



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 107<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 148

WASHINGTON, TUESDAY, NOVEMBER 12, 2002

No. 145

## Senate

The Senate met at 1 p.m. and was called to order by the Vice President (Mr. CHENEY).

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Serendipitous God who delights to surprise us with interventions of inspiration when we least expect them and most need them, we praise You for enabling this lame duck session to soar like an eagle. We pray that these next days completing the work of the 107th Congress will be expeditious. Following last Tuesday's elections, may a spirit of magnanimity be the ambiance of the Senate family. Help those who lost accept Your comfort and courage with the assurance that when one door closes, You open a new door of opportunity. Enable those who won to reach out with empathy to those who were defeated. Bind the whole Senate family together with the greater ties of dedication to You, patriotism for our Nation, and commitment to excellence in finishing well the work that must be done. With oneness of mind and heart we claim Your promise through Isaiah: "Those who wait on the Lord shall renew their strength; they shall mount up with wings like eagles, they shall run and not be weary, they shall walk and not faint."—Isaiah 40:31. Thank You, Lord, for this eagle session. Amen.

### PLEDGE OF ALLEGIANCE

The Vice President led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### CERTIFICATE OF APPOINTMENT

The VICE PRESIDENT. The Chair lays before the Senate a certificate of appointment for Senator DEAN M. BARKLEY of the State of Minnesota.

Without objection, it will be placed on file and the certificate of appointment will be deemed to have been read.

The certificate of appointment is as follows:

STATE OF MINNESOTA, EXECUTIVE  
DEPARTMENT

### CERTIFICATE OF APPOINTMENT

To the President of the Senate of the United States:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Minnesota, I, Jesse Ventura, the Governor of said State, do hereby appoint Dean M. Barkley a Senator from said State to represent said State in the Senate of the United States until the vacancy therein, caused by the death of Paul Wellstone, is filled by election as provided by law.

Witness: His excellency our Governor, Jesse Ventura, and our seal hereto affixed at Saint Paul, Minnesota this fourth day of November in the year of our Lord 2002.

By the Governor:

JESSE VENTURA,  
Governor.

### ADMINISTRATION OF OATH OF OFFICE

The VICE PRESIDENT. The Senator will present himself at the desk. The

Chair will administer the oath of office as required by the Constitution and prescribed by law.

Mr. BARKLEY, escorted by Senator DAYTON, advanced to the desk of the Vice President; the oath prescribed by law was administered to him by the Vice President; and he subscribed to the oath in the official oath book.

The VICE PRESIDENT. Congratulations.

(Applause, Senators rising.)

### RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### SCHEDULE

Mr. DASCHLE. Mr. President, today the Senate will be in a period for morning business wherein Senators will have the opportunity to eulogize our departed colleague PAUL WELLSTONE, the late Senator from Minnesota, and to welcome Senator BARKLEY.

I understand Senator DAYTON and Senator BARKLEY, who was just sworn in, would like to speak. I ask unanimous consent that following my remarks and those of the Republican leader, Senators DAYTON and BARKLEY be recognized to speak.

The PRESIDENT pro tempore. Without objection, it is so ordered.

### NOTICE

Effective January 1, 2003, the subscription price of the Congressional Record will be \$434 per year or \$217 for six months. Individual issues may be purchased for \$6.00 per copy. Subscriptions in microfiche format will be \$141 per year with single copies priced at \$1.50. This price increase is necessary based upon the cost of printing and distribution.

Michael F. DiMario, *Public Printer*

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S10809