

Mr. President, the hour of 3 o'clock has arrived, and by the previous unanimous consent, I believe that moves us to the vote. I yield the floor.

Mrs. FEINSTEIN. Mr. President, 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.

The PRESIDING OFFICER. The hour of 3 o'clock having arrived, the question now occurs on agreeing to amendment No. 25. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Virginia [Mr. WARNER] is necessarily absent.

The result was announced—yeas 94, nays 5, as follows:

[Rollcall Vote No. 35 Leg.]

YEAS—94

Abraham	Faircloth	Lieberman
Akaka	Feingold	Lott
Allard	Feinstein	Lugar
Ashcroft	Ford	Mack
Baucus	Frist	McCain
Bennett	Glenn	McConnell
Biden	Gorton	Mikulski
Bingaman	Graham	Moseley-Braun
Bond	Gramm	Moynihan
Boxer	Grams	Murkowski
Breaux	Grassley	Murray
Bryan	Gregg	Nickles
Bumpers	Hagel	Reed
Burns	Harkin	Reid
Byrd	Hatch	Robb
Campbell	Helms	Roberts
Chafee	Hollings	Rockefeller
Cleland	Hutchison	Roth
Coats	Inhofe	Santorum
Cochran	Inouye	Sarbanes
Collins	Jeffords	Sessions
Conrad	Johnson	Shelby
Coverdell	Kempthorne	Smith, Gordon
Craig	Kennedy	H.
D'Amato	Kerrey	Snowe
Daschle	Kerry	Specter
DeWine	Kohl	Stevens
Dodd	Kyl	Thompson
Domenici	Landrieu	Thurmond
Dorgan	Lautenberg	Wellstone
Durbin	Leahy	Wyden
Enzi	Levin	

NAYS—5

Brownback	Smith, Bob	Torricelli
Hutchinson	Thomas	

NOT VOTING—1

Warner

The amendment (No. 25) was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read the third time.

The PRESIDING OFFICER. The question now is on passage of joint resolution, as amended.

The joint resolution (H.J. Res. 58), as amended, was passed.

The title was amended so as to read:

Amend the title to read as follows: "A joint resolution requiring the President to submit to Congress a report on the efforts of the United States and Mexico to achieve results in combating the production of and trafficking in illicit drugs."

The PRESIDING OFFICER. Under the previous order, the Chair will now recognize the Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the Chair.

EASTER

Mr. BYRD. "The year's at the spring; the day's at the morn; morning's at seven; the hillside's dew-pearled; the lark's on the wing; the snail's on the thorn; God's in his Heaven—all's right with the world."

Mr. President, the Senate is preparing to recess at the close of this week. Some Senators will use this time to travel to distant and exotic locations. Others will return home for busy rounds of meetings. Schools around the nation are also closing their doors for spring break. For many college students, spring break has become a beach vacation ritual, replete with loud parties, little self-restraint, and the overconsumption of booze—alcohol. At home, spring sales are in full force, with stores luring credit-happy buyers away from the outdoor pleasures that warming days and budding gardens invite. The celebration of winter's passing and the rekindling of life all around us has been lost, for many, in the materialistic and hedonistic whirlwind of everyday life. Only the pastel colors of paper flowers link the climate-controlled interior of the shopping malls with the greening of the spring earth.

But today is also the vernal equinox, that chiming peal on the celestial clock that marks the turning of the seasons, the day on which the periods of light and dark are again of equal length following the long, cold, dreary nights of winter. In 325 A.D., during the reign of that great convert to Christianity, the Emperor Constantine, the council of Nicaea met. With the help of the Archbishop of Alexandria and the astronomers of that distant day, the Council decreed that Easter should fall on the first Sunday after the first full moon following the vernal equinox. So, today we may look ahead with certainty toward the Sunday after next for the enduring celebration of that central mystery of the Christian faith, the resurrection of Jesus Christ.

Mr. President, although in recent years the trend has been to strip every religious overtone from our calendar and from our schools—and thank God the Constitution protects my right to stand on this Senate floor and talk about whatever I may please. Let it be religion. The Supreme Court cannot do anything about it.

So the trend has been to strip every religious overtone from our calendar and from our schools to rename the Christmas holiday a "winter break" and the Easter holiday a "spring break." I am not sure that the result—a nation more interested in consumption, department store sales, junk television, and professional sports performances, than in church, community and family—is a happy one. I still believe that there is a deep wellspring of religious belief that sustains our Nation as it does in the close-knit and caring

communities in which I grew up. The community churches which still thrive in West Virginia were the focal point of towns and communities of my childhood.

And contrary to the beliefs of some of our sophisticated brethren in Washington and some of the other great metropolitan centers in this country, they do not have rattlesnakes in all of those churches. As a matter of fact, I have never been in a church where there was a rattlesnake—a few two-legged ones perhaps, but that is where they ought to go, to church. Social life revolved around Sunday services and activities sponsored by, or otherwise intimately linked with, the church and celebrations of faith. But as I witness the slow unraveling of our communities, their weave frayed by casual greed and picked apart by drugs and violence, I worry that the clear-flowing waters of family, church and community that nourished me and millions like me are becoming fouled and turbid. The erosion of Easter into a crass and commercial "spring break" is but one sad example of the materialistic trend in this country and in this age. More media coverage is awarded to the excesses of Mardi Gras on Fat, or Shrove, Tuesday—also called Pancake Day—than on the entire forty days of Lent. I wonder how many people who dress up and masquerade in that carnival parade recall that the original purpose of Mardi Gras was to prepare for the Lenten fasts by using up the available cooking oil and fat in a pre-fast eating binge? The binge was fun, but it did not blot out the central religious purpose of the repentant fast to follow.

Mr. President, Easter Sunday ends forty days of religious observance beginning with Ash Wednesday, set as the beginning of Lent by Pope Gregory at the beginning of the sixth century. This coming Sunday is known as Palm Sunday, in observance of the palm-strewn entrance of Jesus into Jerusalem. The following Friday, or Good Friday, marks the day that Jesus suffered on the Cross and died. It is a solemn day indeed, yet I fear that, for too many people, it is just another day off from work, filled with errands, or shopping, or travel, with not a passing thought given to the suffering of God's only Son on the cross.

I am not a minister. I do not profess to be worthy of the title. But I grew up in a Christian home. My foster father was a coal miner and my foster mother was the only mother I ever knew. They were religious people. They were not of the religious left or of the religious right. They were not of the Christian center or the Christian left or the Christian right. Neither am I. They just were plain, down-to-Earth, God-fearing, God-loving Christian parents.

And, so it is that I come to the Senate Chamber today, as I say, not as a cleric or as a minister. I probably could not be one. But I do believe in the Bible and its teachings, even though I have

not always found it so easy to live up to those teachings.

Easter Sunday is not just a day to mark with brightly colored hard-boiled eggs or chocolate bunnies, or with jelly beans and plastic grass in wicker baskets. All of these ancient symbols of spring and rebirth have their place, but it disturbs me to think that children may know Christmas day only for its early morning toy-filled stockings, and Easter only for its baskets and Easter egg hunts.

Easter Sunday commemorates the resurrection of Jesus Christ. I do not ask everyone to believe as I do. I do not ask everyone to be a missionary Baptist. It does not make any difference to me whether the Senator from Illinois, the Senator from Idaho, or the Senator from Iowa is a Baptist or a Methodist or an Episcopalian or Catholic or Jewish rabbi or Moslem; it doesn't make any difference to me. I can listen to all of them and still maintain my own way of looking at things.

So, all of these ancient symbols of spring and rebirth have their place. But it disturbs me to think that children, as I say, may know Easter only as a day for baskets and Easter egg hunts.

Easter Sunday commemorates the resurrection of Jesus Christ. And I now read from the King James version. That is the only version I will read. That is the Bible that was in my father's house. It is the only one I know and the only one I will have in my house. So I read from the King James version of the Bible the Gospel of St. Mark, Chapter 16, verses 1-7. Let us listen to Mark. He was the attendant of Peter. He speaks to us of the resurrection:

And when the sabbath was past, Mary Magdalene, and Mary the mother of James, and Salome, had bought sweet spices, that they might come and anoint him.

And very early in the morning the first day of the week, they came unto the sepulcher at the rising of the sun.

And they said among themselves, Who shall roll us away the stone from the door of the sepulcher?

And when they looked, they saw that the stone was rolled away: for it was very great.

And entering into the sepulcher, they saw a young man sitting on the right side, clothed in a long white garment; and they were affrighted.

And he saith unto them, Be not affrighted: Ye seek Jesus of Nazareth, which was crucified: he is risen; he is not here: behold the place where they laid him.

But go your way, tell his disciples and Peter that he goeth before you into Galilee: there shall ye see him, as he said unto you.

So Easter is a vivid and lasting celebration of the promise of life after death. Like spring itself, Easter is, in its essence, a celebration of the rebirth of living things. That hope, that promise of life after death, guides our behavior in the here-and-now. It reinforces the need to act not only in our own selfish interests, but also for the common good, else we be judged unworthy of Christ's sacrifice. It sustains us when we encounter harsh difficulties

and tragic events in our lives—and I know because I have experienced such, as have many others of us in this Chamber.

We believe that there is a better life still to come. And, if we did not have that hope, then this life would be empty. The promise of a life after death comes to us through John, "the beloved disciple". Reading from the King James version of the Bible, the Gospel of St. John, Chapter 20, verses 24-31:

But Thomas, one of the twelve, called Didymus, was not with them when Jesus came.

The other disciples therefore said unto him, We have seen the Lord. But he [Thomas] said unto them, Except I shall see in his hands the print of the nails, and put my finger into the print of the nails, and thrust my hand into his side, I will not believe.

And after eight days again his disciples were within, and Thomas with them: then came Jesus, the doors being shut, and stood in the midst, and said, Peace be unto you.

Then saith he to Thomas, Reach hither thy finger, and behold my hands; and reach hither thy hand, and thrust it into my side: and be not faithless, but believing.

And Thomas answered and said unto him, My Lord and my God.

Jesus saith unto him, Thomas, because thou hast seen me, thou hast believed: blessed are they that have not seen, and yet have believed.

And many other signs truly did Jesus in the presence of his disciples, which are not written in this book:

But these are written, that ye might believe that Jesus is the Christ, the Son of God; and that believing ye might have life through his name.

And so, Mr. President, that is the promise—"that believing" we might have life. The next two weeks may be a recess for some, and for some a "spring break," but for millions of Americans, the next two weeks are also a life-affirming celebration of the greatest gift any of us has ever received—hope in a future life. For those who have lost loved ones, Easter brings the joyous hope that we can again see, we can again be with that loved one, as I lost my grandson 15 years ago this coming April the 12th. He died on the Monday morning after Easter Sunday, perhaps around 3:30, 4 o'clock in the morning, the victim of a truck crash into a tree and a fire that devastated his beautiful body—17 years old, looking forward to graduation from high school, 6 feet 5, and 300 pounds, all man, with life ahead of him. And there are others in this Chamber who have suffered the loss of a child or a grandchild or a parent, a sister or brother or wife or husband. We can see our loved ones again.

So Easter represents the resurrection, it is the celebration of the resurrection, and it gives us hope that there will be a future resurrection. That is what it means to millions of people in this country.

As the sun warms our backs, and the spring breezes carry past us the mingled scents of pear blossoms and magnolia blossoms and the warm earth, let us offer our heartfelt prayers for our faith, for our family, for our church,

for our community, and for our Nation. I hope that my colleagues and those who hear or read my words will also take a few moments away from the commerce of everyday life to reflect on the true reason why a recess is scheduled at this time—to celebrate this most holy of Christian holidays, Easter.

Edwin L. Sabin captures both the solemnity and the joy of Christ's resurrection in his poem, "Easter:"

The barrier stone has rolled away,  
And loud the angels sing;  
The Christ comes forth this blessed day  
To reign, a deathless King.  
For shall we not believe He lives  
Through such awakening?  
Behold, how God each April gives  
The miracle of Spring.

Mr. President, I invite my colleagues to recall this miracle, and the faith that gives them and gives communities throughout our Nation the strength to persevere—to fight against the violence, the greed, and the moral decay that threaten the fabric of our families, our communities, and our Nation.

I also invite my colleagues and my fellow citizens—and I invite myself—to again see Easter Sunday as the celebration of the resurrection and the promise that there is a life after death. William Jennings Bryan and my congenial colleague from the State of Illinois, Mr. DURBIN, will appreciate this especially. William Jennings Bryan expressed it well in "The Prince of Peace":

If the Father deigns to touch with divine power the cold and pulseless heart of the buried acorn and to make it burst forth from its prison walls, will He leave neglected in the earth the soul of man, made in the image of his Creator? If He stoops to give to the rosebush, whose withered blossoms float upon the autumn breeze, the sweet assurance of another springtime, will He refuse the words of hope to the sons of men when the frosts of winter come? If matter, mute and inanimate, though changed by the forces of nature into a multitude of forms, can never be destroyed, will the imperial spirit of man suffer annihilation when it has paid a brief visit like a royal guest to this tenement of clay? No, I am sure that He who, notwithstanding His apparent prodigality, created nothing without a purpose, and wasted not a single atom in all of His creation, has made provision for a future life in which man's universal longing for immortality will find its realization. I am as sure that we live again as I am sure that we live today.

William Jennings Bryan spoke those words in "The Prince of Peace."

Mr. President, may all of us, as we approach the blessed Easter season, enjoy renewed hope in the message that we shall live again.

And when you get closer to 79—79 years and 4 months, as I am today—the more you will believe and begin to see more and more the truth, the universal truth, the eternal truth that God still lives, that He created this great universe and all the universes, and that He created man. I don't know how He created man. I am not worried about that, by what method or through what process all that was done. But we are told that God created man out of the dust of

the ground in His own image, and breathed into his nostrils the breath of life. And man became a living soul. That is good enough for me.

So, Mr. President, as we approach this Easter, let us learn again the message that comes to us from Him who said 2,000 years ago: "I, if I be lifted up from the Earth, will draw all men unto me."

Mr. President, I yield the floor.

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, before I speak on the subject that I am here to speak on, I want to thank the Senator from West Virginia for his statement. I know that he believes what he says. And I think that he does a wonderful public service by the expression of that philosophy.

Mr. BYRD. Mr. President, I thank the distinguished Senator.

#### EXPLANATION OF ABSENCE

Mr. WARNER. Mr. President, in reference to today's vote concerning the certification of Mexico, I was unavoidably absent due to delays in travel returning to Washington from a previously scheduled speech in Richmond, VA, to the Richmond Bar Association. Had I been present, I would have voted "aye" during the recorded vote on the Coverdell/Feinstein substitute amendment to House Joint Resolution 58, the Mexico drug certification.

#### UPSIDE-DOWN MANAGEMENT IN THE CRIME LAB

Mr. GRASSLEY. Mr. President, this is the fifth time I have taken the floor to make observations about the FBI's upside-down management of its crime lab.

In my view, the FBI's Director, Louis Freeh, continues to mislead the public about the lab. He would have us think that the FBI lab has met the highest standards. He has maintained that the allegations of the lab's whistleblower, Dr. Frederic Whitehurst, are all wrong. He has said that no other scientist in the lab has come forward with similar accusations. His testimony before Congress recently was totally consistent with that image.

But documents belie the Director's rosy portrayal of the lab., and of his dark portrayal of Dr. Whitehurst.

Thus far, I have released documents showing there is credibility to some of Dr. Whitehurst's allegations. I have pointed to press accounts in which the public has learned the IG's still-secret report uncovers problems in three specific cases, thus backing up Dr. Whitehurst with specifics. I released documents showing that Director Freeh was aware of the exact same allegations, investigated them, yet covered them up. I revealed that there was a second scientist who came forward with serious allegations that paralleled those of Dr. Whitehurst.

I do not know what it will take for Mr. Freeh to admit these things, Mr. President. Perhaps the public needs to see more of the FBI's documents that underscore my points. That's fine by me. Because documents don't mislead. They do not have a motive to. But, people do. And when leaders of the people mislead, there's a breakdown in confidence and trust.

And so, I am here today, Mr. President, to test the boundaries of Mr. Freeh's denials. Today, I am releasing yet more FBI documents, obtained through the Freedom of Information Act. These documents contradict Mr. Freeh's own assertions. The American people have a right to know this.

Today, I will reveal a third scientist in the FBI lab, who substantiated some of Dr. Whitehurst's more serious allegations. He substantiated them just months after the FBI Director and his team of lawyers whitewashed them. This third scientist, in fact, was Whitehurst's unit chief in the lab.

Here are the facts. In December 1992, Dr. Whitehurst made the serious allegations that his lab reports were being altered by other agents who lacked authority to do so. Altered reports could constitute tampering with evidence and obstruction of justice, and could therefore be criminal.

The universe of cases being looked at was 48 cases. Not all of them were altered. But all had to be checked. Some appeared to contain substantial changes. The Whitehurst memo of allegations went to the Assistant Director of the FBI for the Laboratory Division.

In May 1994, a review of the Whitehurst allegations—much more extensive than just the altered reports issue, but including them—was done by Mr. Freeh's lawyers, rather than by an independent body with some scientific background. Ironically, it was the IG's investigation that supplied the needed independence and a scientific approach, and only then did these problems get aired.

But, the FBI's review was headed by Mr. Freeh's general counsel, Howard Shapiro. He's the Director's top lawyer, himself a controversial figure with Congress. Mr. Shapiro felt there was no need to have an independent review because, as he said, the FBI has a long, proud history of doing its own reviews. Upon completion, the review was eventually read and signed-off-on by Director Freeh.

So, here is what the FBI's own review found. First, there were no major problems in the lab. Everything was hunky dory. On the specific issue of altered lab reports, here is what Mr. Shapiro found.

[Laboratory Division] management made it clear that this will not be tolerated and has instructed the Unit Chief's (sic) to reiterate this policy.

How about that for a finding for this crack review team, Mr. President. They're investigating serious, possibly criminal activities. Instead of finding out whether it happened, Mr. Shapiro

merely said it's not supposed to happen. His recommendation? If there were alterations, just correct the written report.

You see, Mr. President, under the long-standing Brady decision, the government is required to provide the accused with any information that might point to their innocence. Material alterations of lab analysis might fit into that category. If changes had been discovered in some reports, the proper thing to do was to judge the impact of any alterations on each court case. Instead, Mr. Shapiro thought justice would be served by simply correcting the paperwork. Cases closed.

By October 1994—about 5 months after Mr. Shapiro's review was issued—the IG got hold of the same allegations. The IG began its own review of the 48 cases.

Meanwhile, in September 1994, the FBI lab managers discovered another agent making the same allegations of altered reports as Dr. Whitehurst was making. The allegations by then were being investigated thoroughly by lab personnel.

By January 1995, the lab's investigation was completed. An FBI unit chief, whose name I will not divulge, wrote a memo of investigation to his section chief. In it, he stated that 13 of Whitehurst's 48 cases had significant alterations. He recommended the following:

That [Supervisory Special Agent] (blank) be held accountable for the unauthorized changes he made in the [Auxiliary Examiner] dictation of SSA Whitehurst by administrative action to include both oral reprimand and a letter of censure.

The unit chief concluded his memo this way: "(Blank) committed errors which were clearly intentional. He acted irresponsibly; he should be held accountable; he should be disciplined accordingly."

The scientist-unit chief writing the memo, and who backed up Dr. Whitehurst's allegations, identified the culprit. I won't reveal who either one is. But the memo is significant. It reveals yet another scientist—a unit chief, no less—who substantiated Whitehurst's allegations. It is another apparent example of an FBI lab agent shaving the evidence to get a conviction.

What was covered over by Mr. Shapiro's team of crack lawyers less than 1 year before, was now popping up. The lab's management was finding the opposite of what Shapiro and his lawyers found. That meant there were conflicting findings. And that is serious. The lab unit chief's report was at odds with Director Freeh's. What was senior management—those above the lab managers—to do?

The answer was not long in coming. During this time frame, FBI management indeed found a suitable discipline for this rogue agent. Mr. President, they promoted him. They made him a unit chief. The agent found to have intentionally altered evidence was promoted. That tells us how senior management resolved the dilemma. They