

documents relating to Dr. Lee's claim of racial profiling that the prosecution would have been required to submit to Judge Parker for in camera review had Dr. Lee not pled guilty. DOE has produced materials in response to that request.

On October 5, 2000, Secretary Richardson met with Senator SPECTER and discussed the case. My understanding is that Senator SPECTER's staff thereafter orally requested five documents or files from DOE Chief Larry Sanchez.

On October 12, 2000, Senator SPECTER asked the Judiciary Committee to approve a resolution authorizing a subpoena for Secretary Richardson's testimony. That resolution contained no request for documents.

Finally, on the evening of October 16, 2000, Senator SPECTER wrote a letter to Secretary Richardson listing the thirteen categories of documents sought by the subpoena resolution.

Despite that record of the DOE's good faith, on October 19, 2000, less than two weeks since Senator SPECTER's office made an oral request of Mr. Sanchez for five documents or files and just three days since Senator SPECTER submitted his list of thirteen categories of documents, the Republicans sought a resolution seeking issuance of a subpoena. The Department of Energy has made three deliveries of materials over the past two weeks, and I have no doubt that the Department of Energy will continue to comply with these document requests and act in good faith. Moreover, I understand that Secretary Richardson has met recently with Senator SPECTER and with Chairman HATCH to discuss the facts of the case. Far from dodging congressional oversight, the Secretary has made himself available for such meetings in the midst of recent crises over the price of oil.

The sponsors of the subpoena resolution advanced three reasons to justify its issuance. They claimed that the Judiciary Subcommittee on Administrative Oversight and the Courts needs to hear immediately from Secretary Richardson so that he may (1) respond to allegations that the Department of Energy was to blame for the delay between April 1999, when Dr. Lee's residence was searched and evidence of his downloading was seized, and December 1999, when he was indicted; (2) explain why his signature was purportedly on the order to put Dr. Lee in leg irons; and (3) respond to allegations made by DOE's former intelligence chief Notra Trulock at an earlier Congressional hearing that he had been told by New York Times reporter James Risen that Secretary Richardson had leaked Dr. Lee's name. Based on the record, as I understand it, these three claims are unsupportable. First, between April and December 1999, numerous agencies participated in sorting out a hugely complex case, analyzing a million computer files, interviewing a thousand people, and assessing the sensitive question of how to prosecute Dr. Lee in

a public courtroom without publicly disclosing the nuclear secrets that he downloaded.

As to the second claim, Secretary Richardson wrote to the Attorney General certifying, as required by a federal regulation, that national security would be threatened if Dr. Lee communicated classified information to a confederate, and requesting that she direct prison authorities to implement whatever measures might be appropriate to prevent such communication while Dr. Lee was in custody. Secretary Richardson did not order leg irons. To the contrary, Secretary Richardson noted his understanding that "the conditions of [Dr. Lee's] confinement are in no respect more restrictive than those of others in the segregation unit of the detention facility," and he emphasized his concern that Dr. Lee's civil rights be scrupulously honored.

As to the third claim, my understanding is that, immediately after the hearing at which Mr. Trulock testified, Mr. Risen walked up to Mr. Trulock and said that he had never told Mr. Trulock any such thing about Secretary Richardson. In addition, Secretary Richardson has already categorically denied the allegation.

These reasons are hardly a basis for taking the extraordinary step of authorizing the issuance of a subpoena for a member of the President's cabinet.

At the Judiciary Committee's meeting on October 19, 2000, it was suggested that Chairman HATCH might have the authority to issue a subpoena for Secretary Richardson pursuant to a resolution which the Republicans on the Committee approved in November 1999. The Democrats opposed that resolution in part because a subpoena might interfere with the ongoing investigation of Dr. Lee. Over the Democrats' objection, that partisan resolution was rushed through the Judiciary Committee by the majority precipitously and was never executed. Indeed, just a few weeks later, Director Freeh made his urgent request that the Committee suspend its inquiry into the Lee matter during the pendency of the criminal case.

As it related to the Department of Energy, the partisan resolution authorized issuance of a subpoena to Secretary Richardson for documents, not his personal appearance. As for the documents, the resolution authorized issuance of a subpoena for all documents related to DOE's investigation of Dr. Lee and identified just two particular documents that were sought. That resolution did not identify the thirteen categories of documents for which authorization was sought in the last meetings of the Judiciary Committee.

Since the Judiciary Subcommittee on Administrative Oversight and the Courts began its oversight of the Justice Department, no fewer than nine subpoenas have been authorized for cabinet secretaries, not including a

subpoena for Secretary of State Madeline Albright in connection with Elian Gonzalez which was authorized and later rescinded.

If the American people want to test the credibility of Governor Bush's claim about the kinder and gentler America that he claims only a Republican-led government can bring to our nation, they should examine the record of the oversight efforts by Republican-led Judiciary Committee and its Subcommittee on Administrative Oversight and the Courts.

#### ADDITIONAL STATEMENTS

#### CELEBRATING THE PUBLICATION OF EARLY ART AND ARTISTS IN WEST VIRGINIA

• Mr. ROCKEFELLER. Mr. President, I rise today to address a subject very close to my heart. Not long after my wife, Sharon, and I settled in West Virginia, my father presented me with a wonderful painting of the Kanawha River by Frederic Edwin Church, one of America's greatest nineteenth-century landscape painters. Thoroughly delighted with the painting, I became curious to know more about West Virginia's art history. What I discovered was a rich and varied tradition of artists, musicians and authors. Indeed, we in West Virginia have much to be proud of in the fields of fine art, music and literature, as well as theater, dance and architecture.

However, there has persisted a distinct lack of documentation of West Virginia's artistic tradition. That is, until now, with the publication of the groundbreaking book, *Early Art and Artists in West Virginia*. Compiled and narrated by Dr. John A. Cuthbert, in cooperation with West Virginia University Press, this book is the first of its kind. This wonderful compendium finally establishes a foundation upon which we can begin to explore the history of art in West Virginia, and examine the important contributions the state has made to the world of fine art.

Dr. Cuthbert offers us a richly illustrated explanation of the development of portrait and landscape painting, as well as lesser genres in the state. He has also compiled a directory of nearly one thousand artists who are a part of this special history, providing both teachers and scholars with an invaluable tool for further study. From the many visiting and native artists who worked in the panhandles in the early nineteenth century, to the members of the Hudson River School who delighted in the state's virgin forests several decades later, all are present in this remarkable volume.

The lovely portrait of Sophie B. Colston that graces the book's cover is but a sample of the caliber of their work. Set in a landscape that every West Virginian will recognize, this

masterpiece by Berkeley County's William Robinson Leigh suggests the underlying message of this book—that sophistication and elegance have long been a part of the state's celebrated mountain folk culture.

Since receiving Church's study of the Kanawha River from my father, I have continued to be intrigued by the fine art inspired by and produced in my adopted state. Few American communities the size of Charleston and Wheeling can boast symphony orchestras as accomplished as those found in these cities. Rebecca Harding Davis, Melville Davisson Post, Pearl S. Buck, Davis Grubb and Jayne Anne Phillips are but a few of the West Virginians who have contributed to the great canon of American literature. This uplifting part of our heritage deserves to be much better known. *Early Art and Artists in West Virginia* is a remarkable contribution toward this end. Thank you, John Cuthbert and West Virginia University Press, for this wonderful and important book.●

#### IN RECOGNITION OF THE RETIREMENT OF DR. JAMES HENDRICKS

• Mr. ABRAHAM. Mr. President, I rise today to recognize Dr. James Hendricks, who is retiring this year from a career in education which spanned 43 years, and included 33 years of dedicated service to Northern Michigan University in Marquette, Michigan. For the past 22 years, Dr. Hendricks has served as Director of the School of Education there, and in this capacity he has illustrated to fellow professors and students alike that, while there is no single formula for successful education, there is a single foundation—caring deeply for each and every student in the classroom.

Dr. Hendricks grew up on a farm in rural Indiana. As a child, his interests were extremely atypical. He loved the opera and classical music, and often chose to read a book during recess while his classmates played games. His experiences at school were to help him later in life, as he gained a sensitivity towards children with different interests, and developed educational strategies with the goal of "just and inclusive classrooms."

Dr. Hendricks graduated from the University of Indiana, where he studied English, Philosophy, History and Spanish, in 1957. Following his graduation, he turned down a job at his local bank to teach elementary school in Southport, Indiana. He immediately knew that he had made the right decision, and it did not take long for him to fall in love with teaching. His goal during those years was to help "all children find a happiness in being in that classroom."

Recognizing a need to further his own education, Dr. Hendricks returned to the University of Indiana after three years of teaching in Southport. In 1962, he received his Master's Degree in History and Education. He then spent

three years in Bloomington as both a graduate assistant and research fellow before coming to Marquette to serve as an Assistant Professor at Northern Michigan from 1965-67.

In 1968, he returned to the University of Indiana, and received his Doctoral Degree in History and the Philosophy of Education. Following this, he accepted a position as Assistant Professor in the Department of Education at Portland State University, and during his time there helped the university set up its educational doctoral program. In 1969, Dr. Hendricks returned to Marquette and the faculty of Northern Michigan University.

During Dr. Hendricks' tenure at Northern Michigan, the Education Department has been rejuvenated. Admission standards for students have been elevated and the curriculum has been deepened. From the time that they decide they want to be teachers, students are required to gain hands-on experience in classrooms throughout Marquette County, where they learn from proven teachers, as well as from students. In addition, veteran elementary and secondary school teachers have joined the University's faculty in an effort to assist student teachers. All of this equates to students graduating the Education Department who are experienced and knowledgeable enough to immediately handle the pressure and responsibility of having their own classroom.

Dr. Hendricks' good works within the community were surpassed only by those of his wife, Sandra. Mrs. Hendricks greatly impacted the City of Marquette with her volunteerism, while at the same time remaining a devoted mother to the couple's three children. Before her death in 1998, she spent time baking brownies for cancer patients at Beacon House in Marquette, and then brightening their days by hand delivering the goods and staying to chat with the patients. She loved Christmas and each year sponsored the Alternative Gifts Fair, which benefitted Third World artists. The event still takes place each December at St. Paul's Episcopal Church.

Mr. President, I applaud Dr. Hendricks on an extraordinary career in education. The key to his success has been nothing more than a strong desire to see his Department and his students succeed to the utmost of their potential. Because of this desire, the Northern Michigan University Education Department not only has a profound impact on the quality of education offered to students in the Upper Peninsula, but throughout the entire State of Michigan. On behalf of the United States Senate, I thank Dr. James Hendricks for the many beneficial things he accomplished during his career, and wish him the best of luck in retirement.●

#### NATIONAL HISTORY DAY

Mr. LEAHY. Mr. President, I rise today to recognize an outstanding his-

tory education program in Vermont and throughout the United States. National History Day is a year-long non-profit program through which students in grades 6-12 research and create historical projects related to a broad theme, culminating in an annual contest. This year's National History Day theme, *Frontiers in History: People, Places, Ideas*, encompasses endless possibilities for exploration. Each year more than 500,000 students participate in this nationwide event that encourages students to delve into various facets of world, national, regional, or local history and to produce original research projects.

By encouraging young Vermonters to take advantage of the wealth of primary historical resources available to them, students are able to gain a richer understanding of historical issues, ideas, people and events. Students in this program learn how to analyze a variety of primary sources such as photographs, letters, posters, maps, artifacts, sound recordings and motion pictures. This significant academic exercise encourages intellectual growth while helping students to develop critical thinking and problem solving skills that will help them manage and use information.

In June I had the pleasure of meeting with the 25 winners of this year's Vermont History Day contest here in Washington as they participated in the national contest held at the University of Maryland. These impressive students represent the great benefit of fostering and encouraging academic curiosity in our youth. Every student in Vermont should have the opportunity to participate in this enriching experience. I commend the coordinator of our state program, the Vermont Historical Society, for its commitment to expanding History Day in Vermont. The National History Day program is a truly great asset to Vermont educators and students in their quest for educational excellence.

#### MESSAGE FROM THE HOUSE

At 3:02 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 501. An act to address resource management issues in Glacier Bay National Park, Alaska.

S. 503. An act designating certain land in the San Isabel National Forest in the State of Colorado as the "Spanish Peaks Wilderness."

S. 610. An act to direct the Secretary of the Interior to convey certain land under the jurisdiction of the Bureau of Land Management in Washakie County and Big Horn County, Wyoming, to the Westside Irrigation District, Wyoming, and for other purposes.

S. 614. An act to provide for regulatory reform in order to encourage investment, business, and economic development with respect to activities conducted on Indian lands.

S. 710. An act to authorize the feasibility study on the preservation of certain Civil