

Mr. MOYNIHAN. When I arrived at the Senate near 25 years ago, it was very clear to me that I would look to ROBERT C. BYRD as my mentor; and he has been. I have sat at the foot of this Gamaliel for a quarter century. As I leave, sir, he is my mentor still. I am profoundly grateful.

If I have met with your approval, sir, it is all I have hoped for. I thank you beyond words. And I thank you for your kind remarks about Elizabeth. And my great respect and regard to Erma.

Thank you, Mr. President.

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

REMEMBERING CARL ROWAN

Mr. BYRD. Mr. President, recently, a great voice was silenced when Carl Thomas Rowan passed away. As a newspaper columnist, he articulated the problems and predicaments of working Americans. As a Presidential advisor, Mr. Rowan spoke for the rights not only of minorities but also for all Americans who were getting the short end of the stick, as we say back in the West Virginia hills.

Carl Rowan and I came from similar backgrounds. We both grew up in poor coal-mining communities and we never forgot our roots. Carl often talked about growing up without running water, without electricity, without those basic amenities that so many people take for granted today. As they did for me, those humble beginnings provided Carl Rowan with the burning desire to make a difference in his community and in his country. And make a difference he did.

The only thing stronger than Carl Rowan's voice was his conviction. He stood for basic principles—equality and freedom—and those principles guided him at every step in his life. Earlier this year, Carl Rowan wrote:

Men and women do not live only by what is attainable; they are driven more by what they dream of and aspire to that which might be forever beyond their grasp.

That ideal resonated not only in his columns but also in his life. Instead of simply bemoaning the fact that a college education was too expensive for many underprivileged children, Mr. Rowan in 1987 created the Project Excellence Foundation, which has made nearly \$80 million available to students for academic scholarships. Instead of allowing the amputation of part of his right leg to slow him down, Mr. Rowan walked—and even danced; even danced—faster than doctors expected, and he then pushed for greater opportunities for the disabled. When others saw obstacles, Carl Rowan saw challenges. When others saw impossibilities, Carl Rowan saw opportunities. Instead of cursing the darkness, Carl Rowan lighted the candles.

Mr. Rowan wrote:

Wise people will remember that the Declaration of Independence and the Preamble to our Constitution are mostly unattainable

wishful thinking or make-believe assertions that were horizons beyond the reality of life at the time they were written.

Carl Rowan always reached beyond the horizon—he always went beyond the horizon—and he helped others to aspire to do the same. With the passing of Carl Rowan, journalism has lost one of its best, the underprivileged have lost a friend, and the Nation has lost a part of its social conscience.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

JOSEPH A. BALL

Mr. SPECTER. Mr. President, I have sought recognition to comment upon the death of one of America's great lawyers, Joseph A. Ball. On Saturday, the New York Times carried an extensive account of his background and history and accomplishments. I ask unanimous consent that at the conclusion of my remarks the copy of the New York Times article be printed in the RECORD.

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

(See Exhibit 1.)

Mr. SPECTER. The Times article details the specifics on the positions held by Mr. Ball in the lawyers associations, his professional associations as a teacher, his experience as a criminal lawyer, and his experience, most pointedly, as one of the senior counsel to the Warren Commission, the President's commission which investigated the assassination of President Kennedy. It was on the Warren Commission staff that I came to know Joe Ball.

The original complexion of the Warren Commission on staffing was that there were six senior counsel who were appointed and six junior counsel. That distinction was replaced by putting all of the lawyers under the category of assistant counsel. But if there was a senior counsel, it was Joe Ball.

Then, in his early sixties, he was a tower of strength for the younger lawyers. When the commission began its work, I was 33. Most of the junior lawyers were about the same age. We looked to Joe Ball for his experience and for his guidance. He had a special relationship with Chief Justice Earl Warren, which was also helpful because Joe Ball could find out what Chief Justice Warren had in mind in his capacity as chairman and provide some valuable insights that some of the younger lawyers were unable to attain.

Joe Ball worked on what was called area two, along with the very distinguished younger lawyer, David Belin from Des Moines, IA. Area two was the area which was structured to identify

the assassin. Although the initial reports had identified Lee Harvey Oswald as the assassin, and on television, on November 24, America saw Jack Ruby walk into the Dallas police station, put a gun in Oswald's stomach and kill him, the Warren Commission started off its investigation without any presumptions but looking at the evidence to make that determination as to who the assassin was.

My area was area one, which involved the activities of the President on November 22, 1963. There was substantial interaction between the work that Joe Ball and Dave Belin did and the work which was assigned to me and Francis W.H. Adams, who was senior counsel on area one.

Frank Adams had been New York City police commissioner and had been asked to join the Warren Commission staff when Mayor Wagner sat next to Chief Justice Warren at the funeral of former Governor and former Senator, Herbert Lehman. Mayor Wagner told Chief Justice Warren that Frank Adams, the police commissioner, knew a lot about Presidential protection and had designed protection for motorcades in New York City, with dangers from tall buildings, which was an analogy to what happened to President Kennedy.

There was question as to how we would coordinate our work, and it was sort of decided that Joe Ball and Dave Belin would investigate matters when the bullet left the rifle of the assassin in flight, which was no man's land, and when it struck the President. That came into area one, which was my area: the bullet wounds on President Kennedy, the bullet wounds on Governor Connally, what happened with the doctors at Parkland Hospital, what happened with the autopsy, all matters related to what had happened with President Kennedy.

We had scheduled the autopsy surgeons for a Monday in early March. They were Lieutenant Commander Boswell, Lieutenant Commander Humes and Lieutenant Colonel Pierre Finck. The autopsy was done at Bethesda, where President Kennedy was taken, because of the family's preference that he go to a naval installation because he was a Navy man, so to speak, who had served in the Navy.

The testimony was to be taken on this Monday in March. There was quite a debate going on with the Warren Commission staff as to whether we should talk to witnesses in advance. It seemed to many of us that we should talk to witnesses in advance so we would have an idea as to what they would testify to so we could have an orderly presentation, which is the way any lawyer talks to a witness whom he is about to call. The distinguished Presiding Officer has been a trial lawyer and knows very well to what I am referring. There was a segment on the Warren Commission staff which thought we should not talk to any witnesses in advance, lest there be some overtone of influencing their testimony. Finally, this debate had to come

to a head, and it came to a head the week before the autopsy searchers were to testify.

And on Friday afternoon, Joe Ball and I went out to Bethesda to talk to the autopsy surgeons. It was a Friday afternoon, much like a Friday afternoon in the Senate. Nobody else was around. It was my area, but I was looking for some company, so I asked Joe Ball to accompany me—the autopsy surgeons falling in my area. We took the ride out to Bethesda and met the commanding admiral and introduced ourselves. We didn't have any credentials. The only thing we had to identify ourselves as working on the Warren Commission was a building pass for the VFW. My building pass had my name typed crooked on the line, obviously having been typed in after it was signed. They sign them all and then type them in. It didn't look very official at all.

So when Commander Humes and Commander Bozwell came down to be interviewed, Commander Humes was very leery about talking to anybody. He had gone through some travail with having burned his notes and having been subjected to a lot of comment and criticism about what happened at the autopsy, and there were FBI agents present when the autopsy was conducted. A report had come out that the bullet that had entered the base of the President's neck had been dislodged during the autopsy by massage. It had fallen out backward as opposed to having gone through the President's body, which was what the medical evidence had shown.

That FBI report that the bullet had entered partially into the President's body and then been forced out had caused a lot of controversy before the whole facts were known. Later, it was determined that the first shot which hit the President—he was hit by two bullets—well, the second shot, which hit him in the base of the skull, was fatal, entering the base of the skull and exiting at the top at 13 centimeters, 5 inches—the fatal wound. The first bullet which hit the President passed between two large strap muscles, sliced the pleural cavity, hit nothing solid and came out, and Governor Connally was seated right in front of the President and the bullet would have to have hit either Governor Connally or someone in the limousine.

After extensive tests were conducted, it was concluded that the bullet hit Governor Connally. There has been a lot of controversy about the single bullet theory, but time has shown that it is correct. A lot of tests were conducted on the muzzle velocity of the Oswald rifle. It was identified as having been Oswald's, purchased from a Chicago mail order store. He came into the building with a large package which could have contained the rifle. He said they were curtain rods for an apartment which already had curtains. The muzzle velocity was about 2,200 feet per second, and the velocity after traveling

about 275 feet was about 1,900 feet per second.

At any rate, as Joe Ball and I went through it with the autopsy surgeons, we found for the first time—because we had only seen the FBI reports—that the bullet did go through President Kennedy and decreased very little in velocity. It was at that moment when we talked to Dr. Humes and Dr. Finck that we came to hypothesize that that bullet might have gone through Governor Connally. We didn't come to a conclusion on that until we had reviewed very extensive additional notes, but it was on that occasion that Joe Ball and I had interviewed the autopsy surgeons. It was a marvel to watch Joe Ball work with his extensive experience as a lawyer and as a fact finder.

He lived to the ripe old age of 97. The New York Times obituary had very extensive compliments about a great deal of his work and focused on his contribution to the Warren Commission, where he had written an extensive portion of the Warren Report, as he was assigned to area two which compiled a fair amount of the report.

America has lost a great patriot in Joe Ball, a great citizen, a great lawyer, and a great contributor. I had the pleasure of knowing him and working with him on the Warren Commission staff and have had occasion to reminisce with him about his work. I noted that on his office wall in California is his elegantly framed building pass.

In the absence of any other Senator seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

EXHIBIT 1

[From the New York Times, Sept. 30]

J.A. BALL, 97, COUNSEL TO WARREN COMMISSION
(By Eric Pace)

Joseph A. Ball, a California trial attorney who was a senior counsel to the Warren Commission, which investigated the assassination of President John F. Kennedy, died on Sept. 21 in Long Beach, Calif. He was 97 and a longtime resident of Long Beach.

At his death, Mr. Ball was a partner in the Los Angeles office of the Hawaii-based law firm Carlsmith Ball. He had been a partner in that firm and its predecessor in Los Angeles for five decades.

Mr. Ball, who wrote crucial portions of the commission's report, was selected for the commission by United States Chief Justice Earl Warren, who had come to know him in California's political world.

At that time, Mr. Ball was 61, a leading criminal lawyer, a member of the Supreme Court's Advisory Committee on the Federal Rules of Criminal Procedure and a professor at the University of Southern California Law School.

In January 1964, he was appointed as one of six senior lawyers who, each assisted by a younger colleague, were to handle one of six broad areas of inquiry.

Mr. Ball and David W. Belin, a lawyer from Des Moines who was chosen to assist him, concentrated on the area they called "the determination of who was the assassin of President Kennedy."

"About 10,000 pieces of paper were then rolled into my office; the written reports of various investigative agencies, including the F.B.I., the Dallas Police and the Central Intelligence Agency," Mr. Ball wrote in 1993. "During the first month of the investigation, we classified the information found in the reports by means of a card index system. This permitted the immediate retrieval of this information." Witnesses were also questioned during the inquiry.

Mr. Belin wrote in 1971, after the Commission's report had been criticized, that "despite the success of the assassination sensationalists in deceiving a large body of world opinion, the Warren Commission Report will stand the test of history for one simple reason: The ultimate truth beyond a reasonable doubt is that Lee Harvey Oswald killed both John F. Kennedy and J.D. Tippit on that tragic afternoon of Nov. 22, 1963."

Office Tippit was a Dallas police officer whom Oswald shot shortly before shooting Kennedy.

The commission's final report was sent to President Lyndon B. Johnson in September 1964.

Mr. Ball was a president of the American College of Trial Lawyers and of the State Bar of California.

The Joseph A. Ball Fund to benefit American Bar Association programs of public service and education and to honor excellent attorneys was named in his honor.

He was born in Stuart, Iowa, and received a bachelor's degree in 1925 from Creighton University in Nebraska and his law degree in 1927 from the University of Southern California.

He married Elinor Thon in 1931. After her death, he remarried. He also outlived his second wife, Sybil.

He is survived by a daughter JoEllen; two grandchildren; and two great-grandchildren.

Mr. Ball recalled in 1993: "In 1965, I called Chief Justice Warren on the telephone. I said, 'Chief, these critics of the report are guilty of misrepresentation and dishonest reporting.' He replied, 'Be patient; history will prove that we are right.'"

The PRESIDING OFFICER (Mr. KYL). The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

DRUG FIGHTING AGENCIES

Mr. GRASSLEY. Mr. President, I am often critical of this Administration's happy-go-lucky ways when it comes to drug policy. The administration is like the grasshopper in the old fable. It's out there fiddling around when it ought to be working. That said, I do not mean this criticism to detract from the fine work done by the many men and women in our law enforcement agencies. These fine people risk their lives every day to do important and difficult work on behalf of the public.

I want to take a moment to highlight some of the achievements and invaluable service provided to this nation by the men and women of the Drug Enforcement Administration (DEA), the U.S. Customs Service, and the U.S. Coast Guard. As chairman of the Senate Caucus on International Narcotics Control, I would like to express my