN  
CAPTAIN RAYMOND A. SPICER  
CAPTAIN PETER J. WILLIAMS

## IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be general*

GEN. ROBERT H. FOGLESONG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. DANIEL P. LEAF

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be major general*

BRIG. GEN. JOSEPH E. KELLEY

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be major general*

BRIG. GEN. DOUGLAS BURNETT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. CRAIG S. FERGUSON

## IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE CHIEF OF NAVAL OPERATIONS, UNITED STATES NAVY AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5035:

*To be admiral*

VICE ADM. MICHAEL G. MULLEN

## IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. WILLIAM T. HOBBS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. RANDALL M. SCHMIDT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. WALTER E. L. BUCHANAN III

## IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. DAN K. MCNEILL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. WILLIAM G. BOYKIN

## IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. ROBERT R. BLACKMAN, JR.

AIR FORCE NOMINATIONS BEGINNING REBECCA G. ABRAHAM AND ENDING JEFFREY YUEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 26, 2003.

AIR FORCE NOMINATIONS BEGINNING BRIAN J. ACKER AND ENDING ANGELA D. WASHINGTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 26, 2003.

AIR FORCE NOMINATIONS BEGINNING PAUL M. BARZLER AND ENDING CHARLES W. WILLIAMSON III, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 26, 2003.

AIR FORCE NOMINATION OF JAMES R. BURKHART.  
AIR FORCE NOMINATIONS BEGINNING CHARLES M. BELLISLE AND ENDING BRETT A. WYRICK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 5, 2003.

AIR FORCE NOMINATIONS BEGINNING GLENN D. ADDISON AND ENDING DANIEL J. ZACHMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 5, 2003.

AIR FORCE NOMINATION OF THOMAS K. HUNTER, JR.  
AIR FORCE NOMINATION OF JEFFREY J. KING.

AIR FORCE NOMINATIONS BEGINNING JEAN B. DORVAL AND ENDING GARY M. WALKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 12, 2003.

AIR FORCE NOMINATION OF RICHARD J. DELORENZO, JR.

AIR FORCE NOMINATION OF GERALD M. SCHNEIDER.  
AIR FORCE NOMINATION OF JANE B. TAYLOR.

AIR FORCE NOMINATIONS BEGINNING DARRELL A. JESSE AND ENDING NORBERT S. WALKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 12, 2003.

AIR FORCE NOMINATIONS BEGINNING THOMAS C. BARNETT AND ENDING JEAN A. VARGO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 12, 2003.

AIR FORCE NOMINATION OF EDWARD C. CALLAWAY.  
AIR FORCE NOMINATION OF H. MICHAEL TENNERMAN.  
AIR FORCE NOMINATION OF STEVEN E. RITTER.

AIR FORCE NOMINATION OF BRYAN A. KEELING.  
AIR FORCE NOMINATION OF ROBERT L. ZABEL, JR.

AIR FORCE NOMINATIONS BEGINNING DARRYL G. ELROD, JR. AND ENDING KEVIN R. VANVALKENBURG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 12, 2003.

AIR FORCE NOMINATION OF DREW Y. JOHNSTON, JR.  
AIR FORCE NOMINATION OF RACHEL L. BECK.

AIR FORCE NOMINATION OF LARRY J. MASTIN.  
AIR FORCE NOMINATIONS BEGINNING ROBERT L. DAUGHERTY, JR. AND ENDING CHARLES V. RATH, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2003.

ARMY NOMINATIONS BEGINNING CRAIG M. ANDERSON AND ENDING DIANE M. ZIERHOFFER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 20, 2003.

ARMY NOMINATIONS BEGINNING ANULI L. ANYACHEBELU AND ENDING DONALD G. ZUGNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 20, 2003.

ARMY NOMINATIONS BEGINNING DOREEN M. AGIN AND ENDING BONNITA D. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 1, 2003.

ARMY NOMINATIONS BEGINNING KEVIN R. ARMSTRONG AND ENDING NANCY A. VINCENTI-JOHNSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 20, 2003.

ARMY NOMINATION OF JAMES A. DECAMP.  
ARMY NOMINATION OF TIMOTHY H. SUGHRUE.

ARMY NOMINATIONS BEGINNING LESLIE J. MITKOS, JR. AND ENDING BERRIS D. SAMPLES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 5, 2003.

ARMY NOMINATIONS BEGINNING PATRICIA J. MCDANIEL AND ENDING NICHOLAS K. STRAVELAKIS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 5, 2003.

ARMY NOMINATION OF SCOTT D. KOTHENBEUTEL.

ARMY NOMINATION OF GLENN T. BESSINGER.

ARMY NOMINATIONS BEGINNING JANE M. ANDERHOLT AND ENDING JAY A. WHITAKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 12, 2003.

ARMY NOMINATIONS BEGINNING RODNEY A. ARMON AND ENDING MARK W. THACKSTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 12, 2003.

ARMY NOMINATION OF ANTHONY SULLIVAN.

ARMY NOMINATION OF BRYAN C. SLEIGH.

ARMY NOMINATION OF KENNETH S. AZAROW.

ARMY NOMINATION OF MICHAEL F. MCDONOUGH.

FOREIGN SERVICE NOMINATIONS BEGINNING ALI ABDI AND ENDING LAWRENCE C. MANDEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 22, 2003.

FOREIGN SERVICE NOMINATIONS BEGINNING BETH A. SALAMANCA AND ENDING PETER H. CHASE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 3, 2003.

NAVY NOMINATION OF MICHAEL U. RUMP.

NAVY NOMINATIONS BEGINNING WILLIAM A. DAVIES AND ENDING GARY S. TOLLERENE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 30, 2003.

NAVY NOMINATIONS BEGINNING DOUGLAS W. FENSKE AND ENDING MICHAEL J. KAUTZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 30, 2003.

NAVY NOMINATIONS BEGINNING BRIAN H. MILLER AND ENDING PERRY T. TUEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 30, 2003.

NAVY NOMINATIONS BEGINNING GERALD W. CLUSEN AND ENDING MARK A. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 30, 2003.

NAVY NOMINATIONS BEGINNING KENNETH J. BRAITHWAITE AND ENDING ANDREW H. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 30, 2003.

NAVY NOMINATIONS BEGINNING CHRISTOPHER M. BALLISTER AND ENDING CARL M. M. LEE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 30, 2003.

NAVY NOMINATIONS BEGINNING JEFFREY D. ADAMSON AND ENDING MARCUS K. NEESON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 30, 2003.

NAVY NOMINATIONS BEGINNING DANFORD S. K. AFONG AND ENDING THEODORE A. WYKA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 1, 2003.

NAVY NOMINATIONS BEGINNING SCOTT F. BOHNENKAMP AND ENDING CHRISTOPHER L. WALL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 1, 2003.

NAVY NOMINATIONS BEGINNING CHARLES L. COLLINS AND ENDING CYNTHIA R. SUGIMOTO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 1, 2003.

NAVY NOMINATIONS BEGINNING GREGORY S. ADAMS AND ENDING PETER A. WITHERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 1, 2003.

NAVY NOMINATIONS BEGINNING BRADFORD E. ABLESON AND ENDING OLRIC R. WILKINS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 8, 2003.

NAVY NOMINATIONS BEGINNING CHRISTOPHER A. BARNES AND ENDING SCOTT M. STANLEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 8, 2003.

NAVY NOMINATIONS BEGINNING THOMAS M. BALESTRIERI AND ENDING ROBERT S. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 8, 2003.

NAVY NOMINATIONS BEGINNING LISA L. ARNOLD AND ENDING PEGGY W. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 8, 2003.

NAVY NOMINATIONS BEGINNING SCOTT W. BAILEY AND ENDING KEVIN R. WHEELLOCK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 8, 2003.

NAVY NOMINATIONS BEGINNING MATTHEW R. BEEBE AND ENDING STEVEN M. WIRSCHING, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 8, 2003.

NAVY NOMINATIONS BEGINNING EVAN A. APPELQUIST AND ENDING RICHARD D. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 8, 2003.

NAVY NOMINATIONS BEGINNING WILLIAM B. ADAMS AND ENDING DANIEL J. ZINDER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 8, 2003.

NAVY NOMINATIONS BEGINNING REBECCA E. BRENTON AND ENDING WARREN C. GRAHAM III, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING KATHY A. BARAN AND ENDING MARGARET A. TAYLOR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING MICHAEL D. DISANO AND ENDING VINCENT M. SCOTT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING NANCY R. DILLARD AND ENDING CHRISTOPHER L. VANCE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING JEAN E. BENFER AND ENDING CYNTHIA L. WIDICK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING DAVID L. BAILEY AND ENDING RUSSELL L. SHAFFER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING ROBERT W. ARCHER AND ENDING JIM O. ROMANO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING CHRISTOPHER L. ABBOTT AND ENDING WILLIAM A., WRIGHT III, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING CHARLES S. ANDERSON AND ENDING PHILIP A. YATES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING BRIAN K. ANTONIO AND ENDING THOMAS L. VANPETTEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING EUGENE M. ABLER AND ENDING MICHAEL E. ZAMESNIK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATION OF JUDY L. MILLER.

NAVY NOMINATIONS BEGINNING THOMAS W. HARRINGTON AND ENDING ROBERT L. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING MATTHEW O. FOLEY III AND ENDING FRANK G. USSEGLIO II, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING CRAIG E. BUNDY AND ENDING CLIFF P. WATKINS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING WILLIAM M. ARBAUGH AND ENDING RICHARD E. WOLFE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING DANIEL M. BLESKEY AND ENDING WILLIAM E. VAUGHAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING BARTLEY G. CILENTO, JR. AND ENDING JAMES L. WHITE, WHICH NOMINATIONS

WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING NANCY J. BATES AND ENDING LLOYD G. WINGFIELD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING ANNEMARIE ADAMOWICZ AND ENDING MARY A. WHITE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING SHERRY L. BRELAND AND ENDING JULIA D. WORCESTER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 12, 2003.

NAVY NOMINATIONS BEGINNING RAUL D. BANTOG AND ENDING DONNA M. WILLOUGHBY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2003.

NAVY NOMINATIONS BEGINNING LINSLEY G. M. BROWN AND ENDING DENISE M. SHOREY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 18, 2003.

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING THOMAS D. MATTE AND ENDING RONALD R. PINHEIRO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 3, 2003.