

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2003— CONFERENCE REPORT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the conference report to accompany H.R. 4628, the intelligence authorization; that the conference report be considered and agreed to; the motion to reconsider be laid on the table; and that any statements relating to the conference report be printed in the RECORD, without intervening action or debate.

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

The conference report was agreed to. (The conference report is printed in the House proceedings of the RECORD of November 14, 2002.)

Mr. REID. 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.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. REID. Mr. President, I ask unanimous consent that the Senate be in recess subject to the call of the Chair.

There being no objection, the Senate, at 6:12 p.m., recessed subject to the call of the Chair and reassembled at 8:11 p.m., when called to order by the Presiding Officer (Mr. BARKLEY).

ORDER OF BUSINESS

Mr. REID. Mr. President, I appreciate very much, first of all, the patience of the Presiding Officer. We are sorry that in your first few hours in the Senate you have had to spend so much time here when we have not been doing a lot, but it is necessary that you are here, and we appreciate very much your patience, as I have indicated.

Mr. President, it is my understanding that we are not in morning business. Is that right?

The PRESIDING OFFICER. That is correct.

MORNING BUSINESS

Mr. REID. I ask unanimous consent that we now proceed to a period of morning business with Senators allowed to speak therein for a period not to exceed 5 minutes each.

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

TRIBUTE TO SENATOR JEAN CARNAHAN

Mr. CONRAD. Mr. President, I rise today to pay tribute to my distinguished colleague from Missouri, Senator JEAN CARNAHAN. After losing her husband and eldest son in a tragic plane accident, Missouri called upon Mrs. CARNAHAN to fill the remainder of her husband's Term. Senator CARNAHAN answered the call of duty and did it with a fair, courageous hand.

Senator CARNAHAN was Missouri's first member of the Armed Services Committee in over 25 years. She also served on the Small Business Committee, the Governmental Affairs Committee, the Commerce Committee, and the Special Committee on Aging.

Senator CARNAHAN made a strong economy her top priority. Her ability to secure defense projects for Missouri and safeguard funding for family farmers hurt by flooding and drought clearly shows Senator CARNAHAN's desire to bolster Missouri's economy, provide good jobs for Missouri workers, and support our Nation's effort in the war against terrorism.

Senator CARNAHAN also knew that a highly skilled workforce required equal educational opportunities. Her Quality Classrooms Amendment allowed local schools greater flexibility in deciding how to utilize Federal dollars. She also worked to secure over \$1.3 million for programs boosting postsecondary education assistance to low-income students. These initiatives illustrate Senator CARNAHAN's deep commitment to a better education and a brighter future for all Missouri students.

Filling the seat of her late husband, Senator CARNAHAN led with dignity and courage as Missouri's first female Senator. She took office at a time of personal loss and hardship, yet prevailed and proved to be a strong leader for Missouri. I would like to join my colleagues in wishing Senator CARNAHAN and her family the very best in the future.

TRIBUTE TO SENATOR PHIL GRAMM

Mr. BUNNING. Mr. President, I rise today to pay tribute to my good friend and colleague, Senator PHIL GRAMM.

Without Senator GRAMM, none of us would ever know who Dicky Flatt is. We would not know nearly as much as we know about Texas A&M as we do. And we would probably still be trying to repeal Glass-Steagall.

I met Senator GRAMM on a number of occasions when I was a Member of the House of Representatives, but I did not really get to know him until I joined that Banking Committee in January 1999, when he was the chairman.

Senator GRAMM's first order of business was to finally pass a repeal of the Glass-Steagall banking law. I had

worked on this same repeal during my first term in the House, 12 years earlier, and I know many others had been working on this effort for much longer than that. But it was Senator GRAMM's dogged determination that finally pushed the ball over the goal line and brought our banking laws into the 21st Century.

I won't bore everyone by going into a long list of Senator GRAMM's other legislative accomplishments; they are too numerous to mention, but I would put him right up there with a small group of other senators who have had the greatest impact on the Senate in the past century.

Outside of our working relationship, I have also gotten to know Senator GRAMM, and his lovely life Wendy, very well over as friends.

I would also like to tell a little story about how Senator GRAMM's unselfishness greatly assisted me when I was in a tight spot. Everyone in this body remembers the anthrax attacks of last year. As a resident of the Hart Building, I was one of those who was forced to find other space when the Hart building was closed. The Architect of the Capitol, the Senate Superintendent and the Rules Committee did a great job, under very trying circumstances, of finding space for everyone. But there were about fifty offices that were relocated so space was tight. My staff and I were sitting on top of each other down in EF-100 underneath the back steps of the Capitol.

We were glad to have the space. But it wasn't much more than a glorified broom closet.

Well, Senator GRAMM heard about my predicament and very graciously let me use his Capitol hideaway office until the Hart building was reopened. He only asked that I did not "trash the place and leave empty whiskey bottles on the floor." I can assure the Members of the Senate and the people of the Commonwealth of Kentucky that I followed his instructions.

I am also fairly confident that as much as I appreciated the kind gesture, my staff appreciated the fact I had somewhere else to go even more. It is not just Members who will miss Senator GRAMM, but staff as well.

We will miss his leadership, but I think we will miss his courage even more. Senator GRAMM is willing to take unpopular stands. He is willing to lose a vote 99-1. He is willing to keep the Senate in all night to fight for what he believes in, no matter how unpopular that stand may be.

One example that stands out clearly in my mind was at the beginning of the debate on the Clinton health care bill. Many don't remember now, but when we first started working on that issue in Congress, President Clinton had a lot of momentum and it looked like only a foregone conclusion that he would get some sort of bill passed. Those of us who didn't the President's proposal really felt like we were swimming upstream.

Then PHIL GRAMM took the Senate floor, and laid out a withering assessment of the bill and why it would do so much harm to the country if passed. He wrapped up his remarks by saying that "the Clinton health bill would pass the Senate over my cold, dead political body." That served as a rallying cry for the rest of the Congress and signaled a real turning point in the debate. But, at the time, it wasn't popular and most people on Capitol Hill thought it wasn't very smart. But it was right. That's PHIL GRAMM for you.

I have heard him say on more than one occasion, "I've never taken a hostage I wasn't willing to shoot." Everyone knows Senator PHIL GRAMM will kill a bill if he thinks it's bad for America or if fellow Texans are being treated unfairly. And he has shot some legislative hostages.

But more often than not, he was able, through negotiation, to work out a better product.

I think the Senate will miss his homespun eloquence. I don't think there is anyone better at simplifying a complicated bill for his colleagues and the American people. Whether he uses the "Dicky Flatt test" or the wisdom his mama passed down to him, Senator GRAMM has the unique ability to make the complicated simple. On this side of the aisle, that eloquence will be missed, he always did a great job of articulating our position.

Mr. President, Senator GRAMM will be missed not just by me, but this entire body, the people of Texans and all Americans. I will miss him as a Senator and a friend.

TRIBUTE TO SENATOR FRED THOMPSON

Mr. BUNNING. Mr. President, I rise today to pay tribute to my good friend and colleague, Senator FRED THOMPSON.

Since his arrival in the Senate in 1994, Senator THOMPSON has been one of the most respected Members on both sides of the aisle. His constituents clearly have great admiration and respect for him. In 1996, Senator THOMPSON received more votes than any other candidate in the history of Tennessee and won his reelection by more than twenty points!

Throughout his tenure in the Senate, Senator THOMPSON has been a tremendous supporter of conservative ideals and principles. As a member of the Senate Finance Committee, he has fought to reduce taxes for his fellow Tennesseans and all Americans, and helped to stabilize Medicare and Social Security for future generations.

As a member of the Senate Government Affairs Committee, I have had the privilege of working with Senator THOMPSON on various projects when he served as chairman, and later as the ranking Republican member. The Senator should be congratulated for his hard work on the President's priority to create the Homeland Security Department.

In a recent interview, Senator THOMPSON said he has "always looked at public service as more an interruption to a career than a career itself." It is now time for Senator THOMPSON to begin his new career as the District Attorney on the hit television show "Law and Order." I wish my good friend Senator THOMPSON well in his new job, and I leave him with this little piece of advice: don't let Hollywood turn you into a liberal!

Senator THOMPSON will be missed not just by me, but this entire body, the people of Tennessee and all Americans. I will miss him as a Senator, but look forward to watching my friend on Wednesday nights as he begins his new career on "Law and Order."

TRIBUTE TO SENATOR TIM HUTCHINSON

Mr. BUNNING. Mr. President, it is with great pride that I rise today to pay tribute to Senator TIM HUTCHINSON of Arkansas.

Since 1985, when he first began his career in public service as a member of the Arkansas State House of Representatives, TIM HUTCHINSON has fought for the people of Arkansas and the citizens of the United States of America. Throughout his 12 years in public office at the State and Federal level, TIM has worked hard to push his conservative agenda and ideals. He has been a strong proponent of a balanced budget, tax relief and reform of our Nation's education system.

As a Member of the House of Representatives from 1992 to 1998, TIM authored the much needed \$500-per-child tax credit, which allows parents to place as much as \$2,000 per year, per child, in a designated savings account. He was also one of the main actors in the pursuit to reform this nation's struggling and inefficient welfare system. Besides his many accomplishments in the areas of tax relief, education and welfare reform, TIM has been a major advocate of issues affecting our nation's veterans. He has worked tirelessly over the years to open additional outpatient clinics for veterans across Arkansas.

As a Member of the U.S. Senate, TIM HUTCHINSON served on the Armed Service Committee, Health, Education, Labor and Pensions Committee, Agriculture Committee, Veterans Affairs Committee and the Special Committee on Aging. As a member of the Education Working Group, Senator HUTCHINSON led the charge to pass the "Education Savings Accounts" Legislation. I am also very proud to have worked with Senator HUTCHINSON on trying to pass legislation which bans human cloning.

I have had the honor of serving with TIM HUTCHINSON in both the House and Senate. I have served with him on the Senate Armed Service Committee and know first hand how hard this individual has worked to make this Nation a safer and better place for all to live.

With his background as a teacher and businessman, TIM was able to bring both expertise and leadership to the Republican party. We need more public servants like TIM HUTCHINSON who champion empowerment over dependency. It was a pleasure and honor to serve with him in this body.

THE PROTECT ACT

Mr. LEAHY. Mr. President, last night the Senate passed, by unanimous consent, the Hatch-Leahy PROTECT Act providing important new tools to fight child pornography. I want to take a moment to speak about the passage of this important bill and the effort that it took to get to this point. Although they have recessed subject to the recall of the Speaker of the House, I also want to implore the Republican leadership in the House of Representatives not to miss this important opportunity to pass such important bipartisan legislation as this.

In April, I came to the Senate floor and joined Senator HATCH in introducing S. 2520, the PROTECT Act, after the Supreme Court's decision in *Ashcroft v. Free Speech Coalition* ("Free Speech"). Although there were some others who raised constitutional concerns about specific provisions in that bill, I believed—and still believe—that unlike the Administration proposal, it was a good faith effort to work within the First Amendment.

Everyone in the Senate agrees that we should do all we can to protect our children from being victimized by child pornography. That would be an easy debate and vote. The more difficult thing is to write a law that will both do that and will stick. In 1996, when we passed the Child Pornography Prevention Act, "CPPA", many warned us that certain provisions of that Act violated the First Amendment. The Supreme Court's recent decision in *Free Speech* has proven them correct.

We should not sit by and do nothing. It is important that we respond to the Supreme Court decision. It is just as important, however, that we avoid repeating our past mistakes. Unlike the 1996 CPPA, this time we should respond with a law that passes constitutional muster. Our children deserve more than a press conference on this issue. They deserve a law that will last.

It is important that we do all we can to end the victimization of real children by child pornographers, but it is also important that we pass a law that will withstand First Amendment scrutiny. We need a law with real teeth, not one with false teeth.

After joining Senator HATCH in introducing the PROTECT Act, I convened a Judiciary Committee hearing on the legislation. We heard from the Administration, from the National Center for Missing and Exploited Children, NCMEC, and from experts who came and told us that our bill, as introduced, would pass constitutional muster, but the House-passed bill would not.