

Chief of the Administrative Services Division, Acting Chief of the Water Use and Planning Section, Chief of the Technical Division, principal Hearing Examiner for the State Engineer, and ultimately State Engineer from 1990 to 1994.

I am proud to count as a friend such a hardworking fellow native of New Mexico, who has made the most of his opportunities. Eluid Martinez has performed a valuable service to the Nation and especially to the people of the West in both his state and Federal positions.

In addition to his extensive administrative abilities Mr. Martinez hails from a rich heritage of nine generations of woodcarvers, or *santeros*. He is the nephew of internationally famous *Santero* Woodcarver and sculptor George Lopez of Cordova.

Eluid himself is also a quite talented artist and I was very honored to have received several of his beautiful drawings. The fact that Eluid's sculptures, lithographs, and prints reside in the permanent collections of the Smithsonian Institution's American Art Museum, the Colorado Springs Fine Arts Center, the Denver Art Museum and other major collections adds to and broadens his legacy to the United States and his home state of New Mexico.

Eluid will be a tough act to follow and I hope that his successor will have an understanding of western water issues and will continue working to achieve a balance between New Mexico's many competing interests.

I know that as he leaves the demanding job of Commissioner, Eluid and his wife, Suzanne, are looking forward to spending more time in our beautiful home state of New Mexico.●

#### TRIBUTE TO THOMAS C. RYAN

● Mr. JEFFORDS. Mr. President, today I rise to pay tribute to a man of true courage, a man of boundless compassion, and a man of great character. Today, I rise to pay tribute to fellow Rutland, Vermont resident and friend to many, Tom Ryan.

Tom was born October 14, 1930, the son of Charles F. and Mary Ryan. He graduated from Mt. St. Joseph Academy in 1948, from Georgetown University, Magna Cum Laude, in 1952 and the Wharton School of Business MBA program in 1955.

Bound by a sense of duty and service to country, Tom courageously served as a captain in the U.S. Air Force during the Korean War, and later continued his service in the Reserves.

Tom was a skilled banker and a businessman, yet he was always more focused on people than on profit. In his eloquent eulogy, Stephen K. Ryan called his father, Tom a "leader," and I can't think of a more dedicated community leader than Tom. He served on numerous boards, including: the Vermont Achievement Center; Vermont Children's Aid Society; Small Business Investment Corp.; Economic

Development Council for Southwestern Vermont; Vermont Development Credit Corp.; Vermont Bankers Association; Rotary Club; Rutland Downtown Development Corp.; Rutland County Solid Waste; United Way; Paramount Theatre; Rutland West Neighborhood Housing; and College of St. Joseph. I worked together with Tom in the effort to restore the Paramount Theatre to its original grandeur, and I'm so glad he was able to witness the fruits of his labor and the recent revitalization of our historic downtown.

Stephen mentioned that Tom was "proudest of the twelve years he served on the board of Rutland Hospital; bringing a better standard of care to the Rutland Region." As Chairman of the Senate Health Committee, I know that health care is one of the most important issues facing our country today, and I have enormous respect for those individuals working hard on the local level to improve the lives of patients and their families.

Stephen stated that Tom "was involved in politics, but he was not political." He ran for lieutenant governor in 1982, state senate in 1990, and was appointed to the state transportation board in 1991. In every political endeavor, Tom was passionate but respectful, tough but civil.

My wife, Liz, knew Tom's lovely wife, Mary, through their mutual interest in quilting. Liz used to tell me how Tom was an avid gardener, constantly improving the landscape surrounding their house and tending to his gardens. He loved his gardens so much, in fact, that family and friends were known to give him rocks for his birthday!

But Liz and I both know that his greatest love was for Mary and their wonderful children, Stephen of Reston, Virginia, Kate Ryan Whittum of Intervale, New Hampshire, and Maura C. Ryan of Portland, Maine. He had his priorities in line and was always there for his loved ones.

The editorial in the Rutland Daily Herald on December 18th, stated, "If any single word were appropriate for Tom Ryan, it would be 'kindness.'" For me, it would be hard to describe Tom in one word, for he exemplified so many qualities for so many people. You will be greatly missed, Tom, but your legacy will live on in our hearts, our minds and your work that we will strive to continue.●

#### A TRIBUTE TO BERNARD R. DICK

● Mr. JEFFORDS. Mr. President, I stand before you today to pay tribute to Bernard R. Dick, a distinguished citizen of my hometown, Rutland, Vermont, and a man who I have deeply respected and admired my entire life. I thought highly of Bernie's talent as a lawyer, respected immensely his service to his country, and admired his devotion to family and community.

I ask that The Rutland Daily Herald editorial from January 8, 2001, be included in the record as part of this tribute:

The death of Bernard R. Dick this past weekend marks the end of another distinguished and longtime Rutland legal career. Only recently came the deaths of two other local attorneys of note—Bartley J. Costello and Thomas Ryan.

Bernie Dick, born in 1909 to a Rutland family, was a whiz at baseball at Rutland High School, where he made his mark as varsity catcher. It was a role he remembered long after he reached adulthood, and for years he could be seen in the audience when the RHS baseball team played home games.

His education was quite varied. After graduating from Rutland High he went to the University of Alabama. After college graduation in 1931 he studied law at New York University. He was admitted to the bar in Vermont in 1937.

As with many young men of his time, Bernie Dick was swept up in the swirl of World War II. Eventually, after Pearl Harbor, he enlisted in the Army as a private in November 1942. Because of his law degree he was stationed in Hawaii, where by 1946 he had reached the rank of captain.

In Hawaii he became chief of the claims division of the central Pacific area, and for his work received the 'Army Commendation Ribbon.' The citation said, in part: 'He reviewed and made recommendations for the payment, disallowance or collection of almost 1,000 claims. So expert were his decisions that no claim reviewed by him and subsequently appealed has been reversed. He demonstrated a high degree of professional skill and efficiency.'

After his honorable discharge in 1946, Dick returned to Rutland and resumed his practice in the law firm of Bove, Billado and Dick. It was an active law firm in many fields, including politics. The senior partner, Peter A. Bove, was an active supporter of Gov. Ernest W. Gibson and U.S. Sen. George D. Aiken. Francis Billado ultimately went to the Legislature and was elected Vermont adjutant general, a post he held until his death.

In legal practice Dick was the one who kept to the daily grind, but the three partners shared ownership with some Castleton people to run a popular summer dance hall at Bomoseen and the Crystal Beach facility on Lake Bomoseen, among several enterprises.

In 1947 Dick was named judge of the Rutland Municipal Court, in line with the policy of Governor Gibson, himself a veteran, to name veterans to public posts. The municipal court system preceded the present system of district courts, and there was political guessing as to who would be named by the governor. His Army experience served him well, and Dick served four years.

After the departure of Bove and Billado to other jobs, Bernie Dick ran his own practice for a while, and in 1949 formed a new legal association with Donald A. Hackel and Richard A. Hull. It was the latest step in a long and varied Rutland legal career.

Bernie, you will be sorely missed by all those who knew you, and by an entire community who benefitted from your knowledge, hard work and many talents.●

#### A TRIBUTE TO BARTLEY J. COSTELLO

● Mr. JEFFORDS. I rise today to pay tribute to a great Vermonter and a native son from my hometown of Rutland, Bartley J. Costello.

Bart will be remembered by all who knew him for his commitment to

church and family, dedication to community and country, and generosity to his fellow man. A lifelong resident of Rutland, he gave much of himself to our great city, through charities, community organizations and Christ the King Church.

Bart was educated at Holy Innocents Primary School, Mount St. Joseph Academy, the University of Vermont and Albany Law School. His first job was as a teacher at the Muddy Brook School in Williston. He returned to Rutland to work at Howe Scale Co. and served as the assistant Rutland City Treasurer before joining the U.S. Army Air Corps and serving his country in World War II. He reached the rank of Captain before being discharged at the end of the war and returning home to Rutland.

A lawyer in Rutland for forty years with the firm of Webber and Costello, later Webber, Costello and Chapman, Bart was a distinguished member of the Bar, deeply respected and admired by my father, Chief Justice of the Vermont Supreme Court.

Bart was an excellent trial lawyer and a match for the best. And he had a wonderful sense of humor. Bart loved to tell the story of a jury selection when an aunt of his on the panel remained silent when the opposing attorney asked if any of the jurors knew Mr. Costello. Later, after excusing his aunt for obvious reasons, Bart asked her why she had kept quiet. "Well," she said, "I felt you would need all the help you could get."

I also knew him as an avid golfer and consummate sportsman. He and his lovely wife, Catherine, who survives him, were the perfect golfing couple, courteous and competitive, fun-loving and intense.

Bart, as well as Catherine, were blessed with four outstanding sons, Bartley III and Thomas, who are trial lawyers in Albany, NY and Brattleboro, Brian, an award winning school teacher in Rutland, and Barry, a Rear Admiral in the U.S. Navy, currently with the Pentagon staff.

He served his community on many boards and organizations. He was a past Grand Knight at the Knights of Columbus, President of Vermont State Holy Name Society, Rutland Chamber of Commerce, Rutland Country Club and Rutland Regional Medical Center. He was elected to and served on the board of directors of Marble Savings Bank and the Rutland City School Board.

The Rutland Daily Herald had high praise for Bart, stating that he, "... left lasting marks for good on [his] native city." He was a man who loved life and was loved by all who knew him. We won't forget you, Bart. ●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Foreign Relations.

(The nominations received today are printed at the end of the Senate proceedings.)

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-552. A communication from the Secretary of Energy and the Secretary of Labor, transmitting jointly, a draft of a proposed legislation entitled "Energy Employees Occupational Illness Compensation Amendment of 2001" received on January 11, 2001; to the Committee on Health, Education, Labor, and Pensions.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. GRASSLEY (for himself, Mr. BREAUX, Mr. SMITH of Oregon, Mr. CLELAND, Mr. MURKOWSKI, Ms. LANDRIEU, Mr. CRAPO, Mr. BAYH, Mr. JEFFORDS, Mr. KYL, Mr. ROBERTS, Mr. HELMS, Mr. BUNNING, Mr. SANTORUM, Mr. CRAIG, Mr. STEVENS, Mr. FITZGERALD, Mr. BURNS, Mr. GREGG, and Mr. HATCH):

S. 234. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communications services; to the Committee on Finance.

By Mr. MCCAIN (for himself, Mrs. MURRAY, Mr. HOLLINGS, Mrs. HUTCHISON, Mr. BINGAMAN, Mr. DOMENICI, Mr. BREAUX, Mr. BROWNBACK, and Mr. SMITH of Oregon):

S. 235. A bill to provide for enhanced safety, public awareness, and environmental protection in pipeline transportation, and for other purposes; read the first time.

By Mr. HUTCHINSON:

S. 236. A bill to amend the International Revenue Code of 1986 to expand the expense treatment for small businesses and to reduce the depreciation recovery period for restaurant buildings and franchise operations, and for other purposes; to the Committee on Finance.

By Mr. HUTCHINSON (for himself, Mr. COCHRAN, Mr. FRIST, Mr. INHOFE, Mr. LOTT, Mr. WARNER, and Mr. MURKOWSKI):

S. 237. A bill to amend the Internal Revenue Code of 1986 to repeal the 1993 income tax increase on Social Security benefits; to the Committee on Finance.

By Mr. WYDEN (for himself and Mr. SMITH of Oregon):

S. 238. A bill to authorize the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River Basin, Oregon; to the Committee on Energy and Natural Resources.

By Mr. HAGEL (for himself, Mr. DODD, Mr. ROBERTS, Mr. DORGAN, and Mr. LUGAR):

S. 239. A bill to improve access to the Cuban market for American agricultural producers, and for other purposes; to the Committee on Foreign Relations.

By Mr. FRIST:

S. 240. A bill to authorize studies on water supply management and development; to the Committee on Environment and Public Works.

By Mr. REID:

S. 241. A bill to direct the Federal Election Commission to set uniform national standards for Federal election procedures, change the Federal election day, and for other purposes; to the Committee on Rules and Administration.

By Mr. BINGAMAN (for himself, Mr. DOMENICI, and Mr. CRAPO):

S. 242. A bill to authorize funding for University Nuclear Science and Engineering Programs at the Department of Energy for fiscal years 2002 through 2006; to the Committee on Energy and Natural Resources.

By Mr. JOHNSON (for himself, Mr. BINGAMAN, Mr. DASCHLE, Mr. INOUE, Mr. COCHRAN, Mr. BAUCUS, Mr. REID, Mr. AKAKA, and Mr. CAMPBELL):

S. 243. A bill to provide for the issuance of bonds to provide funding for the construction of schools of the Bureau of Indian Affairs of the Department of the Interior, and for other purposes; to the Committee on Indian Affairs.

By Mrs. FEINSTEIN (for herself, Mr. HELMS, Mr. BROWNBACK, Mr. LEAHY, Mr. REID, Mr. NELSON of Nebraska, Mrs. CLINTON, Mr. DODD, Mr. BAUCUS, Mrs. BOXER, Mr. BYRD, and Mr. CARPER):

S. 244. A bill to provide for United States policy toward Libya; to the Committee on Foreign Relations.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KERRY (for himself, Mr. LUGAR, Mr. LEVIN, Mr. REID, Mr. GRAHAM, and Mr. WELLSTONE):

S. Con. Res. 7. A concurrent resolution expressing the sense of Congress that the United States should establish an international education policy to enhance national security and significantly further United States foreign policy and global competitiveness; to the Committee on Foreign Relations.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY (for himself, Mr. BREAUX, Mr. SMITH of Oregon, Mr. CLELAND, Mr. MURKOWSKI, Ms. LANDRIEU, Mr. CRAPO, Mr. BAYH, Mr. JEFFORDS, Mr. KYL, Mr. ROBERTS, Mr. HELMS, Mr. BUNNING, Mr. SANTORUM, Mr. CRAIG, Mr. STEVENS, Mr. FITZGERALD, Mr. BURNS, Mr. GREGG, and Mr. HATCH):

S. 234. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communications services; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, I rise today, along with Senator BREAUX and others, to introduce a bill to repeal the