

that the current design of this formula has substantial flaws and should be modified so that truly meets its intended goal, I also share the belief of my colleague from Iowa that we should do more at the federal level to prompt states to better equalize their own funding.

That is why I am committed to seeing improvements made to the effort and equity formula through the Elementary and Secondary Education Act conference that is currently pending. I commend Senator HARKIN for his willingness to reexamine and overhaul this formula so that it better targets funds within states to the districts with the highest concentrations of poverty. And I look forward to working with him and with a common focus to improve the fairness and the performance of title I. In achieving this goal, I believe that we can further work together to see even more funds appropriated to the targeted formula as the appropriations process moves forward.

The compromise we have struck today might not be politically popular or perfect, but it is a great beginning and a way to draw our attention back to the original intent of the ESEA and the primary function of the Federal Government in education. It is a bold step forward, one that I believe that we can only enhance as the appropriations process as well as the ESEA conference moves forward, and I urge my colleagues to join us in supporting it.

#### LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Madam President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of this year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred in April 1995 in Seattle, WA. Ian West, 29, was arrested for attacking a gay man. Mr. West was subsequently sentenced to five days in jail, ordered to pay restitution, perform community service, and complete an anger management class.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

#### ADDITIONAL STATEMENTS

##### DONALD TAYER: IN MEMORIAM

• Mrs. BOXER. Mr. President, on October 26th, I was deeply saddened to learn of the passing of San Francisco Bay Area resident, Donald Tayer.

I have known Don Tayer and his family since the beginning of my career in

public office, when I served as a Marin County supervisor and Don served as councilmember and mayor of the town of Tiburon. He was a multitasking man who cared deeply for his community.

In addition to his work as a local elected official, Don Tayer forged a distinguished legal career as a senior partner in the firm of Beeson, Tayer & Bodine. For 25 years, he served as Executive Secretary in the San Francisco office of the American Federation of Television and Radio Artists (AFTRA) and the Screen Actors Guild; he served as counsel to the Actors' Equity Association and the American Guild of Musical Artists; he was the very first recipient of the Annual Bill Hillman Award, in recognition of his service to AFTRA's San Francisco local; and in August of this year he received AFTRA's National George Heller Memorial Gold Card—the highest honor bestowed by the union—for his many and remarkable contributions.

He was an adjunct professor in the School of Urban and Public Affairs at Golden Gate University and former chairman of the Labor and Employment Law Section of the Bar Association of San Francisco.

Don also somehow found the time to enjoy a rich cultural and community life. He was president of the San Francisco Bay Area Chapter of the American Jewish Committee for 5 years, and continued to serve as a member of the Committee's National Board of Governors. He was a recipient of its Distinguished Service Award in 1987.

Don Tayer served on the Marin Arts Council and was both president and a member of the Board of Directors of San Francisco's Center for the Arts at Yerba Buena Gardens—where a memorial tribute will be held on December 1st.

I offer my condolences to Don's wonderful wife Joyce; to his children Lisa and Marc and his four grandchildren.●

#### TRIBUTE TO KATHRYN KAY AND HER "THANKSGIVING PRAYER"

• Mr. HATCH. Mr. President, today I pay tribute to a wonderful Utah woman, mother, and nationally published poet, Ms. Kathryn Kay. I also want to relate a remarkable story concerning Ms. Kay and a poem she wrote more than 60 years ago.

The poem, "Thanksgiving Prayer," and the story behind it could have happened today. Its message is timely, its impetus notable.

"Thanksgiving Prayer" was part of a book of poems *If the Shoe Fits*, written by Kathryn Kay. The book was sold out of a little book store in the heart of Hollywood, California, where Ms. Kay was living and working at the time. The book, and its ensuing poem, were read and well-liked by many Hollywood stars, including the wife of the legendary veteran film actor, Hobart Bosworth.

At that time, the Nation was about to embark on a celebration commemo-

rating the sesquicentennial of the ratification of the Bill of Rights. Mrs. Bosworth was serving as the Pacific Coast chairwoman of the celebration, and in that role was able to give the poem, "Thanksgiving Prayer," to President Franklin and Eleanor Roosevelt. She framed it in gold and presented it to Eleanor Roosevelt for her work in improving the cultural arts. Kathryn also officially dedicated the poem to her with "sincere appreciation of her example, which causes women of today to build for tomorrow."

Mrs. Bosworth also arranged for this poem to be part of the Southern California Bill of Rights Celebration. She had the poem cast on a large bronze plaque, ready to be placed on Mt. Whitney, and read at the beginning of the official week long celebration of the Bill of Rights, as proclaimed by President Roosevelt. The date for the ceremony was December 7, 1941.

As history so tragically reminds us, no celebrations took place that day; America was attacked, and we were at war.

The bronze plaque was melted down to make bullet casings for the war America was battling. The heartfelt words of gratitude for America would not be immortalized.

Ms. Kay went on to publish many more poems, and two more books of poetry. She returned to Utah, and continued her career in live television and as a columnist for the Salt Lake Tribune. She married Lee Pratt, and raised two wonderful sons.

But her love for poetry never dimmed. Kathryn Kay has been a driving force for many, many years in Utah to promote poetry, from the high school to the professional society level. She helped found the Utah State Poetry Society, and served two terms as its president. In fact, well into her late 80s, she continued to edit the society's yearly publication.

Kathryn is 95 years old, still living in Utah, and still touching the lives of those around her. Perhaps her greatest tribute recently came from her son, Jim. He described his mother this way: "She is a happy breath of sunshine, who appreciates life and makes life better for everyone she meets."

I pay tribute to Kathryn Kay today, and in turn, share with the Nation the words penned by her so many years ago. As we all pause during the next few weeks to celebrate the holiday season in our own way, I hope that the words of this poem written during another time of conflict and war will serve to strengthen us and remind us of the blessings we share as Americans.

The poem follows:

##### THANKSGIVING PRAYER

God ev'ry year about this time,  
according to routine,  
I've bowed my head in the accepted way  
and offered thanks, like some well syn-  
chronized machine.  
that prayed because it was the time to pray.  
But, God, this year is different, this year I  
seem to feel

America's Thanksgiving is my own,  
 that in my nation's gratitude I have a part  
 that's real  
 a part that until now I've never known.  
 And, God, this year a deep humility has  
 filled my heart,  
 a newborn pride rings true throughout my  
 soul  
 because I do belong, because I have and am  
 a part,  
 a tiny part of one tremendous whole.  
 I think I know the feeling of those first  
 Americans  
 who said, "We must give thanks for this, our  
 land."  
 I cherish now the rights that are each wom-  
 an's, ev'ry man's,  
 the rights I've just begun to understand.  
 This year my heart has learned what all  
 Thanksgiving Days are for,  
 true thankfulness at last I realize,  
 but, God, I'm sorry that it took the tragedy  
 of war  
 in other lands to open up my eyes.  
 Again I bow my head but this time deep  
 within me stirs  
 a mighty prayer, part of one vast design,  
 "God, help me make America as proud that  
 I am hers  
 as I am proud, and grateful she is mine!"•

#### HONORING MONTANA'S STUDENTS

• Mr. BAUCUS. Madam President, I rise today to congratulate science students and science educators in my home State of Montana.

Last week, newly released scores from the 2000 National Assessment of Educational Progress, NAEP, often referred to as "Our Nation's Report Card," placed Montana's eighth grade science students atop the Nation. Our fourth grade students earned the 2nd highest score among States.

These scores reflect the high quality science education that Montana's teachers provide. I am proud of the dedication and hard work of Montana's teachers and students; in our technologically-advanced, information-rich society, an understanding of scientific thought and an ability to use scientific methods to make new discoveries will be critical to improving our quality of life.

We often lament our public education system and the challenges it faces. There can be no doubt that we can and must meet these challenges. The scores that I commend today, however, demonstrate two things. First, that dedicated, hard-working teachers are critical to the success of the education we provide. Second, that our public schools deliver a quality education, despite the financial challenges they face.

These scores also underscore the importance of investing in our education system. In my State of Montana, teachers have demonstrated again and again their teaching skills, their commitment to delivering a solid education, and their ability to make creative improvements in their schools and classrooms, all this, despite low wages and ever-increasing responsibilities. Unfortunately, this level of commitment will not persevere if these trends continue.

We are at a crossroads at the Federal level with respect to education policy and financial support. We know that a quality education is the key to future success as individuals and as a nation. We need to make a commitment to our students that the education they receive will provide them with the knowledge and skills they need to be successful.

Let's match the commitment that Montana's teachers and students have made to science education excellence with a commitment from the Federal level to provide the resources and support that they need.•

#### 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 appropriate committees.

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

#### MESSAGES FROM THE HOUSE

Under the authority of the order of the Senate of January 3, 2001, the Secretary of the Senate, on November 16, 2001, during the recess of the Senate, received a message from the House of Representatives announcing that the House has agreed to the report of the committee on conference on the disagreeing vote of the two Houses on the amendment of the House to the bill (S. 1447) to improve aviation security, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolutions:

S. Con. Res. 83. Concurrent resolution providing for a National Day of Reconciliation.

S. Con. Res. 85. Concurrent resolution providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives.

#### ENROLLED BILLS SIGNED

The message further announced that the Speaker has signed the following enrolled bills:

H.R. 1042. An act to prevent the elimination of certain reports.

H.R. 1552. An act to extend the moratorium enacted by the Internet Tax Freedom Act through November 1, 2003, and for other purposes.

H.R. 2924. An act to provide authority to the Federal Power Marketing Administrations to reduce vandalism and destruction of property, and for other purposes.

Under the authority of the order of the Senate of January 3, 2001, the enrolled bills were signed by the President pro tempore (Mr. BYRD) on November 16, 2001.

At 2:16 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 bill, in which it requests the concurrence of the Senate:

H.R. 3093. An act to designate the Federal building and United States courthouse located at 501 Bell Street in Alton, Illinois, as the "William L. Beatty Federal Building and United States Courthouse."

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 272. Concurrent resolution expressing the sense of Congress regarding the crash of American Airlines Flight 587.

The message further announced that the House has passed the following bill, with an amendment:

S. 1196. An act to amend the Small Business Investment Act of 1958, and for other purposes.

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on November 17, 2001, she had presented to the President of the United States the following enrolled bill:

S. 1447. An act to improve aviation security, and for other purposes.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Governmental Affairs, without amendment:

H.R. 2559: A bill to amend chapter 90 of title 5, United States Code, relating to Federal long-term care insurance.

By Mr. LIEBERMAN, from the Committee on Governmental Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 1271: A bill to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small business concerns with certain Federal paperwork requirements, to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small business concerns, and for other purposes.

By Mr. KENNEDY, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 1729: An original bill to provide assistance with respect to the mental health needs of individuals affected by the terrorist attacks of September 11, 2001.

By Mr. HARKIN, from the Committee on Agriculture, Nutrition, and Forestry, without amendment:

S. 1731: An original bill to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes.

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of committee were submitted:

By Mr. SARBANES for the Committee on Banking, Housing, and Urban Affairs.