

Kathleen Elizabeth Abner, of Maryland
 Hatim Nelson Ahmed, of Virginia
 Zia Ahmed, of Massachusetts
 Andrew R. Alberts, of Virginia
 Syed Mujtaba Andrabi, of Washington
 Alison Marie Ashwell, of Virginia
 Mark David Aubrecht, of Washington
 Michelle E. Azevedo, of the District of Columbia
 Jari D. Barnett, of Oklahoma
 Jacob Barrett, of Virginia
 Jonathan M. Barrow, of Maryland
 Carrie Lynn Basnight, of Kentucky
 Amanda K. Beck, of California
 Michelle Nicole Bennett, of California
 Andrew Berdy, of New Jersey
 Dustin Reeve Bickel, of Georgia
 Ashwin E. Bijanki, of Virginia
 Natalie Irene Bonjoc, of California
 Steven R. Bonsall, of Virginia
 Kathleen E. Borgess, of Virginia
 Ariela Borgia, of Virginia
 Michael D. Boven, of Michigan
 Benjamin Kirk Bowman, of Colorado
 Ryan G. Bradeen, of Maine
 Diedre T. Bradshaw, of Virginia
 Katie C. Brasic, of Virginia
 Steven Arthur Connett Bremner, of Minnesota
 Mary K. Brezin, of Colorado
 Matthew McMahon Briggs, of the District of Columbia
 Christopher M. Britton, of Maryland
 Sarah A. Budds, of South Carolina
 Evan J. Burns, of Pennsylvania
 John Patrick Callan, of Washington
 Joseph Christopher Carnes, of Ohio
 Melanie Rose Carter, of Illinois
 Christopher P. Casas, of Virginia
 Chris M. Celestino, of the District of Columbia
 Brian M. Charmatz, of Maryland
 Christopher A. Chauncey, of Virginia
 David R. Chee, of Virginia
 Geoffrey Kamen Choy, of Virginia
 Marjorie Christian, of Virginia
 Heather L. Churchill, of Virginia
 Melanie L. Clark, of Virginia
 Amy Laurence Conroy, of the District of Columbia
 Jason A. Cook, of Virginia
 William R. Cook, of California
 William T. Coombs, of Maryland
 Emilio Cortes, of Virginia
 Gregory Roy Cowan, of Texas
 Christen Lane Decker, of New Hampshire
 Jonathan Morris Dennehy, of Massachusetts
 Phillip Anthony de Souza, of Maryland
 Jill Wisniewski Dietrich, of the District of Columbia
 Julia Sampson Dillard, of California
 Noah A. Donadieu, of Pennsylvania
 Melissa Ann Dorsey, of Illinois
 James E. Duckett, of Virginia
 Ruth Lillian Dowe, of New York
 William Echols, of Washington
 Jessica D. Eicher, of Colorado
 Jeffrey Gordon Eisen, of Wisconsin
 Howard E. Ennaco, of Virginia
 Ronald L. Etter, of Virginia
 Kathryn Lindsay Fisher, of Virginia
 Howard A. Frey, of Virginia
 Marc Brandon Gartner, of California
 Casey Thomas Getz, of Virginia
 Richard D. Gopaul, of Maryland
 Mark Ostapovych Gul, of Virginia
 Amanda Gunton, of New York
 James J. Hamblin, of Virginia
 Zennia D. Hancock, of New York
 Christine L. Harper, of Alabama
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 Jennifer M. Heath, of Virginia
 Annaliese J. Heiligenstein, of Texas
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 James Michael Henry, of Massachusetts
 Benjamin E. Hettinga, of Virginia
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Duane Martin Hillegas, of Maryland
 Thomas Martin Hochstetler, of Virginia
 Ellen M. Hoffman, of Virginia
 Jennifer Holmes, of Utah
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 Margo Marie Huennekens, of California
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 Alex Jones, of Wisconsin
 John Boyce Jones, of Virginia
 Leon V. Jones II, of Virginia
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 Kathryn Kane Keeley, of the District of Columbia
 Alishia Kontor, of Virginia
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 Klaudia G. Krueger, of Florida
 Corinne M. Kuhar, of Virginia
 Tammy L. Lake, of Florida
 Kristina Law, of Virginia
 Pui-Yung Law, of Virginia
 Michael A. Leon, of Virginia
 Steven Howard Lerda, of Virginia
 John T. Lewis, of Virginia
 Pierre Antoine Louis, of Florida
 Mike Lurie, of Virginia
 Matthew K. Maggard, of Virginia
 Andrew J. Malandrino, of Virginia
 Jeffrey M. Martin, of Rhode Island
 Leonard Frederick Martin, of Maryland
 Tracy L. Masuda, of Virginia
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 Bradley Thomas McGuire, of Virginia
 William H. McHenry II, of Virginia
 Charlotte I. McWilliams, of Texas
 Candice R. Means, of Virginia
 Henry Wyatt Measells IV, of Virginia
 Michael A. Middleton, of Virginia
 Amy J. Mills, of Virginia
 Kyle G. Mills, of Virginia
 Eric K. Montague, of Virginia
 Grant Hanley Morrow, of Pennsylvania
 David Jeffrey Mouritsen, of Utah
 Peter D. Mucha, of Virginia
 Amy P. Mullin, of Virginia
 Paul W. Neville, of the District of Columbia
 Albert Francisco Ofrecio, of California
 Jung Oh, of Virginia
 Stephanie Nicole Padgett, of Virginia
 Benjamin Parsell, of the District of Columbia
 Vikas C. Paruchuri, of Pennsylvania
 Michael Pennell, of Tennessee
 Severin J. Perez, of Virginia
 Robert A. Perls, of New Mexico
 Andrea Lyn Peterson, of the District of Columbia
 Charles Saunders Port, of Virginia
 Kern R. Provencio, of Virginia
 Michael Joseph Pryor, of California
 Michael G. Ramsey, of Virginia
 Charles Anthony Raymond, of Virginia
 Amy Nicole Reichert, of Colorado
 Anthony S. Ridgeway, of Virginia
 Edward Lewis Robinson III, of Maryland
 Seth R. Rogers, of South Carolina
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 Alison Roth, of Virginia
 Craig Anthony Rychel, of the District of Columbia
 Anne G. Saunders, of Virginia
 Tamara L. Scott, of Maryland
 Timothy James Scovin, of the District of Columbia
 Elizabeth Sellen, of the District of Columbia
 Michael R. Shaw, of Virginia
 Roger Lanier Shields, of Virginia
 Craig M. Singleton, of Florida
 Thomas Michael Slayton, of the District of Columbia
 John Thomas Woodruff Slover, of Colorado

Paulette C. Small, of North Carolina
 Barry Daniel Smith, of Oregon
 Don J. Smith, of Virginia
 Jason A. Smith, of Virginia
 Scott M. Smith, of Virginia
 William Catlett Solley, of Virginia
 Michelle Sosa, of California
 Judith C. Spanberger, of Maryland
 Kenneth Sturrock, of Florida
 Rudranath Sudama, of Maryland
 Janel Lynn Sutton, of Colorado
 Peter J. Sweeney, of New Jersey
 Drew Tanzman, of California
 Alper A. Tunca, of the District of Columbia
 Tommy Vargas, of Virginia
 Gareth John Vaughan, of the District of Columbia
 Eric Vela, of Virginia
 Christopher Volpicelli, of Virginia
 John Phillips Waterman, of Massachusetts
 Mark A. Wilkins, of Virginia
 Christal G. Winford, of Virginia
 Joanna K. Wojcik, of Virginia
 Hsueh-Ting Wu, of California
 Heather Louise Yorkston, of Maryland

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

MORNING BUSINESS

Mr. CARPER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

REMEMBERING SENATOR ROBERT C. BYRD

Mr. COCHRAN. Mr. President, the Senate has lost its most talented, dedicated, and best-informed Member about the precedents, rules, and customs of the Senate, when the distinguished President pro tempore, ROBERT BYRD, passed away to join his beloved wife Erma in the heaven he was confident existed for those who were true believers.

I had the good fortune to work closely with ROBERT BYRD as a fellow member of the Appropriations Committee for 30 years. I served as the ranking minority member when he was chairman and as chairman when he was the ranking minority member. I preferred being chairman. But I thoroughly enjoyed the opportunities to conduct the hearings, schedule the committee markups, and negotiate with our House colleagues to formulate and pass the bills that funded the departments of the executive branch, the judiciary, and the Congress.

One of the highlights of my experience with ROBERT BYRD was a trip we took to several European capitals. He was comfortable discussing our mutual interests and differences with the leaders of other nations. His mastery of European history and politics was as impressive as his well-informed understanding of American history and politics.

On one leg of our trip, Senator BYRD asked my wife Rose to come sit by him.

He wanted to dictate something to her. He started a recitation with names that were not familiar to me, but eventually Rose realized that he was reciting from memory the names of the monarchs of Great Britain, the United Kingdom as we know it, and in the order in which each had served throughout the entire history of that great country. It was an unbelievable performance, reflecting an awesome ability of recall, and a reverential appreciation of a nation which has been our closest ally in recent history.

ROBERT BYRD was not only my friend but a mentor, an example of dedicated, disciplined, and determined leadership. I will miss him, but I will always remember his legacy of seriousness of purpose, and his love for the Senate, its role in the legislative process, its powers of advise and consent, and its continuity that has helped make our government the most respected in the world.

Mr. LEVIN. Mr. President, I want to take a few moments today about one of the best teachers I have ever known: Senator ROBERT C. BYRD.

The man we lost this week is known for many things: as the longest serving member of Congress in the Nation's history; as an accomplished legislator; as an author and historian; as a self-made man who reached exalted heights, yet never forgot the coal miners and the families of the mountain home community from which he came. I think of him as a teacher, one who began teaching me from the moment I came to the U.S. Senate, and one whose lessons I sought right up to the time he was taken from us this week.

Serving as a new Senator in the majority means, among other things, hours spent in this Chamber, presiding over the Senate. I was fortunate that for many of my early years here, I spent much of that time in the Presiding Officer's chair listening to Senator BYRD speak on the history of this body, its traditions and practices, and its historic debt to another great body that played a major role in mankind's march toward democratic government, the Roman senate.

I was learning from him two decades later, when Senator BYRD led a small group of us who filed a lawsuit and later a legal brief challenging a law we believed to be unconstitutional: the law granting the President the so-called line-item veto. He, like I and many others, saw this law as bending the Constitution in ways that usurped Congress's constitutional authority and responsibility. In 1998, the U.S. Supreme Court agreed. The majority in that case, citing its "profound importance," concluded that the line-item veto "may or may not be desirable," but that it was surely not consistent with "the procedures designed by the Framers of article I, section 7 of the Constitution" the so-called presentment clause.

I remember standing next to Senator BYRD at a press conference celebrating

that victory for the Constitution, as he pulled out of his pocket the copy of that great founding document he always carried with him. A copy of the Constitution that sits today on my desk, in front of me at all times, was inscribed to me by Senator ROBERT C. BYRD.

I had hoped to visit with him this week to again listen and learn. In February, Senator BYRD sent all of us, his Senate colleagues, a letter setting out his position on preserving the ability to engage in extended debate in the Senate. It was yet another powerful defense of both the enduring traditions of the Senate, and the need for thoughtfulness in invoking those traditions. Senator BYRD's letter sparked some thoughts of my own, and last week, I discussed with his staff scheduling a meeting with him this week to get his take. Once again, I was in need of the insight and wisdom of Senator ROBERT BYRD.

How I wish he were here today, to continue teaching us. While that was not to be, the lessons of Senator BYRD's life and long service will endure.

His career is a testament to hard work and determination. This is a man who spent 10 years in night school classes to earn his law degree, who when he focused on an issue he did so with uncommon intensity. We can all learn from his commitment and grit.

Like any good teacher, Senator BYRD never stopped trying to learn. He was a man of strong convictions who knew the value of admitting when he was in error. He acknowledged that earlier in his life, he had taken positions and held opinions on the subject of civil rights that he later regretted. When he shared those regrets, he created a powerful teachable moment. We can all learn from his willingness to learn and grow to the very end of his life.

He was tireless in his defense of the role the Constitution assigns to the Congress, and specifically the Senate, in our democracy. In his letter to us in February, he wrote: "The Senate is the only place in government where the rights of a numerical minority are so protected." He called those protections "essential to the protection of the liberties of a free people."

Whether it was Congress's constitutional obligations to render judgments on matters of war and peace or to exercise the power of the purse, Senator BYRD was a relentless fighter for the role the Founding Fathers carefully set out for us. He was not defending Senate authority for its own sake. His passion was not for Senate prerogatives for their own sake, but for the brilliantly conceived constitutional balance of powers essential to our freedoms. He passionately believed that we must not yield one ounce of the authority that the Constitution entrusts to the peoples' elected representatives. We can all learn from the conviction, the dedication and the intellectual power he brought to that cause, to the end of making it our cause. Let the mission

he so eloquently espoused be our mission, though our power to persuade be far less than Senator BYRD's.

ROBERT BYRD had many loves—his late, beloved wife Erma, West Virginia and its people, his God, and the Constitution of the nation he cherished. But the Senate is his special legacy. For more than two centuries we have kept our traditions intact: our unique respect for extended debate and minority rights, and for the legislative authority that the Constitution places in our hands to exercise and defend. These traditions are maintained because of Senators like ROBERT BYRD, Senators who live them and fight for them. I learned more about these weighty issues from this great teacher than from anyone or anything in my years in the Senate.

ROBERT BYRD is no longer with us, teaching us, leading us. But the lessons of ROBERT BYRD's life and career will endure, guiding all of us now occupying these desks, and Senators who will occupy these desks for ages to come.

Mr. KERRY. Mr. President, the Senate, in its 223-year history, has never had a greater champion than ROBERT BYRD. West Virginia, in its 147-year history, has never had a more powerful advocate or public servant than ROBERT BYRD.

Like so many Senators elected before and after me, I learned very quickly how passionate ROBERT BYRD was about this institution, its roots in the Constitution. As all of us remember, he had that dog-eared copy of the Constitution he carried in the front pocket of his suit, and sometimes in the caucus or other times on the floor, he would pull it out to help reinforce a point he was making, even though we all knew he could recite the Constitution by memory. But he consulted it often without hesitation. In its words, he reminded us that he always found wisdom, truth, and excitement—the same excitement he felt as a young boy in Wolf Creek Hollow, reading by kerosene lamp about the heroes of the American Revolution and the birth of our Nation. Those words literally guided him through the 58 years he spent in Washington as a Member of the Congress and as a Senator.

It is fair to say that no one knew the Senate—its history, its traditions, and its precedents—better than ROBERT BYRD. It is all there in the four-volume collection of his speeches on the Senate, which we were all privileged to receive from him.

Every freshman Senator got a personal crash course on the Senate's history from ROBERT BYRD himself. I was one of five Democratic freshmen elected in 1984. The class of 1984 was privileged to share some lofty hopes and goals. Four of the five of us eventually ran for President: Al Gore, Paul Simon, TOM HARKIN, and myself. All of us can tell you that we arrived in the Senate with a thirst for action and an impatience for delay. Then-minority leader ROBERT BYRD didn't discourage any of

that. In fact, he encouraged it, and he helped all of us with our committee assignments so we could push the list of our policy ideas that we exuberantly believed we could and would pass into law. But in meetings with us individually, he also helped each of us to see the bigger picture, to impress upon us the fact that one of our most important responsibilities as Senators was to be caretakers of this institution—an institution he regarded as both the morning star and the evening star of the American constitutional constellation.

To ROBERT BYRD, the Senate was, as he said, “the last bastion of minority rights, where a minority can be heard, where a minority can stand on its feet, one individual if necessary, and speak until he falls into the dust.” Indeed, earlier this year, when many of us felt frustration over the Senate’s rules governing filibusters—specifically, the requirement of 60 votes to cut off debate—ROBERT BYRD cautioned against amending the rules to facilitate expeditious action by a simple majority. In a letter sent to all of us, he observed that:

The occasional abuse of the rules has been, at times, a painful side effect of what is otherwise the Senate’s greatest purpose—the right to extended, or even unlimited, debate.

The Senate is the only place in government where the rights of a numerical minority are still protected.

He added:

Majorities change with elections. A minority can be right, and minority views can certainly improve legislation. . . . Extended deliberations 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.

ROBERT BYRD also impressed upon us the fact that we did not serve “under” any President; that as a separate but equal branch of government, we served “with” Presidents, acted as a check on the executive’s power. ROBERT BYRD was the longest serving Member of Congress in all of our Nation’s history, and as such he served with 11 Presidents.

At no time in his career was ROBERT BYRD’s defense of legislative prerogatives more pronounced and more eloquent than in arguing against granting the Bush administration’s broad power to wage preemptive war against Iraq. He chided the Senate for standing “passively mute . . . paralyzed by our own uncertainty,” ceding its war powers to President Bush.

ROBERT BYRD was, as we all know, a lot more than the guardian of the Senate. He was a major figure in the great panorama of American history over more than half a century. He was a thinker—thinking and reevaluating more in his eighties and nineties than many Senators do in a lifetime. He was an ardent supporter of the Vietnam war but surprised many with his fierce opposition to President Bush’s invasion of Iraq. He was a protector of West Virginia’s coal industry but came to ac-

cept the mounting scientific data of global warming and took part in finding a solution. To do otherwise, he said, would be “to stick our heads in the sand.”

ROBERT BYRD cast more than 18,500 votes in the Senate—a record that will never be equalled. His last vote was June 17 against a Republican proposal to prevent the extension of unemployment benefits. Earlier this year, even with his health failing, he cast one of the most historic votes of his career in support of legislation to expand health care to all Americans—the life work of his old and departed friend Ted Kennedy.

Whether he voted with you or against you, it was never hard ideology with ROBERT BYRD. He had no use for narrow partisanship that trades on attack and values only victory. I learned that as a candidate for President in 2004 when Senator BYRD came to my defense after opponents aimed religious smears at me. I was forever grateful to him for doing that.

It all began one Sunday when Senator BYRD was home in West Virginia and found that a brochure had been inserted in a church bulletin saying that if elected President, I would ban the Bible. Senator BYRD exploded. “No one side has the market on Christianity or belief in God,” said this born-again Baptist. Later at a rally in Beckley, he accused my opponents of having “improperly hijacked the issue of faith” and said that the suggestion that I intended to ban the Bible was “trash and a lie.”

But Senator BYRD was not done. He also went to the Senate floor to denounce this kind of politics:

Paid henchmen who talk about Democratic politicians who are eager to ban the Bible obviously think that West Virginians are gullible, ignorant fools. They must think that West Virginians just bounced off the turnip truck. But the people of West Virginia are smarter than that. We are not country bumpkins who will swallow whatever garbage some high-priced political consultant makes up.

That was ROBERT BYRD telling it the way he thought.

Anytime Senator BYRD spoke, any of us who had the privilege of serving with him remember his speeches were filled with as many Bible references as historical references. When the Senator spoke, the Senate kind of came to a halt. Senators would lean forward and listen, as they did not necessarily do otherwise, and learn.

It is fitting that this teacher in the Senate, this guardian of the Senate, will lie in state in this Chamber on the floor of the institution he revered and which also had so much respect for him. He is as much a part of this Chamber in many ways as the historic desks or galleries or the busts of Senate presidents.

He ran for public office 15 times, and he never lost. He was first elected to the West Virginia legislature in 1946 and served three terms in the House of Representatives before his election to

the Senate. It is no wonder that he was such a keen observer of politics.

I remember when I decided to run in 2004, I went to talk with Senator BYRD. His advice, in fact, was among the first I sought. He advised me to “go to West Virginia,” “get a little coal dust” on my hands and face and “live in spirit with the working people.” In keeping with his advice, I did just that. What a great experience it was.

He was deeply proud of West Virginia and its people. He proudly defended his work to invest Federal dollars in his State, the kind of spending that some people deride as pork. ROBERT BYRD knew it was something else. It was opportunity for his people. He took pride in the way that Federal funding helped to lift the economy of West Virginia, one of the “rock bottomest of States,” as he put it. He breathed new life into so many communities across that State with funding for highways, hospitals, universities, research institutes, scholarships, and housing—all the time giving people the opportunities that he knew so many West Virginians of his generation never had. “You take those things away, imagine, it would be blank,” he once said.

ROBERT BYRD’s journey was, in many ways, America’s journey. He came of age in an America segregated by race. But like America, he changed, even repenting, and he made amends. Not only did he come to regret his segregationist past, but he became an ardent advocate of all kinds of civil rights legislation, including a national holiday honoring Dr. Martin Luther King. And in the end, ROBERT BYRD endorsed Barack Obama for President. “I have lived with the weight of my own youthful mistakes my whole life, like a millstone around my neck,” he wrote in 2008. “And I accept that those mistakes will forever be mentioned when people talk about me. I believe I have learned from those mistakes. I know I’ve tried very hard to do so.”

That is the expression of a man with a big heart and a big mind.

The moments that define most men’s lives are few. Not so with ROBERT BYRD. He devoted his life to Erma and his family and to public service, compiling an extraordinary record of accomplishment and service in more than half a century in Congress. His mastery of Senate rules and parliamentary procedure was legendary. His devotion to his colleagues and to this institution was unequalled. And his contributions to his State and to the Nation were monumental.

ROBERT BYRD spent most of his life making sure the Senate remained what the Founding Fathers intended it to be: a citadel of law, of order, of liberty, the anchor of the Republic. And in doing so, he takes his place among the giants of the Senate, such as Daniel Webster, John C. Calhoun and, of course, his and our dear friend Ted Kennedy.

May ROBERT BYRD rest in peace.

Mr. GRAHAM. Mr. President, I rise to celebrate the life and career of Senator ROBERT C. BYRD. I have been in

the body now since 2002, and Senator BYRD will go down in history as not only the longest serving Senator to date—maybe forever—but also as one of the most effective Members of the Senate.

He was tough. During his prime, they tell me, there was no tougher opponent and no better ally than to have Senator BYRD on your side. And when he was on the other side, you had a long day ahead of you.

He talked about his early life. He is a human being, like the rest of us. I think what he was able to do for his people in West Virginia, and the country as a whole, will stand the test of time, and he will be viewed for many things, not just one. That is the way it should be for all of us.

I had the pleasure of getting to know him when I first came to the Senate and I walked into one hell of a fight over judges. The Senate was in full battle over the filibustering of judges. The Senate had gone down a road it had never gone down before—an open resistance to the judicial nominations of President Bush across the board. The body was about to explode. There were 55 Republicans at the time, and we all believed that what our Democratic colleagues were doing was unprecedented, unnecessary, and, quite frankly, dangerous to the judiciary. I am sure they had their view, too, and everybody has a reason for what they do around here.

The Gang of 14—affectionately known by some, and discussed by others—was formed during that major historical moment in the Senate. I remember talking to some observers of the Senate who were telling me that if the rules were changed to allow a simple majority vote for the confirmation of judges, that would take the Senate down a road it had never gone down before, and where it would stop, nobody knew. At the same time, there was another constitutional concept that meant a lot to me and to others, and that is that people deserve a vote when they are nominated by the President.

Well, Senator BYRD and 13 other Senators—and he was a big leader in this—came up with the compromise called “extraordinary circumstances.” We agreed that we would not filibuster judges unless there was an extraordinary circumstance. We understood that elections had consequences. What we had in mind was that we would reserve our right to filibuster only if the person did not meet the qualification test. I believe the advise and consent role of the Senate has to be recognized, and I respect elections but not a blank check. So there is always the ability of any Senator here, or a group of Senators, to stand up and to object—one party versus the other—if you believe the person is not qualified.

The second issue we dealt with was that we all reserved unto ourselves the ability to object if we thought the person was an activist judge—a political person who was going to be put on the bench and the robe used to carry out

the political agenda rather than to interpret the law.

The law meant a lot to Senator BYRD—the Constitution did. One of my cherished possessions is a signed copy of the Constitution, given to all the members of the Gang of 14. That is just one example of where very late in life he made a huge impact on the Senate. As history records that moment, I daresay it is probably one of his finest hours. Because the consequences of not resolving that dispute the way we did could have changed the Senate rules forever, and I think the judiciary for the worse. So we have a lot to celebrate.

His family, I know, mourns the loss of their loved one; the people of West Virginia, their best champion has passed. But we all pass. It is what we leave behind that counts, and I think he has left a lot behind and something both Republicans and Democrats can be proud of. Even though you disagreed with him, as I did on many occasions, I had nothing but respect for the man. He was a true guardian of the Senate and what it stands for.

I don't think we will ever find anybody who loved the institution more than Senator BYRD. He will be missed. But the best way we can honor his memory is to try to follow in his footsteps when it comes to making sure the constitutional role of the Senate is adhered to, and that we understand the Senate is not the House, the Senate is not the executive branch, the Senate is something special, and let us keep it that way.

Mr. REED. Mr. President, I rise to pay tribute to an extraordinary Senator—ROBERT BYRD of West Virginia. Chairman BYRD was the longest serving Senator in the history of this country. He served with extraordinary distinction not only on behalf of the people of West Virginia but on behalf of all of us.

The great lesson of his life is that through constant self-improvement, through constant education, not only can one rise to great heights but one can also contribute to one's country and community.

Senator BYRD was born in very humble circumstances. At his birth, I do not think anyone would have predicted he would become the longest serving Senator in the history of the United States. In fact, tragically, within a year of his birth, his mother passed away, and he went to live with his father's sister. But in those difficult circumstances in West Virginia, he rose above it through tenacious effort, through hard work.

Through his life's path, he had an extraordinary companion, the love of his life—Erma. Together they not only had a family but they built a life of service to others. I know how dear his dear Erma was to Senator BYRD.

Their children, Mona, Marjorie, their sons-in-law, their grandchildren, and their great-grandchildren all at this moment are reflecting on the wonder-

ful person ROBERT BYRD was, how much he meant to them, and also I hope recognizing how much he meant to all of us. In this very difficult moment, I am sure his memory and his example will sustain them as it sustains all of us.

Senator BYRD, from these humble circumstances through hard work in shipyards, in the coal fields of West Virginia, rose up. He rose up because of his incredible talent, not only intellectual talent, but I had the great good fortune once to hear him play the fiddle. Anyone who can play a fiddle like that has great hope of employment, at least in the musical world. But he went beyond that.

Again the lesson Senator BYRD teaches us all is constant striving. He was someone who received his law degree while a member of the Congress, the first and perhaps only person to go to law school while he was also serving the people of West Virginia and the Congress.

He wrote what is regarded as the foremost history of the Senate, not only this Senate but also the Roman Senate. He did that because he was committed to finding out about history, about life, about human challenges, about great human endeavors, and using that knowledge to help others.

He was someone whom we all revered. When I arrived in the Senate, he was gracious and kind and helpful. I can always remember he would greet me as “my captain.” He had a deep affection for those who served, even someone as myself who did not serve at the same level of distinction as DAN INOUE, JOHN KERRY, JOHN MCCAIN, and others. He is someone who helped and supported me, and I appreciated very much his kindness.

I also appreciate the passion he brought in defense of the Constitution of the United States and the passion he brought to ensure the Senate and the Congress played its rightful role in the deliberations of this government.

He would say quite often that he had not served under numerous Presidents; he had served with them as a Senator, in the legislature, a coequal branch of government. He fought not simply for personal prerogatives, he fought for principle, that this government would be based on, as our Founding Fathers' designed it, the interplay between the executive, legislative, and judicial branches. His passion for the Constitution was evident and obvious.

He also was passionate in the last few years about the foreign policy of the United States. He spoke with eloquence and with passion against our engagement in Iraq. He saw it, as now it is becoming clearer and clearer, as a strategic distraction from the true challenge, which was to defeat our opponents, al-Qaida and their affiliated terrorist groups, and to do that to protect this country.

He was a remarkable man, born of humble origin, self-educated, unceasingly educating himself and always

seeking to better and improve himself. I would suspect in his last few days he was still striving to learn more.

I simply close by thanking him for his service, thanking his family for supporting him in his service, and thanking the people of West Virginia for their wisdom in sending ROBERT BYRD to the U.S. Congress and the U.S. Senate.

Ms. LANDRIEU. Mr. President, I come to the floor this afternoon to speak on a couple of different subjects. Briefly I wish to say a few words about our extraordinary and great colleague who has left the Senate and left this world, but his spirit will be here for many years to come and his presence will be felt here for decades, if literally not centuries, and the extraordinary contribution that Senator ROBERT BYRD of West Virginia has made to the Congress, to the Senate, to our country, and to the world.

My colleague, the Senator from Rhode Island, gave a beautiful tribute a few minutes ago. I was in the Chamber and listened to what he said. I wish to add that not only did ROBERT BYRD rise up through educating himself—in these days that is almost a foreign concept to so many people. You go to school, you get a degree—but he did all of that and more. He read so much. He was so curious about so many aspects of life, not just politics, not just government, but industry, art, and music that literally he was one of the most inspirational human beings I have ever had the pleasure to know or ever read about in that sense.

Senator REED said he lifted himself from literally an orphan status in one of the poorest communities in the world, West Virginia. Parts of it are much like a few parts of our country that are extraordinarily poor, even by world standards.

He came from a very humble, orphaned beginning with virtually no chance at anything much, and ended up, we know, sitting at that desk, which is one of the great desks of honor in this Chamber. As people who work here know, the longer one is here, the closer one gets to the center aisle. Since he held up the center aisle literally with his presence every day, one cannot get any more senior than that desk. We look at it now these days and are reminded of him.

He lifted himself, he lifted his family, but I would say in that earnest curious way, he lifted an entire State and an entire Nation. There are not many individuals who can say that their life actually did that. But ROBERT BYRD is one of them. West Virginia today is lifted so much higher. The children of West Virginia, the families of West Virginia, the communities of West Virginia literally were lifted by the strength—the spiritual and intellectual strength—and courage and tenacity of a man for whom there is no peer in this room relative to that, and our Nation across decades, through many of the great trials of this Nation. He lifted

this Nation to a better place and was such a strong man and such a great man that he would even admit when he made some very bad mistakes, which raises him even higher in my eyes.

He said toward the end of his life many times that his stand on civil rights was not right. He apologized profusely for being on the wrong side of history on that issue. He did not make many mistakes such as that. But he was such a great man that he admitted when he did.

Senator REED recalled that he always called him “captain,” but Senator BYRD had a way of referring to each of us in a special way. He would always say to me: How are you today, Senator, and how is that fine father of yours, Moon Landrieu? It would always make me feel so wonderful that he would say he was such a great mayor. How is Moon today and how is Verna? Can you imagine a gentleman with so much on his mind that he would always remember to me the parents I have and that we both admire so much? It was a special way about him.

Finally, when Katrina happened and all of us on the gulf coast were devastated—frankly, I could not find a great deal of comfort at the level of the administration that was in power. I never thought they quite understood the depths of the destruction that occurred. It worried me then and it still troubles me to this day. But the first meeting I had with Senator BYRD, when I was trying to explain to him how devastating this situation was—because it wasn’t a hurricane, it was a flood and the Federal levees had collapsed—he just sort of put his hand out and said: Senator, have a seat. He said: I do understand, and I am going to work with you. I am going to help you. I am going to be here for the people of Louisiana and the gulf coast as we try to get this right.

Mr. President, we were shortchanged by other Members of Congress and by the White House. They never quite understood. When the first allocation of funding was given out, it was just an arbitrary number thrown out that we were going to take \$10 billion and help the gulf coast, but no State could get more than \$5.4 billion. Well, when you looked at the facts at the time, the numbers were so disproportionate to the injury that Louisiana and our people had suffered, had you done it on just a disaster basis—which we should have done in calculating it—we should have gotten \$15 billion relative to that distribution.

When I brought those numbers to Senator BYRD, he said: We are going to work on it. And you know what, Mr. President, he did. Unbelievable as it might be to the people in this Chamber, because he was a very powerful chairman of the Appropriations Committee, he could actually do it, and he did.

I didn’t have to explain that much or beg that much. I just had to present the data to him that showed this is

how many houses were destroyed, this is how many homes were lost, this is what the President gave to X, Y and Z; what do you think, Senator BYRD? Is it fair for us? And he said: Absolutely. So he gave us literally billions of dollars.

Today, St. Bernard Parish, the city of New Orleans, and parishes all in the southern part of the State are recovering because of one person, Senator BYRD, the chair of the Appropriations Committee, who said: We are not going to leave you at your hour of greatest need.

I will never forget, and my State will never forget, the generosity and the courage it took for him to stand with us through that difficult time. So I wanted to, in a small way, add my voice to the many tributes that Senator BYRD has received, and those are the most important ones that I wanted to share today.

Mr. LAUTENBERG. Mr. President, this is not my regular seat in the Senate, but I came here to stand near the place that Senator ROBERT C. BYRD occupied. His absence is noted by the flowers and the black cloth that covers his desk.

There is so much to say about ROBERT C. BYRD that to have a serious discussion about who and what he was would take far more time than we have available. He was an unusual man, brilliant, genius, credited with encyclopedic knowledge.

When I came to the Senate in 1983, I was not a young man. I am now an older man. When I came, I wanted to meet Senator BYRD. I came from the business world. I was chairman and CEO of a significant corporation that carried substantial esteem and respect for the record compiled by the three of us boys from poor working-class families in Paterson, NJ, an industrial city that had its origins as an industrial place at the time of Alexander Hamilton.

I was privileged to meet a lot of people who could be described as lofty and holding positions of importance. When I went in to Senator BYRD’s office to introduce myself—I had met him a couple of times before I was elected to the Senate seat from New Jersey—it was with great awe and respect that I sat in front of this individual who had given so much to our country, who taxed our wits and made us think more deeply about our responsibilities than sometimes we have. He was a tower of knowledge and strength.

I introduced myself to him, and we had a nice chat for a while. He asked me about my background. I talked about my life and my experiences, which are not anything like the depth of Senator ROBERT BYRD’s background. I came from a poor family. I served in the Army. I received my education at Columbia University because I was able to use the scholarship that was given to soldiers who had served in the military.

As I listened to ROBERT BYRD, what he had accomplished in his lifetime

dwarfed anything I had ever seen. He was a man born into poverty, orphaned at an early stage in life, and turned over to relatives to be brought up. He taught himself how to play the violin and attended law school part time at night for years, finally getting his law degree from the university. He was an incredible figure in our time.

We feel his absence already. In his latest years, he was not fortunate enough to have the kind of health he had as a younger man, but he always had the respect of everybody who knew him.

When we look at his history, if one has time to go to the computer and get a biography that is held in Wikipedia and see the more than 30 pages' worth of his accomplishments and history, it was a privilege and an honor for those of us who knew him when we look at the positions he held. He had elegance. He had grace. He had resilience. He was tough. He had a meticulous grasp of history.

I came out of the computer business. I used to tease ROBERT C. BYRD. I called him "my human computer." He had so much knowledge that, frankly, I think it competed very ably with the computers in the early eighties when I came to the Senate.

When I visited him in his office, he asked me if I knew the history of the monarchs of the British Empire. I said I did not know much about them. I knew the recent one, the sitting monarch at the time. He proceeded for more than one hour to give me the history of the monarchs of the British Empire, starting with William the Conqueror, 1066, and recalling everybody who was King or Queen of England, of the British Empire. He talked about how long they served, the precise dates they served, whether they died by the hand of an assassin, whether they died from a disease, whether they died from an accident. He knew all of that detail. I was sitting in total bewilderment as to how one could capture and remember so much of that information.

When I asked to be excused because I had some other business, he was ready to give me the history of the Roman Senate. He did this not like most of us, with notes. He had it in his brain while he recalled everything he learned and did, the number of votes, where he cast them, and on what issue. It was remarkable.

He served a period of time when we had some of the most remarkable people this body has seen. Not to suggest we do not have talent equal to the stature of some of those who served then. It is worthy of mention that he was the majority leader in the Senate from January 1977 to January 1981 and again from 1989 to 1989, a relatively short period. He preceded and served with people such as Howard Baker on the Republican side, Bob Dole, Mike Mansfield, and George Mitchell. He was an equal with those powerhouses and stood as one of them. He stood out.

He revered this Senate and the process with which we then operated. We

are far less committed to process. BOB BYRD insisted we have the time, respect, courtesy, and proper addressing of individuals, giving it a certain loftiness that we otherwise would not have had.

Nobody knew more about this body than ROBERT C. BYRD. He was this Chamber's protector. He protected the Senate's rules, the Senate's integrity, and he protected the Senate's civility. He taught each and every one of us how the Senate works—the ins, the outs. It is hard to imagine serving a single day without him. He had such respect for the management of this country of ours.

We should be inspired by ROBERT C. BYRD's legacy to become more cooperative and more civil in the days ahead. We ought to reflect on those values tomorrow as we view Senator BYRD's casket lying in repose in this Chamber that he loved so dearly. He loved it so much that he reminded all of us from time to time—he would pick up on a phrase. Someone talked about serving under President this or that President. He said: Sir, never, never under. We serve with the President of the United States. We never serve under them. We are a body of equal importance. And he knew that from every possible position of responsibility he held.

What we should do as a Senate is accept the best that ROBERT C. BYRD brought to us, to share the image he brought to all of us and to the stature of this body.

ROBERT C. BYRD's journey in life was simply remarkable. He was born into deep poverty, growing up without the comforts that many of us take for granted, such as running water, and setting an example for all Americans of what you might be if you make the effort and you have the dedication to a higher purpose.

Although he was high school valedictorian at the age of 16, he had to skip college because he did not have the means to pay for it. He overcame that obstacle by becoming a self-taught man and a student of history. How did he learn to play the violin all by himself, and learn what he did about education and law?

He served half a century—51 years—in the Senate, holding every critical position, including, as I mentioned, majority leader and minority leader and President pro tempore. In that position he was third in line for the Presidency of the United States.

Still, he never forgot where he came from and his duty to help everyday people. He pleaded their case, particularly his beloved West Virginia, as well as across the country.

I had the privilege to serve with Senator BYRD when he was chairman of the Appropriations Committee. Some like to make light of his position to fund projects in West Virginia, but there was nothing cynical about his life's cause to stamp out poverty in his home State and in this country. Senator BYRD called bringing Federal dollars

back to his State one of his greatest achievements. He understood that a new school meant a child would have a better chance for a future. A new sewage system meant that families might have clean water—unaccustomed as they were in lots of places in his home State. A new highway meant that farmers and companies could bring their product and their produce to market in hours.

I will use the expression that he "eleganzed" the beauty of the deeds of working people and brought meaning to the purpose of their lives and their work.

He was a forward-looking man. He, working with all of us, recognized the importance of an appropriate infrastructure—the importance of Amtrak, of the railroad that serves so many millions of Americans every year. He was a voice for stronger rail service, knowing that could get people more reliable travel so they would not be stuck in massive traffic jams when they had to get someplace. It was an important part of an agenda that he had that was so broad.

Years ago, when Amtrak—a favorite part of my view of what has to happen with our infrastructure—was under siege, we worked side by side to protect America's premier rail network from being defunded. In 2007, when the Amtrak law I authored was on this floor, we faced a difficult vote to defeat a killer amendment. I remember standing here as they were counting the yeas and nays, and Senator BYRD had occasion to let his simple yes or no ring out across this place. He put a stamp on that, and that meant that he didn't like it or he did like it.

He wanted everybody in this place to remember that he was chairman of the Appropriations Committee. He remembered when people voted with him and when they didn't. He couldn't stand the hypocrisy of people who would say: Oh, these earmarks are terrible, and then they would put in their list. But he would remember it. It was not a good thing, to meet with ROBERT C. BYRD's disapproval, when you wanted something; especially after so hypocritically voting against something and then wanting that very thing for your own State.

We have an obligation to honor the legacy of this giant of an individual, this giant of a Senator, this giant of a public servant, and that means never losing sight of the millions of Americans out there who don't know whether they will have a home now or have a job, or whether they will be able to afford electricity or food or a roof to sleep under, or a way to take care of their children. But he reminded us on a constant basis what our commitment was.

It also means, I think in reflection, that we should be renewing our commitment, as hard as it is—and it is easy to kind of pontificate here—to working together. But let us look at what is happening. Let us look at what

has been happening now. I don't think this is an appropriate time to voice lots of criticism, but when we see how difficult it is to move positive things through this institution, it is hard to understand, because the fundamentals that ROBERT C. BYRD brought to his work were that we were here to serve the public. That was the mission.

Rather than standing in the way of permitting things to be considered—things of value—perhaps we ought to have a BYRD lecture to the Senate—large every now and then and let someone who knew him or studied him talk about what he brought to the Senate, in addition to extraordinary leadership; someone who could talk about the degree of collegiality that is necessary for us to consider things—serious things—and to get them done.

Senator BYRD recently said—and he said this on a regular basis:

The world has changed. But our responsibilities, our duties as Senators have not changed. We have a responsibility, a duty to the people to make our country a better place.

It would be fitting if in the shadow of his passing that we could take a sledgehammer to partisan gridlock, put the unnecessary rancor aside and start functioning in a deliberative fashion once again.

I thank you, Senator ROBERT C. BYRD, for what you gave to us and gave to this country. All of it will not be recognized in these moments. But as history is reviewed, people will remember—I hope they do—that even when he made a mistake, a serious mistake in his early days—when he was not eager to support desegregation; that he should not have abided with segregationists; that this country belonged to all the people and no one should be discriminated against—that one can be forgiven with good deeds after some bad ones. And he redeemed himself so nobly, so wonderfully.

So we say, as we have been for these days, thank you, ROBERT C BYRD. We loved being with you, and we will miss you.

Mr. WEBB. Mr. President, I have not yet had the opportunity on the floor to express my regret for the passing of Senator ROBERT BYRD and my incredible respect for the service he gave our country.

I was only able to serve with Senator BYRD at the twilight of his career. I knew him in my capacities as Assistant Secretary and then Secretary of the Navy years ago, and I admired him for many years as an individual of fierce intellect. He was a strong proponent of the balance of power, particularly protective of the powers of the U.S. Congress as they relate to the executive branch, which is an area I have also focused on over the years.

Senator BYRD had great love for the people of Appalachia. He was their greatest champion. He was a self-made man in every sense of the word—self-made economically, born an orphan, and self-made in terms of his own education.

I recall that when I was Secretary of the Navy, I had the authority to name various combatants, and I named a submarine the "USS West Virginia." When I made the statement about why I named it that, I pointed out that West Virginia, in every war in the 20th century, ranked either first or second in terms of its casualty rate. He was someone who never forgot the contributions of the people of that much-maligned State to the well-being and greatness of our country. He left his mark on all of us, and I would be remiss if I didn't express my regret in his passing.

Mr. WHITEHOUSE. Mr. President, I rise today to pay tribute to our departed Senate Dean, ROBERT C. BYRD of West Virginia. Senator BYRD served in this Chamber longer than any Senator in history, 50½ years. Combined with 6 prior years in the House of Representatives, Senator BYRD's service spanned nearly a quarter of the history of the Republic, from the Truman administration to the Obama one, longer than the span of my life.

To serve with Senator BYRD, as was my privilege for too short a time, was to serve with a giant of the Senate, an apotheosis of a long-ago age when oratory was an art. How fortunate I was to sit on the Budget Committee several chairs away from the man who wrote the Budget Act. I will never forget a Budget Committee hearing last year at which, with 35 years of hindsight, Senator BYRD reviewed the very budget process that he had designed. On that February morning, Senator BYRD delighted in describing his crafting of the budget process and its implementation and evolution over three and a half decades.

Tomorrow, for the first time since 1959 when ROBERT C. BYRD was a 40-year-old first-year Senator, a departed Member of this body will lie in repose in its Chamber. The tribute will surely be fitting, as the Senate's most senior Member occupies the floor one final time.

The man will be missed, but his legacy will continue to guide this institution for generations to come, and the institution to whose principles and welfare he dedicated his life, the U.S. Senate, will endure with his lasting imprint upon it.

VOTE EXPLANATION

Mr. BROWNBACK. Mr. President, I regret that on June 28, 2010, I was unable to vote on the confirmation of Gary Scott Feinerman, of Illinois, to be U.S. District Judge for the Northern District because my flight from Kansas City was delayed. I wish to address this vote, so that the people of the great State of Kansas, who elected me to serve them as U.S. Senator, may know my position. I would have voted in favor of this confirmation.

TRIBUTE TO COLONEL PHILIP C. SKUTA

Mr. LEAHY. Mr. President, I rise today to recognize COL Phil Skuta, USMC, who will complete his tour of duty with the U.S. Marine Corps' Office of Legislative Affairs on July 15, 2010. In his role as the director of the Marine Corps' Senate Liaison Office, he has provided excellent support by ensuring the smooth and timely passage of information from the Marine Corps to Senators and their staffs. His sense of duty and responsibility contributed to a successful relationship between the U.S. Senate and the U.S. Marine Corps. His dedication to serving the U.S. Senate will be missed.

A native of Williamsport, PA, Colonel Skuta attended the University of Pittsburgh and received a commission as a second lieutenant in the U.S. Marine Corps in 1987. His career as a Marine officer has been varied and admirable. Prior to his assignment to the U.S. Senate, he served on the Joint Chiefs of Staff, in the Strategic Plans and Policy Directorate. Before that, he led 1,200 marines, soldiers, and sailors in combat in Iraq in 2004 as a battalion task force commander. Over the past 24 months, his excellent work, leadership of his liaison team, and example of professionalism have served the Senate well and reflected credit on the U.S. Marine Corps.

Upon his arrival as director of the U.S. Senate Marine Corps Liaison Office, Colonel Skuta assumed and upheld the distinguished standard set by his predecessors. His approach to resolving complex issues allowed him to advise and inform Members and their staffs of Marine Corps plans, policies, programs, and worldwide activities. Despite the fluidity of legislative process, Colonel Skuta established and developed productive working relationships through engagement opportunities.

As liaison officer to the Senate, Colonel Skuta represented the Marine Corps on all Marine-related matters and effectively articulated the Marine Corps' most difficult and challenging legislative initiatives to Members and staff. He has been an integral player in maintaining effective relationships between the Marine Corps, my colleagues in the Senate, professional committee staff, and personal staff members. In particular, he responded to hundreds of congressional inquiries, ranging from such sensitive issues as notification of combat casualties from the Afghanistan and Iraq campaigns to providing timely information on the operation, organization, and budget of the Marine Corps. He also planned and executed dozens of international congressional delegations. I had the pleasure of traveling on two of these congressional delegations with Colonel Skuta and was impressed with his service to the Members of the Senate. He reflected well on his service at numerous Marine Corps and joint social events on Capitol Hill. Among others, these events included