

Reid amendment No. 4389 (to the instructions (amendment No. 4388) of the motion to refer), of a perfecting nature.

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Mr. REID. I ask unanimous consent that the motion to refer be withdrawn.

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

Mr. REID. I ask unanimous consent that the motion to concur in the House amendment to the Senate amendment to H.R. 4213 with the Baucus amendment 4386 be withdrawn.

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

MOTION TO CONCUR WITH AMENDMENT NO. 4425

(Purpose: In the nature of a substitute)

Mr. REID. I now move to concur in the House amendment to the Senate amendment to H.R. 4213 with an amendment which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to concur in the House amendment to the Senate amendment to H.R. 4213 with an amendment numbered 4425.

Mr. REID. I ask unanimous consent that further reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4426 TO AMENDMENT NO. 4425

Mr. REID. I now have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 4426 to amendment No. 4425.

The amendment is as follows:

At the end of the amendment, insert the following:

The provisions of this Act shall become effective 3 days after enactment.

CLOTURE MOTION

Mr. REID. I have a cloture motion on the motion to concur at the desk and ask that it be stated.

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

The assistant 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, hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 4213, the American Jobs and Closing Tax Loopholes Act, with a Reid amendment No. 4425.

Harry Reid, Max Baucus, Jack Reed, Edward E. Kaufman, John F. Kerry, Sheldon Whitehouse, Carl Levin, Roland W. Burris, Richard J. Durbin, Jeff Merkley, Benjamin L. Cardin, Christopher J. Dodd, John D. Rockefeller, IV, Barbara Boxer, Patty Murray, Robert P. Casey, Jr., Charles E. Schumer.

Mr. REID. I ask unanimous consent that the mandatory quorum be waived.

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

MOTION TO REFER WITH AMENDMENT NO. 4427

Mr. REID. I have a motion to refer with instructions at the desk, and I ask that that motion be stated.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to refer the House message to the Senate Finance Committee with instructions to report back forthwith with an amendment numbered 4427.

The amendment is as follows:

At the end, insert the following:

The Committee on Finance is requested to study the economic impact of the delay in implementing the provisions of the Act on job creation on a national and regional level.

Mr. REID. I now ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4428 TO AMENDMENT NO. 4427

Mr. REID. I have an amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 4428 to amendment No. 4427.

The amendment is as follows:

At the end, insert the following:

"and include statistical data on the specific service related positions created."

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4429 TO AMENDMENT NO. 4428

Mr. REID. I now have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 4429 to amendment No. 4428.

The amendment is as follows:

At the end, insert the following:

"and the impact on the local economy."

#### MORNING BUSINESS

Mr. REID. Mr. President, I now ask unanimous consent that the Senate proceed to a period of morning busi-

ness, with Senators allowed to speak for up to 10 minutes each.

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

#### REMEMBERING SENATOR ROBERT C. BYRD

Mr. ENZI. Mr. President, I am here today to pay respects to Senator BYRD, whose desk is now adorned with a black cloth and flowers. I know we will all long remember Monday as the day we received some very sad news, for on that day, as the morning began, we each learned in our own way that our good friend and colleague ROBERT BYRD had passed away just a few hours earlier. It should not have been a sudden shock. We all had time to prepare for this moment. We knew he had been having a period of ill health, but it still seemed as if he would be here forever. That is the kind of man ROBERT BYRD was.

A man of great gifts, he loved the written word and could recite his favorite poems from memory—at length. It was amazing how many speeches, reflections, and famous quotations were there at his command, in his quiver, ever ready and waiting for him to recite so he could emphasize an important point about an issue that needed to be made. That is the kind of man ROBERT BYRD was.

While it is true he was the longest serving Member of Congress in history, he was so much more than that. He was the historian of the Senate who knew more about our roots as a legislative body than anyone else. He was a master legislative craftsman, and whenever he spoke, we all listened carefully to see what he had to say about the matter we had taken up for deliberation. That is the kind of man ROBERT BYRD was.

No one had more respect and regard for the Senate and our legislative traditions and procedures than he did. He knew the rules, he knew why they were crafted that way, and he knew how to make good use of them to further the agenda he believed to be in the best interests of the people of our Nation. Once again, that is the kind of man ROBERT BYRD was. That is why it is so difficult to sum up his life in just a few well-chosen words.

There is no greater tribute we can pay to ROBERT BYRD than for the spirit of friendship and camaraderie, which were staples of his Senate service, to bring us all to the Senate floor to express our regrets and send our condolences to his family. It will also give us a chance to share our memories of someone we will never forget.

I will always remember the orientation he organized for the incoming class of new Senators each session for as long as he was able. Besides a strong historical welcome, he presented each of us with one volume of his four-volume history of the Senate. If we read it and were able to answer questions about it, then—and only then—would

we get the other three volumes. I remember asking him how he wrote them. He said he presented all of it as a series of floor speeches delivered without any notes, with most corrections made simply to clear up what the floor reporters thought they heard. He had a photographic memory, and that made it all possible. Perhaps it came from his years of study of the violin. In any event, it made him a better speaker because he spoke slowly and deliberately, carefully editing his sentences as he spoke. His style created a natural bond between himself and the listener, and that is what made him such a styled and gifted communicator.

It may be a cliché, but he was a southern gentleman through and through. He had no tolerance for any rude or impolite conduct on the floor. He instructed and expected all of us to be courteous and respectful—not because of politics but because of the great institution of which we are a part. He knew what a great honor and a privilege it is to serve in the Senate, and he expected everyone else to realize it as well and to act accordingly.

When you presided over the Senate, he expected you to pay attention to each speaker. Sometimes, the Presiding Officer is the only one in the Chamber. There was a time when there was a telephone under the Presiding Officer's desk. As the story goes, Senator BYRD was speaking when the phone under the desk rang. When the Presiding Officer answered it, Senator BYRD made sure to make him aware of the importance of courtesy in such a situation. The Presiding Officer then said: "Senator BYRD, the phone is for you." That is when the phone was taken out and a rule went into effect that no electronic devices were to be used on the Senate floor.

Then there were his special speeches. He always commemorated each holiday the evening before a recess would begin. Each speech was very poetic and, in fact, usually had some poem he had memorized years before that would come to mind and be recited from memory. He was good at it, so good that we looked forward to his poetic observations on the passing of time.

That unique speaking style of his also helped him to build a good relationship with our pages. His "going away" speech for each graduating class often left many of them in tears. Their fondness for him only grew when they learned that if the Senate was in session after 10 p.m., they had no early morning classes the next day. They were always delighted, therefore, when the hour grew late and Senator BYRD rose to speak. They knew he could easily add the 10 or 15 or even 30 minutes needed to get them past 10 o'clock and a welcome reprieve from the early morning classes.

My favorite speech Senator BYRD gave happened when I was presiding. Over the previous weekend, he had visited some of his grandkids and asked about their studies. He was a firm be-

liever in education and was an example of lifelong learning himself. One of his grandkids had shared a math experience with him. He was so surprised, he asked to see the math book. He brought the book to the floor to read parts of it to us. He was distressed at how math had migrated into a social textbook. He pointed out that you had to get to page 187 to find anything that resembled the math he had learned. The parts prior to that were social discourse. Anyone who heard the speech would remember his indignation.

I remember being at an inter-parliamentary trip held in West Virginia hosting the British Parliament. We went to a mountain retreat for dinner. Senator BYRD welcomed them and then got out his violin and shared some fiddle music he thought was appropriate for the occasion. He was very good.

Senator BYRD was an expert on the rules of the Senate. At our orientation, he encouraged us to learn the rules. Because of his encouragement and as a way to learn the rules, I volunteered often to chair the Senate floor. Following his instructions, I brought a list of questions with me since during the quorum calls you can ask questions of the captive-audience Parliamentarian.

I once saw a Senator come to the floor to debate an amendment, and Senator BYRD was there to debate against it. The Senator wanted to revise his amendment. For half an hour, the Senator tried different tactics to change his amendment, and Senator BYRD thwarted every attempt. The Senator was frustrated. He asked for a quorum call, and he left the floor.

At that point, I asked the Parliamentarian if there was any way the Senator could have changed his amendment. The Parliamentarian explained that all he had to do was declare his right to revise his amendment. I asked why the Parliamentarian did not tell him that. What I learned is the Parliamentarian can only give advice when asked. My first stop at the Senate floor often is at the Parliamentarian as a result.

During much of Senator BYRD's career, he was either the chairman of the Appropriations Committee or the ranking member. He was very good about taking care of orphan miners. Those are primarily coal miners whose companies have gone out of business owing benefits. After a couple of lessons from the Senator, I worked with him to take care of the orphan miner health problem in a bill that speeded up mine reclamation in many States, extended an expiring tax on coal companies with their guarded permission, and then released impounded trust fund money promised by law to the States for the impacts the States put up to produce the Nation's energy, as well as take care of the orphan miners.

At another time, Senator ISAKSON and I worked with Senators BYRD, ROCKEFELLER, and Kennedy to make the first changes in mine safety law in

28 years. He was very proud of the difference he was able to make in the lives of coal miners back home, and he never forgot them whenever we were debating an issue that might have an impact on their lives.

In the days and weeks to come, I can think of no greater compliment we could pay another Senator or greater tribute we can pay to Senator BYRD than to watch someone in action on the Senate floor who develops and implements a well-drawn strategy and say: That is the way ROBERT BYRD would have done it.

For my part, I will always remember the great love Senator BYRD had for our Constitution. I do not think anyone knew it better or more detailed than he did. When I was mayor of Gillette, I began a habit of carrying around a copy of the Constitution with me. I discovered that a lot of us knew what it said but not too many of us had a grasp for the details. It had a lot of meaning for me right from the start because it represents the blueprint from which our Nation and system of government were constructed. Then when I came to the Senate, I came to know the Constitution in a completely different way. It was now my job description, as Senator BYRD put it. So I always kept it handy.

I have no doubt that Senator BYRD had a similar reaction years before my own. I am sure he knew the better he understood our Constitution and the procedures of the Senate, the more effective he would be as a Senator. He knew the importance of understanding the rules of our legislative process in every detail. The better he became at mastering the process by which our laws were made, the better he knew he would be at producing the outcome he was committed to achieving for the people of West Virginia and the Nation. I am sure that is why he always carried a copy with him.

The line-item veto was passed before I got to the Senate, but Senator BYRD had sued to have it stricken. Most of his Senate career had been as chairman of the Appropriations Committee or the ranking member. He pointed out that Congress, according to the Constitution, is supposed to make spending decisions, not the President. He always pointed out that we do not work for the President of the United States; we work with the President as a separate but equal branch of government. He would guard us against infringement by the President using the third branch of government, and he was successful.

Although his life was marked by many triumphs, he was not without his personal tragedies. I have always believed that the work we do begins at home, and that is why I will never forget the strength of his marriage and what a tremendous loss it was for him when his wife passed away. No one knew ROBERT BYRD better than she did, and without her by his side life became ever more difficult. His health began to fail.

I remember going to his wife's funeral. It was very well done. When my wife and I were on our way home, we commented that the endearing and astounding thing about the funeral was that it was about her. He made sure her achievements, her family, her efforts and successes were the focus. As famous as Senator BYRD was, the comments that were made that day were about her and not about him. That says a lot about the relationship they had.

Although his health was declining, he was here as often as he was able, an active part of the day-to-day workings of the Senate. He would not and could not take it easy, no matter what anyone told him. His heart was in the Senate; his soul was in West Virginia. To stop what he loved to do was for him and the people back home unthinkable.

One of Senator BYRD's favorite quotations comes to mind today. He loved the Bible and quoted from it often. When going through a difficult time in his life, he remembered the words from the Book of Ecclesiastes:

To everything there is a season and a time for every purpose under heaven.

Now Senator BYRD has come to another time, as he has reached the end of his seasons on God's green Earth. He will be greatly missed, and he will never be forgotten.

I cannot conclude my remarks without paying a final tribute to Senator BYRD by recalling his love of poetry and the written word. We can all remember the way he would enjoy sharing a favorite verse with us, much like this one. Although the author is unknown, I am certain Senator BYRD would not only recall it but know it well:

Life is but a stopping place,  
A pause in what's to be,  
A resting place along the road,  
To sweet eternity.

We all have different journeys,  
Different paths along the way,  
We all were meant to learn some things,  
But never meant to stay.

Our destination is a place,  
Far greater than we know.  
For some the journey's quicker,  
For some the journey's slow.

And when the journey finally ends,  
We'll claim a great reward,  
And find an everlasting peace,  
Together with the Lord.

My wife Diana joins in sending our heartfelt sympathy to his family and many friends and for all the people who worked for him and with him over the years. We will miss him—the knowledge he had, the institutional memory he had, the experiences and history he had been a part of and in many instances was the main participant—the leader. Probably only once in the history of a country does someone like this come along. If he were here, he would deny it but be pleased if we noted the similarity of what he had done to what had been done in the ancient Roman Senate about which he often talked.

In the end for Senator BYRD it was never about how much time he spent in

the Senate or on Earth but how well he used the time he was given.

I yield the floor.

Mr. CONRAD. Mr. President, I rise to talk about the loss of our senior colleague, Senator ROBERT C. BYRD. Senator BYRD, I had the privilege and honor of serving with for over 24 years in the Senate. I believe this body has lost a giant.

For more than five decades, ROBERT C. BYRD served his country, fought to protect the institution of the Senate, and worked tirelessly for the people of West Virginia. The people of West Virginia were never very far from the mind of ROBERT C. BYRD. I know because I worked with him every day for 24 years. Senator BYRD and his passing leave a tremendous void for this body and for the Nation. He will be greatly missed.

Senator BYRD was a great man, an exceptional person, somebody who had lost his parents and, through sheer will, made himself into a great man. He was a legend in the Senate, the longest serving Senator in the history of the United States and the longest serving lawmaker in congressional history. The people of West Virginia elected him to the Senate an amazing nine times and three times before that to the House of Representatives. He served in almost every leadership post in the Senate, including twice as majority leader and for almost two decades as chairman of the Appropriations Committee. He took an incredible 18,500 votes, a record which will never be broken. At least that is my forecast. I do not know how anybody will ever break a record of 18,500 votes.

Senator BYRD may be remembered most as the protector of the institution of the Senate. This is an institution he loved. More than that, this is an institution he revered as part of the constitutional structure of this country. He believed it had a special place in defending the Constitution of the United States. He believed it played a special role in preventing unwise legislation from becoming law, and he believed it deeply.

He knew more about Senate history and Senate rules and procedures than any other Member, and he used that knowledge skillfully to defend this institution and to ensure it continued to function in a manner consistent with what the Founding Fathers intended. Senator BYRD did not come to those beliefs lightly. He came to those beliefs after the most thorough and very rigorous study of our history. He was a master orator. How many of us can remember Senator BYRD coming to this floor and having Members come to the floor to listen to him because very often his speeches were a history lesson—and not just drawn from American history but from world history, going back to the Roman Empire? When he was in really high excitement, he loved to go through the various Roman emperors and what brought them down, what led to the decline of

the Roman Empire, and what lessons we could draw from that.

His speeches were riddled with quotes from great leaders, references to American history and law, and descriptions of that ancient Roman Senate—much of it from memory. How many times did I hear Senator BYRD stand in that spot or in the leader's spot and recite from memory a lengthy poem or a speech from history? What a remarkable, remarkable man. The extent and the breadth of his knowledge was truly amazing.

Senator BYRD was also an expert on budget matters. In fact, he was one of the principal authors of the 1974 Budget Act which established the congressional budget process. He created and vigorously defended the Byrd rule, which bears his name—a budget rule designed to stop the abuse of the fast-track reconciliation process.

Let me just remind my colleagues of something Senator BYRD did during the Clinton administration when the administration had a health care proposal that was bogged down. It could not pass because it would require 60 votes in the Senate, and there were not 60 votes to be had. The administration wanted to use the reconciliation process, the fast-track process that allows legislation to be passed with only a simple majority. Senator BYRD said no, under no circumstances would he permit that to happen because he believed that was a violation of the whole basis of the reconciliation process which he had been involved in and which he had helped design and which was put in law solely for deficit reduction, in his view. He believed any other use was an abuse of the process—the process of reconciliation. So he said no to the President's No. 1 domestic priority.

There is a lesson in that for all of us. When we were in the midst of the consideration of using the reconciliation process for that purpose during the Clinton administration years, Senator BYRD told me, as a member of the Budget Committee: Senator, always remember partisanship can go too far. Our obligation, our first obligation, is to the Nation and to this institution. If that means we have to disagree with the President of our own party, so be it.

I hope colleagues learn from that lesson as well. Partisanship can go too far.

As the Budget Committee chairman, I had the privilege and honor of working particularly close with Senator BYRD after he joined the committee in 2001. The original idea of the Budget Committee was that the chairman of the Finance Committee would serve there, the chairman of the Appropriations Committee would serve there, and the chairmen of other relevant major committees would serve there so that the Budget Committee would put together the priorities of the United States. Senator BYRD had an acute understanding of that history.

But also Senator BYRD never forgot who sent him to Washington. He tenaciously fought for West Virginia throughout his career and ensured his small, rural State had a powerful voice in the Halls of the Capitol. He never forgot where he came from. I remember well his exchange at a Budget Committee hearing in 2002 with then-Treasurer Secretary Paul O'Neill, and Senator BYRD proudly and emotionally described his own humble upbringing because Senator BYRD came from very straightened circumstances. He came from a very modest background. He was an orphan. In fact, he carried a name which was not his birth name. His birth name was a different name than ROBERT C. BYRD. But when relatives took him in, they gave him their family name.

ROBERT C. BYRD remembered those earliest days. He remembered what it was to struggle. He remembered what it was to have very little. He remembered what it was to wonder where your next meal was coming from and whether you were going to have a roof over your head. Senator BYRD remembered, and he was faithful to those memories.

Senator BYRD loved his wife Erma. He loved his daughters Mona and Marjorie and his grandchildren and great-grandchildren.

I want to say to the members of the family, Senator BYRD was intensely proud of you. I hope the children and grandchildren will get that message, that Senator BYRD was intensely proud of each and every one of you. He spoke about you often and in loving terms, and you should know that.

Of course, we all know he loved his little dog Billy, and he loved his dog Trouble. In fact, I think he had multiple dogs named Trouble.

Senator BYRD loved West Virginia, he loved this institution, and he loved our country. I am deeply saddened by the passing of Senator BYRD. His immense knowledge and his spirit will be missed. His values will be missed. But I am comforted in knowing that our friend ROBERT is now reunited with his beloved wife Erma. I know his legacy will live on in this body and this Nation forever.

I thank the Chair and yield the floor. The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. KYL. Mr. President, during a record-breaking six decades of public service, Senator BYRD served this Nation with diligence and spirit. As a legislator, Senator BYRD had many notable qualities, particularly his legendary oratory skills and his masterful knowledge of Senate procedure. Having authored a four-volume history of this Chamber, he understood its nuances and intricacies, and he was an articulate spokesman for protecting procedural rules.

Senator BYRD kept a copy of the Constitution in his pocket, and he could recite it from memory. He was always first to remind us that the Framers in-

tended the Senate to be different from the House of Representatives and to stand as a bastion of individual and minority rights. He celebrated these distinctions serving as they do the fundamental principle of checks and balances within the legislative branch.

At a recent Rules Committee hearing, Senator BYRD said:

The Senate is the only place in government where the rights of a numerical minority are so protected. The Senate is a forum of the States, where regardless of size or population, all States have an equal voice. . . . Without the protection of unlimited debate, small States like West Virginia might be trampled. Extended deliberation and debate—when employed judiciously—protect every Senator, and the interests of their constituency, and are essential to the protection of the liberties of a free people.

Senator BYRD's insights, expertise, and constitutional scholarship will truly be missed. They are a great part of his legacy, one that I hope will be honored for generations.

On a personal note, I will mention that while Senator BYRD and I did not share a perspective on many matters of public policy, we had a common appreciation for bluegrass music. I always enjoyed talking with him about that subject. He was a talented fiddler, playing on stage, on television, and while campaigning for office. He even recorded an album entitled "Mountain Fiddler." He gave me a copy, and I was very impressed with his skill.

ROBERT BYRD's knowledge, his hard work, his high spirit, and dedication to the people of West Virginia will always be remembered. My wife Caryll and I extend our thoughts and prayers to his family.

Mr. BAUCUS. Mr. President, I, too, wish to say some words on the passing of our good friend and former leader, ROBERT C. BYRD.

It is difficult to sum up in words the thoughts and feelings one has for a departed friend whom one has known so long. I had the pleasure of serving with Senator BYRD my entire career in the Senate. I knew, I liked, and I respected ROBERT C. BYRD for more than 30 years.

It is doubly difficult to put into words thoughts that adequately reflect such a presence in the Senate. ROBERT C. BYRD was a singular Senator. He was a Senator's Senator. There was no title he prized more than that of "Senator."

When I came to the Senate, ROBERT C. BYRD had succeeded my mentor, Mike Mansfield, as majority leader. As ROBERT BYRD was fond of noting, he served as majority leader and then minority leader and then back as majority leader. He saw the leadership of the Senate from both sides, and his experience seasoned his leadership.

As proud as he was to earn the title of "Senator," he was even more proud that as a Senator he represented the people of his State. I deeply believe that is one of the finest things one can say about a fellow Senator. For more than 50 years, he was a strong voice for the people of West Virginia.

ROBERT BYRD was a strong voice for democracy. He knew the rules of the

Senate better than any person alive. He fought to preserve the traditions and customs of what he truly believed is the world's greatest deliberative body.

As my colleagues know, ROBERT BYRD cast more votes than any other Senator in the history of our Republic. I can recall when he cast his 18,000th vote. That vote just happened to have been on a motion to invoke cloture on an amendment offered by this Senator. The Senate did not invoke cloture that day. That is the way the Senate's rules often work. No matter the outcome, Senator BYRD was foremost in the defense of those rules. And Senator BYRD was foremost in the defense of the Constitution of the United States.

Senator BYRD was a student of history more than any other Senator. Those of us who were here will not soon forget Senator BYRD's series of addresses to the Senate on the history of the Senate. And those of us who were here will not soon forget his series of addresses on the Senate of the Roman Republic. He knew that Senate too.

Senator BYRD was a teacher. I can recall meeting with Senator BYRD on a highway bill. He and I both long believed passionately in the importance of our Nation's highways. At this one occasion, I recall being impatient about enacting the highway bill on which we were working. I can also recall the sage advice Senator BYRD gave me about the process, about the procedures, and about the personalities of how to get that bill through the Senate. As I look back on that meeting, I think of all the occasions Senator BYRD took the time to teach others of us about the Senate. He taught his fellow Senators. He taught visiting dignitaries from other countries.

I might add parenthetically that it was not too many years ago when he was visiting Great Britain with some Senators and meeting with some Parliamentarians in Great Britain, and the subject of British monarchs came up, and it was only Senator BYRD who knew them all. He stood up, and he gave the name of every British monarch and the dates they served, up to the present. No other person in the room, including the members of the British Parliament, could do so. ROBERT C. BYRD did.

He taught class after class of Senate pages.

ROBERT BYRD will leave a legacy in the laws of the United States. He will leave a legacy in the rules and precedents of the Senate, and he will leave a living legacy in all the people who learned about the Senate at the knee of this great master.

ROBERT BYRD was an orator. One might say he was the last of a breed. He spoke in a style that recalled his roots before microphones and amplification. He spoke memorably. He spoke like orators used to speak.

Many of us recall celebrated speeches of ROBERT C. BYRD. I will read an extended quotation from one speech that

sums up ROBERT BYRD's strong feelings for the Constitution and the Senate he loved so well.

On October 13, 1989, many of us gathered to hear ROBERT C. BYRD speak. This is what ROBERT C. BYRD said:

Mr. President, I close by saying, as I began, that human ingenuity can always find a way to circumvent a process. . . . But I have regained my faith. We are told in the Scriptures: "Remove not the ancient landmark, which thy fathers have set."

The Constitution is the old landmark which they have set. And if we do not rise to the call of the moment and take a stand, take a strong stand against our own personal interests or against party interests, and stand for the Constitution, then how might we face our children and grandchildren when they ask of us as Caesar did to the centurion, "How do we fare today?" And the centurion replied, "You will be victorious. As for myself, whether I live or die, tonight I shall have earned the praise of Caesar."

And ROBERT C. BYRD concluded:

As [Aaron] Burr bade goodbye to the Senate over which he has presided for 4 years, this is what he said. And I close with his words because I think they may well have been written for a moment like this. He said: "This House is a sanctuary; a citadel of law, of order, and of liberty, and it is here—it is here—in this exalted refuge—here, if anywhere, will resistance be made to the storms of political phrensy and the silent arts of corruption; and if the Constitution be destined ever to perish by the sacrilegious hands of the demagogue or the usurper, which God averts, its expiring agonies will be witnessed on this floor."

So today, Mr. President, I will close my words for my friend, ROBERT C. BYRD, noting that in life he was victorious. As for myself, whether I succeed or not, whether I live or die, today I can count no greater praise than to say I served with ROBERT C. BYRD.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I think the remarks that were given by my colleague from Montana about Senator BYRD were certainly appropriate, and I know anytime we lose one of our Members who has been sitting with us for so long, there is a void to fill.

What I appreciated about Senator BYRD is how much he respected the Senate itself and protected the rights of the Senate against anyone who he believed overstepped the rights of the Senate and the decorum and protocol of the Senate. He was truly a defender of this body. He loved it, and I think we all respected him for that.

#### REMEMBERING SENATOR ROBERT C. BYRD

Mr. BOND. Mr. President, I rise to say a few words about our departed colleague.

This week the Senate lost its longest serving Member not only of the Senate but of the Congress. More than that, the Nation lost a true servant of the people.

From humble beginnings, Senator BYRD was, first and foremost, a champion for the people of West Virginia.

Throughout his many years of service, there has been no greater student, teacher, and protector of the Senate institution. Senator BYRD was not only a guardian of the Senate institution, he was a guardian of the rights our Nation holds dear, which is why his most constant companion was the Constitution of the United States in his pocket.

I had the opportunity, when I first arrived in the Senate in 1990, to work on the acid rain trading provisions in the Clean Air Act. It was known as the Byrd-Bond amendment. We called it the Bond-Byrd amendment back in Missouri. The acid rain trading system has worked because there was technology available. The cost enabled the equitable sharing of the major utilities which had to install expensive equipment that provided more benefit than they needed so they could sell off the other parts of their credits to smaller companies that could not afford to install expensive equipment. That was just a small success for Senator BYRD.

He was a true champion. He will be missed on the Senate floor. My thoughts and prayers are with Senator BYRD's family, his staff, and the people of West Virginia.

Ms. MIKULSKI. Mr. President, I stand today with my colleagues with a very heavy heart to express my condolences to the Byrd family and to the people of West Virginia for losing a great American patriot. It is a very sad day for America, for West Virginia, and for the Senate.

For all of us who knew Senator BYRD, we knew he had five great loves: this country, the Constitution, the Senate, the people of West Virginia, and his beloved wife Erma.

Senator BYRD was my mentor and my teacher. When I arrived in the Senate, I was the first Democratic woman elected to the Senate in her own right. He took me under his wing and taught me the rules of the Senate.

He said to me:

Senator Mikulski, he or she who knows the rules will rule. And you will know how to do it.

His advice to me—when I asked him how to be successful in the Senate—was this:

Senator Mikulski, stay loyal to the Constitution and stay loyal to your constituents and you will do okay.

From the very first day, he wanted me to succeed. He was so welcoming. He made sure I became a member of the Appropriations Committee, and he helped me learn how to use my position to meet the day-to-day needs of my constituents and the long-term needs of our Nation.

Senator BYRD's career was remarkable. We all know the facts: the longest serving Member of Congress in history, the majority leader in the Senate, chairman of the Appropriations Committee, President pro tempore of the Senate, elected nine times to the Senate. Yet he never, ever forgot where he came from. He represented the people of West Virginia.

Born in poverty in the coalfields of West Virginia, raised by an aunt and uncle, he was born with four great gifts: a deep faith, a love of learning, a strong work ethic, and always saluted the fact that he was born in the United States of America, where someone who was, by all intents and purposes, an orphan could become a U.S. Senator. He worked as a gas station attendant, as a meat butcher, and a welder—I might add, a welder in the Baltimore shipyards. He went to night school for college and law school while he was in the Senate.

Senator BYRD wrote and passed many laws, but most important to him was that he was an appropriator. He used his position to help the people of West Virginia, and he did not apologize for that. He brought jobs, roads, and opportunity to one of the poorest States in the Nation. He did not call it pork; he called it opportunity. And this Senator would certainly agree with him.

But Senator BYRD also voted his conscience and encouraged other Members to do the same. In his 18,000 votes, he was most proud of his vote against the Iraq war. He was one of 23 Senators, and I joined him in that vote. At that time, it was deeply unpopular. Those of us who voted against the war were vilified. But we did the right thing, though it was not easy.

If you love the Senate, you love BOB BYRD. He often reminded us that the legislative branch is a coequal part of the government. He fought hard against those who wanted to give up Senate prerogatives, such as the line-item veto. No one understood Senate procedure better and no one protected Senate traditions more than Senator BOB BYRD.

He wanted to pass it on. With the new Senators, he gave each one of us a lecture on the Constitution and gave us a copy of the Constitution. He wanted us to know it and to love it in the way he did. He also taught us the decorum of the Senate—yes, the decorum of the Senate—and how, through our processes and procedures, it was meant to promote civility among us.

To me, as I said, he was a wonderful teacher. I remember going to him when I was ready to offer my first amendment on the floor, and I asked for his advice on how I could present it and how I could not, quite frankly, be rolled. He gave me good, concrete advice. On the day I offered my first amendment, there was Senator BYRD in the background. He was always there. As I said, Senator BYRD always had my back. I was so grateful for having his advice and having his encouragement.

He lived an extraordinary life and left an extraordinary legacy. He stood for citizenship, not partisanship. And maybe that is what we should all do. Follow the Constitution. Stay loyal to our Constitution. Stay loyal to our Constitution and our constituents. Use the rules of the Senate to promote civility and good government. And also make sure that at the end of the day,