

as an original cosponsor of the Employment Nondiscrimination Act of 1997. I speak as a strong supporter of this legislation, because I have always believed that every single American deserves fair treatment under the law no matter their gender, race, religion, or sexual orientation.

As one of only a few women to ever serve in the U.S. Senate, and the first ever from Washington State, I understand what it means to be part of a group that seeks fairness and equal opportunity. I have never advocated for any special protection or special class, just equal treatment and protection under the law.

Not long ago, many thought it would be impossible for women to serve in the Senate, much less elected office of any kind. It was felt that this was not a suitable occupation for a woman and that by simply being a woman, meant you were incapable of meeting the demands of the job. It was alleged that women would take offense to the unpleasant world of politics and that the presence of women would somehow jeopardize the work done in the U.S. Congress. While these statements may seem impossible to believe today, they do illustrate what many women faced. However, these stereotypes were overcome, and I am confident that none of my colleagues today would deny the tremendous contributions women have made here, in the House, in State and local government, and at every level of public service.

People suffer when stereotypes based on fear or ignorance are used to justify discrimination. I do not believe elected leaders serve our country well if they deny any citizen equal opportunities and equal treatment under the law. A person's success or failure must depend on their qualifications, skills, efforts, and even luck. But, no one should be denied opportunities because of their race, gender, religion, or sexual orientation.

I am continually disappointed when I hear about cases of economic discrimination based solely on one's sexual orientation. It defies logic that in today's society any employer could refuse to hire an individual, deny them equal pay, or professional advancement and subject them to harassment simply because of their sexual orientation. We have a proud history of ensuring basic civil rights for all Americans. We have enacted landmark legislation that seeks to guarantee equal opportunity, but we have failed to ensure that these protections are extended to all Americans. The Employment Nondiscrimination Act will correct this wrong.

As we would all agree, discrimination based on race, gender, ethnic origin, or religion is not just unfair, but illegal as well. ENDA would simply add sexual orientation to this list. It is written even more narrowly than current law, because it does not allow positive corrective actions such as quotas or other preferential treatment. All it says, is a person cannot be treated differently in

any decision related to employment, based on their sexuality—whether they are heterosexual or homosexual. Mr. President, this is a reasonable expectation and in fact it has been adopted by nine States, many local governments across the country, and many Fortune 500 companies, who recognize that it simply makes good business sense to value each and every one of their employees equally. It is time our laws reflect these values as well.

To my colleagues who believe this bill would result in increased litigation, I would ask these questions: Should we then have denied women equal rights, because it would have increased the number of cases in our courts? Should we have allowed segregation to continue because of the threat of litigation? Did the Framers of our Constitution think about caseloads in our courts when they guaranteed religious freedom?

My answer to these questions is a strong, clear "no", and I am surprised at the arguments against this legislation. They sound hauntingly familiar to the ones we have heard in the past against allowing women, the disabled, religious members, and racial groups equal protection under the law and equal economic opportunity.

Mr. President, this is not about one group's protection at another's expense. It is about common sense, common decency and about our fundamental values as Americans.

To quote former Senator Barry Goldwater, "anybody who cares about real moral values understands that this is not about granting special rights, it is about protecting basic rights."

In the last Congress, we came within one vote of adopting this important, bipartisan legislation. I urge my colleagues to support this measure so that we can continue our proud tradition of protecting basic civil rights and opportunity for all Americans. If we do not pass this bill, our sisters and brothers, sons and daughters will remain vulnerable to discrimination. We can do better than that.●

#### TRIBUTE TO MORTIMER CAPLIN

● Mr. WARNER. Mr. President, as a former student and longtime friend of Mr. Mortimer Caplin, I rise today to honor him as a dedicated professor of law at the University of Virginia as well as for his service to the United States. He is well known to the Members of the Senate for his expert counsel in the field of tax law, and is known to people everywhere as a man of the highest integrity and deepest commitment to public service. Mr. President, I ask that you join me in recognizing the invaluable contributions of Mr. Caplin by submitting for the RECORD the following remarks made by his son, Michael Caplin, on the occasion of the naming of the Mortimer Caplin Pavilion at the University of Virginia.

The remarks follow:

DEDICATION OF THE MORTIMER CAPLIN PAVILION  
AT THE UNIVERSITY OF VIRGINIA LAW SCHOOL,  
MAY 3, 1997

(By Michael Caplin)

On a cold winter day in 1932, Daniel Caplin drove his only son Mortimer from New York City to central Virginia to visit family friends. If truth be told, Mortimer didn't really want to go, and joined the expedition under protest.

By the time they reached Charlottesville, a light snow had gently draped the town and the University grounds in a sparkling blanket of white. Like everyone who has ever seen that wondrous sight, Mortimer Caplin was completely enchanted.

They stayed the night, and fate bumped them into a childhood friend then enrolled at the University. He took them both to Pi Lambda Phi, where a warm fraternal welcome made the young man feel very much at home. On they went to watch the mighty U.Va. boxing team successfully defend its honor before an adoring crowd of 5,000 packed into Memorial Gym. Mortimer Caplin was captivated by the fierce pride, the superior sportsmanship, and the magical presence of Thomas Jefferson.

Thus began what is now a sixty-five year relationship which has enriched them both. He enrolled in the college and then the law school, and immersed himself in every aspect of campus life—arts, athletics, scholarship, and student government. Here he learned many lessons and skills with which he fashioned a life of stunning achievement. For that he is profoundly grateful. And, like Mr. Jefferson, Mr. Caplin believes that there is a debt of service due from every man to the community which has enriched him. It's a debt he is proud to repay.

He does so by serving our University as a committed teacher, and a distinguished and devoted alumnus. Mr. Caplin also serves on the Law School Foundation, as Chair of the University Council for the arts, and, formerly, as a member of the University Board of Visitors. Most recently, he is Captain of the Law School's bold \$100 million fund raising campaign.

When I heard about that campaign, I asked my father if he could honestly say that the world really needed more lawyers. Without a moment's hesitation, he replied with complete innocence, "The world will always need more Virginia lawyers."

That's how he feels about this special place, and that is why he continues to serve our University with unflagging enthusiasm and energy. He always has and always will do whatever he can to preserve and strengthen his most important institution.

Commitment and service of this caliber are very special. My father is a very special person and a very special role model. He is a quiet giant of a human being—a great man who does everything, truly everything, with modest excellence, impeccable integrity, fairness, generosity, and an innocent steadfast faith in the character and value of all people.

Like his father, our Grandpa Dan Caplin, he lives life, attacks it with gusto, and finds joy in everything he does. He laughs with children, chats with strangers, and gives help to anyone in need. He rejoices at the sweet smell of spring, and celebrates the glory of theater, art, and dance. His energy and enthusiasm are boundless.

You may know him for his scholarly articles, his learned discourse, and his many contributions to our government, our society, and our school. You should also know him for the funny games he plays with his grandchildren, lying on the floor, sharing their fantasy babble. That, too, he does with fervor and flair.

He loves his family with a fierce and constant passion that makes us feel strong and safe in a chaotic world. For 51 years he has always made time to check our homework, cheer our victories, examine our failures, support our dreams, and exhort us to make hard choices and disciplined commitment necessary to excel. He is a wonderful, wonderful father. And for 54 enchanted years he celebrated his greatest love and matchless muse, my mother, Ruth Caplin. He is a devoted husband.

Mortimer Caplin is a very special man. He has excelled in everything. His life story is simply remarkable. He was a skillful actor in college and president of the Virginia Players. He was an NCAA boxing champ, graduated first in his college class, first in his law school class, and was Editor in Chief of the Law Review.

Did you know he commanded a navy battalion during the D-day landing at Omaha Beach? Or, that he might have worked at the FBI if his applications had not been mysteriously lost again and again and again. I thank you, J. Edgar Hoover.

Did you know that when he came to teach at U.Va., Mortimer Caplin was not a tax expert or especially versed in trusts & estates. He was a corporate law buff, but threw himself into these new areas with typical abandon, mastering them, and then teaching with aplomb.

Like his father, he was dedicated to his students, and gave them his very best. And, like his father, he is proudest of his work as a teacher. He trained and disciplined a legion of young lawyers to become assets to their profession and community. Two of those students extolled his vast talents and wisdom to their big brother, who then called Mr. Caplin back into public service, where he served with integrity and distinction.

Caplin & Kennedy's IRS never investigated enemies. They computerized, closed loopholes, and spread the tax burden equally. His superior performance earned him the Treasury Department's highest honor, the Alexander Hamilton Award.

The law firm he founded is excellent, staffed with good, civilized people who, like himself, care about the law and a duty of superior service. And the capital campaign committee under his exuberant leadership, has nearly reached its stunning \$100 million goal, including the creation of this magnificent pavilion.

This is an exemplary life. And, on top of all that, you should know that he's been going to the gym at least 3 times a week for 60 straight years, he is at all times within 3 pounds of his college fighting weight, and he is currently #2 nationwide in the number of lengths swum in the 80 years and older category, and it's reported that #1 is probably taking steroids.

I'm very happy to stand here today on behalf of my family to say that we love our father dearly, that we are very proud to be Caplins, and that we thank you all very much for giving him this wonderful honor that he most certainly deserves.

Our society and our school really are better because of the effort and achievement of Mortimer Caplin. And we all really are enriched by his example of life lived passionately on every single level. We all are summoned by his example of integrity, civility, fearless enthusiasm, and uncompromising discipline and resolve. Hit first, hit hardest, and keep on hitting, his U.Va. Boxing coach once said. And so he does. Focus, give of yourself honestly and unselfishly, be optimistic, be kind. Then, everything is possible.

Congratulations, Mr. Caplin, and thank you for doing everything for everybody.●

#### RECOGNITION OF SUE MATTHEW AND JAN WEGENKE'S ASSISTANCE DURING THE FLOODS OF 1997

● Mr. JOHNSON. Mr. President, I want to take this opportunity today to recognize the important work of Sue Matthews and Jan Wegenke in ongoing flood recovery efforts in the Dakotas.

Early this year, residents of Minnesota, North Dakota, and South Dakota experienced relentless snowstorms and bitterly cold temperatures. Snowdrifts as high as buildings, roads with only one lane cleared, homes without heat for days, hundreds of thousands of dead livestock, and schools closed for a week at a time were commonplace. As if surviving the severe winter cold was not challenge enough, residents of the upper Midwest could hardly imagine the extent of damage Mother Nature had yet to inflict with a 500-year flood. Record levels on the Big Sioux River and Lake Kampeska forced over 5,000 residents of Watertown, SD to evacuate their homes and left over one-third of the city without sewer and water for 3 weeks. The city of Bruce, SD was completely underwater when record low temperatures turned swollen streams into sheets of ice.

The 50,000 residents of Grand Forks, ND and 10,000 residents of East Grand Forks, MN were forced to leave their homes and businesses as the Red River overwhelmed their cities in April. The devastation was astounding; an entire city underwater and a fire that gutted a majority of Grand Forks' downtown. Residents of both cities recently were allowed to return to what is left of their homes, and the long and difficult process of rebuilding shattered lives is just beginning.

Sue Matthews and Jan Wegenke are nurses at the Fort Meade Veterans Administration facility in South Dakota. Both Sue and Jan volunteered to travel to Grand Forks and helped victims with mental health issues. In addition to the counseling, Sue and Jan lent a hand wherever needed, including helping many individuals clean out their damaged homes.

While those of us from the Midwest will never forget the destruction wrought by this year's floods, I have been heartened to witness first-hand and hear accounts of South Dakotans coming together within their community to protect homes, farms, and entire towns from rising flood waters. The selfless actions of people like Sue Matthews and Jan Wegenke illustrate the resolve within South Dakotans to help our neighbors in times of trouble.

Mr. President, there is much more to be done to rebuild and repair Grand Forks and other impacted communities. Sue Matthews and Jan Wegenke illustrate how two individuals can bring some relief to the victims of this natural disaster, and I ask you to join me in thanking them for their selfless efforts.●

#### RECOGNITION OF THE McCOOK COUNTY SEARCH AND RESCUE UNIT'S ASSISTANCE DURING THE NATURAL DISASTERS OF 1997

● Mr. JOHNSON. Mr. President, I want to take this opportunity today to recognize the important work of the McCook County Search and Rescue Unit in ongoing disaster recovery efforts in South Dakota.

Early this year, residents of Minnesota, North Dakota and South Dakota experienced relentless snowstorms and bitterly cold temperatures. Snowdrifts as high as buildings, roads with only one lane cleared, homes without heat for days, hundreds of thousands of dead livestock, and schools closed for a week at a time were commonplace. As if surviving the severe winter cold was not challenge enough, residents of the upper Midwest could hardly imagine the extent of damage Mother Nature had yet to inflict with a 500-year flood. Record levels on the Big Sioux River and Lake Kampeska forced over 5,000 residents of Watertown, SD to evacuate their homes and left over one-third of the city without sewer and water for 3 weeks. The city of Bruce, SD was completely underwater when record low temperatures turned swollen streams into sheets of ice.

At the height of the snowstorms in South Dakota, the individuals of the McCook County Search and Rescue Unit donated over 480 manhours in a 3-day period driving at 3 miles per hour to 4 miles per hour in zero visibility. Wind gusts of 40 miles per hour dropped the temperature to nearly 70 degrees below zero as the individuals followed snow plows for 263 miles to rescue families without heat and stranded motorists from all over the county.

While those of us from the Midwest will never forget the destruction wrought by this year's snowstorms and floods, I have been heartened to witness first-hand and hear accounts of South Dakotans coming together within their community to protect homes, farms, and entire towns from vicious winter weather and rising flood waters. The selfless actions of the McCook County Search and Rescue Unit illustrate the resolve within South Dakotans to help our neighbors in times of trouble.

Mr. President, there is much more to be done to rebuild and repair our impacted communities. The individuals at the McCook County Search and Rescue Unit illustrate how the actions of a community can bring some relief to the victims of this natural disaster, and I ask you to join me in thanking them for their selfless efforts.●

#### RECOGNITION OF RENEE PARKER AND THE RAPID CITY UNITED WAY'S ASSISTANCE DURING THE FLOODS OF 1997

● Mr. JOHNSON. Mr. President, I want to take this opportunity today to recognize the important work of Renee