

strength for services other than the Marines. Our military is on a collision course with reality of families they don't see, training they aren't receiving and divisions borrowing from each other to meet the bare minimum in staffing. We can prevent a loss tomorrow, but we have to act today by increasing our numbers, and I hope that we will.

Just as we must go on the strategic offensive overseas, we have to be on the strategic defensive here at home. The Senate has just passed the bill to create a new Department of Homeland Security, which was long overdue. For my own part, I am pleased to see passage of several measures I have worked on that I believe will significantly improve our sense of security here at home. The homeland security bill itself contains provisions to coordinate law enforcement and public health emergencies and to move the Federal Law Enforcement Training Center into the new department. The Port Security bill will help the ports of Brunswick and Savannah cut off options for terrorists who want to attack the U.S. on our own shores. The Bus Security bill will ensure that bus passengers are finally accorded some of the same security measures that the flying public receives.

I look ahead now, and see our nation facing perilous challenges. Iraq and Saddam Hussein are back on our radar screen. We are right to insist on disarmament, and I leave the Senate confident that my vote to give the President the authority to use force to that end was the right one. I also believe my vote to go after Osama bin Laden was the right one, but we have miles to go before we sleep on that front.

As all of these issues continue, I hope that the Senate and the country will continue to vigorously debate the proper course for our nation's foreign policy. A policy unchallenged is a policy unproven. Why would we wait to prove our theories to ourselves and our allies until our troops are in the field proving our policies for us?

When he was in Vietnam, Colin Powell swore to his men, as I swore to mine, that when we were the generals instead of the captains, when we were the senators instead of the sergeants, we would not send our boys into a fight willy-nilly. And we haven't. And we shouldn't. In retrospect it seems to me that the real failure of Congress in Vietnam was not so much passage of the open-ended Gulf of Tonkin resolution, but its subsequent failure to exercise its Constitutional responsibilities after the resolution passed.

Likewise, Congress' vote on the Iraq resolution provided a tangible, militarily achievable objective, but it did not discharge the Congress of all future responsibility with respect to our policy on Iraq. After the 1990-91 Gulf War, Powell put forth six questions which he believed must be addressed before future military interventions:

Is the political objective important, clearly defined, and well understood?

Have all non-violent means been tried and failed?

Will military force achieve the objective?

What will be the cost?

Have the gains and risks been thoroughly analyzed?

After the intervention, how will the situation likely evolve and what will the consequences be?

The first three questions have been addressed thus far, but when we turn to the final three of General Powell's questions, we see the need for some serious and sustained attention not only by the Administration, but by the Congress as well. What will be the cost, not only the cost of the immediate military operation, but also the costs of what could be a very long-term occupation and nation-building phase? What about the cost for our economy? The mere threat of war has sent oil prices upward and caused shudders on Wall Street. What will a full blown war do? Have the gains and risks been thoroughly analyzed? And after the intervention, how will the situation likely evolve and what will the consequences be?

Powell has said that the purpose of the American military is to prevent war. But if war cannot be prevented, we should go in, win and win quickly. I am grateful to have Colin Powell's voice in this debate today. And I am hopeful we will have his and others like his in the debates of tomorrow. I hope the members of the 108th Congress will ask these questions and these are the ones I will be asking from whatever vantage point I move to after January 2.

In his farewell speech to Congress, General Douglas MacArthur said that old soldiers never die, they just fade away. This old soldier is not going to fade away, but I will take my battles to another front. The people of Georgia have given me a chance to live the life of my dreams here in the Senate, but now I may have the chance to live a life that exceeds my dreams, and I am grateful for that.

As much as Richard Russell achieved for Georgia and for America, he said his greatest regret in his life was that he never married. I am happy to say that this old soldier has learned a thing or two from Russell, and I will be married to my fiancée, Miss Nancy Ross, after I retire. There is life after the Senate, and it will be a wonderful life. FDR said that the purpose of politics is to generate hope, but for me, the purpose of life is to generate hope. I will continue to try to live up to FDR's example every day.

Before I leave, I want to thank several people. Senator ROBERT BYRD, for teaching me so much about this institution. Senators REID and DASCHLE for your constant help and support, as well as Senator ZELL MILLER. Senators JOHN MCCAIN, JOHN KERRY and CHUCK HAGEL, who reminded me that nothing is stronger than brotherhood, and some things are more important than politics. I thank my staff for letting me lean on them, and I thank the entire

Senate family, from our Chaplain Lloyd Ogilvie to the reporters who cover the Senate, from the wonderful elevator operators to the staff in the Senate dining room and the barber shop and everyone in between—you've been my friends and my family and I will always remember your kindness. Finally, to my colleagues and the people of Georgia, a song from one of my favorite old westerns comes to mind. Happy trails to you, 'til we meet again. God bless you.

(Applause, Senators rising.)

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, 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 (Mr. REED). Without objection, it is so ordered.

Mr. REID. Mr. President, the two managers of this bill, the President pro tempore of the Senate and the soon to be President pro tempore of the Senate, are both here managing this bill. It is my understanding they are not going to take a long period of time. As soon as they finish, it is my understanding we would have final passage.

The majority leader has come upon the floor. Senator BYRD said he is ready to begin the debate.

#### MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 2003

The PRESIDING OFFICER. The clerk will report the joint resolution.

The assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 124) making further continuing appropriations for the fiscal year 2003, and for other purposes.

The Senate proceeded to consider the joint resolution.

Mr. BYRD. Mr. President, I shall be brief and my colleague, Mr. STEVENS—

The PRESIDING OFFICER. The Senate will come to order. Please remove conversations from the floor.

The Senator from West Virginia.

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

I do not intend to speak more than 15 minutes, if that much. And my colleague has indicated he will speak about the same amount of time. So I would say to Senators we ought to be voting within 30 minutes.

Last July, almost 4 months ago, the Senate Appropriations Committee completed action on all 13 of our appropriations bills, each on a bipartisan unanimous vote. These bills restored essential funding for programs that the administration proposed to cut.

We provided \$1.1 billion more than the President requested for veterans medical care.

We restored the \$8.6 billion cut proposed by the President in highway funding.

The President proposed only a 1-percent increase for education programs. He would turn the No Child Left Behind bill into another unfunded mandate. Our bill would have provided a 6-percent increase for education, including key funding to reduce class size.

We included sufficient funding to keep Amtrak operating.

We restored over \$1 billion of cuts that the President proposed for State and local law enforcement programs.

We fully funded the President's proposed increases for homeland security programs, but we provided the funds through existing programs that our nation's fire and police organizations support.

We provided a significant increase for the Securities and Exchange Commission in order to investigate corporate fraud.

We provided \$400 million for election reform.

Sadly, the President believes that these increases represent wasteful and unnecessary spending. He worked with the House Republican leadership to shut the appropriations process down. The House has not passed a regular appropriations bill in nearly 17 weeks. By contrast, the Senate Appropriations Committee reported all thirteen bills by July 25th, the earliest date that this was accomplished since 1988. However, without the House-passed bills, our process stalled.

The Senate Appropriations Committee, on a bipartisan basis, believes in making responsible choices. It believes in governing. The President, sadly, appears to believe more in rhetoric and political posturing.

This year, only two of the thirteen appropriations bills have been signed into law. The House has voted for and the President has supported a fifth continuing resolution that would extend appropriations for the domestic side of the government until January 11. This is the worst performance of the Congress in attending to one of its most basic responsibilities, the funding of the government, since 1976 when the beginning of the fiscal year was moved to October 1.

Why did the President precipitate this unprecedented failure? Despite the fact that Congress approved the President's 13 percent, \$45 billion, increase for defense programs and his 25 percent, \$5 billion, increase for homeland defense programs, the President believes that the 3.5 percent increase for domestic programs that the Senate Appropriations Committee approved, was excessive. The President proposed to virtually freeze domestic programs that were not for homeland defense. The Senate Appropriations Committee provided \$13 billion more for domestic programs, barely enough to cover inflation.

The President has forced the entire domestic side of the government to op-

erate on automatic pilot at fiscal year 2002 levels for over one quarter of the fiscal year. In a bit of pre-election posturing, the President's Press Secretary Ari Fleischer said on October 20th, "For the first time in probably a decade, Congress has left town before an election without going on a spending spree using taxpayers' money. There's a new sheriff in town, and he's dedicated to fiscal discipline. And Congress for the first time in a decade has listened to the new sheriff."

That new sheriff is shooting the country in the foot with his Administration's shortsighted political games. But, were the items that the Senate Appropriations Committee funded with the \$13 billion increase a spending spree?

No.

With great fanfare, the President signed numerous authorization bills this year that authorize increase spending on important programs. Last January, he signed the No Child Left Behind Act in order to invest additional resources in important education programs for our children. Last May, he signed a border security bill to strengthen glaring weaknesses in our border security. Last July, he signed the Bioterrorism Preparedness Act authored by Senators KENNEDY and FRIST in order to provide critical resources to State and local governments to improve the capacity of hospitals, clinics and emergency medical personnel to respond to biological or chemical attacks. Last July, he signed the Sarbanes-Oxley Act to combat corporate fraud. In October, he signed the election reform bill in order to help State governments overhaul the nation's electoral system.

Yet, when it came time to actually fund these important initiatives, the President worked to postpone action on the FY 2003 spending bills. He worked with the House Republican leadership to force the funding of the entire domestic side of our government onto a continuing resolution. Instead of making careful choices, the President has forced the government to operate on automatic pilot, leaving the legislation that he signed with such fanfare, to operate without the increased resources authorized by those laws.

The Senate is now considering a fifth continuing resolution to extend funding for the eleven bills that fund domestic agencies through January 11, 2003. This puts the entire domestic side of the government, including homeland security programs, on automatic pilot at the levels approved for FY 2002.

You must watch what this President does, not what he says. What he has done, is to force the government to operate on automatic pilot. What he has said bears very little resemblance to what he has done.

The U.S. Senate is reputed to be the world's greatest deliberative body. In "Democracy in America," French visitor Alexis de Tocqueville described

this body as an institution "composed of eloquent advocates, distinguished generals, wise magistrates, and statesmen of note, whose arguments would do honor to the most remarkable parliamentary debates of Europe."

That was the Senate of 1831—an institution that prided itself on its deliberate, careful, judicious debates; an institution that possessed, as once the Senate of ancient Rome possessed, a great firmness, anchored by oratory that was as brilliant as the immense gold eagle atop the dais of the old Senate Chamber. But the Senate that de Tocqueville watched in 1831, I am sad to say, is a far, far cry from the institution that the American people have observed over the past few months.

Instead, the American people have seen a body more concerned about politics than substance; more concerned about party than about the people; more concerned about the state of the midterm elections than the state of the union.

President Bush came to Washington in 2001 and promised to change the tone in Washington. Instead, the President has sent an unambiguous message to Congress on virtually every major policy issue. His message—my way, or the highway. No room for debate. No room for deliberation. The nation needs to pursue energy independence, but the President has said my way or the highway. Our elderly need a prescription drug benefit, the President has said my way or the highway. The Director of Homeland Security says our nation is facing an imminent risk of a terrorist attack, but when it comes to homeland security legislation, the President said my way or the highway.

Similarly, the Congress has been manacled by the President and the House Republican leadership in its efforts to fund the operations of government.

On September 17, I came to the floor and I warned Members that the White House was leading an effort to stall the appropriations process. At that time, the House had not taken up an appropriations bill for eight weeks. I complained that the Administration seemed to believe that the federal government is nothing more than a "Monopoly" board, with the President living on Park Place, while the rest of the country relegated to Mediterranean Avenue.

In those remarks, I noted that Lawrence Lindsay, the President's principal economic advisor, had estimated that the costs of the war in Iraq would be \$100 to \$200 billion but that spending at that level would have no impact on the economy. I stressed my concern that the White House is willing to put the entire domestic side of the government on automatic pilot in a long-term continuing resolution over their insistence that the \$13 billion difference between the House topline for discretionary spending and the Senate topline is, in their view, excessive spending. I noted that the House Republican leadership, at the bidding of

the White House, is willing to force all of the domestic agencies to operate at current rates over their objection to the Senate's wanting to provide a 3-percent increase for domestic health, education, environmental, law enforcement and other programs, barely enough to cover inflation.

On September 24, I came to the Senate floor and I warned Members about the dire consequences of forcing veterans health care programs, education programs, transportation programs to operate at last year's spending levels.

On October 2, I returned to the floor and I asked the White House why they had turned a deaf ear to the needs of the American people; and why the fundamental duties of the President and the Congress to make careful and responsible choices about how to spend the taxpayers' hard-earned dollars had been put on automatic pilot.

For months, the President called on Congress to send him the Defense Appropriations bill. The Congress fully cooperated with the President in this regard. Congress sent the President the Defense and Military Construction bills at levels \$800 million above the original House bills.

There is no doubt that the Congress and the President can work together. When the President asked for the necessary Defense funding, the Congress cooperated. But it's a far different story when it comes to the domestic programs of the United States Government.

The rest of the appropriations bills remain on hold, stuck in the mud of election-year politics. The President has sent the message that he will be satisfied to put the entire domestic side of the government on automatic pilot. He has already signed four continuing resolutions that fund the government at the levels in last year's laws.

Many members of Congress, myself included, are proud to wear the label of "defense hawk." But, in this new age of terrorism, being a defense hawk must also mean being a "hawk" on domestic defense. It must mean defending and funding domestic initiatives that will make Americans safer and more secure in their own backyards just as vociferously as defending and funding the production of military aircraft, and missiles, and tanks.

The White House stall on the remaining appropriations bills means that one front of our two-front war on terrorism will be provided with funds to do battle, but the other front will be short-changed. If we fail to pass the rest of our appropriations bills, all of our efforts here, on American soil, to make more secure our states, cities and neighborhoods, will be getting short shrift.

Many on the other side of the aisle have claimed that this fiscal train wreck is the result of the Senate's not passing a budget resolution. That may make for good campaign rhetoric, but every Senator knows that a budget res-

olution is not necessary to pass appropriations bills. Congress was able to pass appropriations bills for nearly 200 years without a budget resolution.

The Budget Act specifically provides authority for the House to move forward on the appropriations bills in the absence of a budget resolution. Sadly, the House Republican leadership, at the prodding of our "my-way-or-the-highway President", chose instead to shut the appropriations process down.

The President insisted on a topline of \$749 billion for the thirteen discretionary bills and has not budged. He seems satisfied to put the government on automatic pilot. No choices. No judgment. No opportunity for the Congress to reflect the needs of the American people in its consideration of the thirteen bills. No, let's just put the government on automatic pilot. Government by formula, rather than government by choice.

According to news reports, the President considers himself to be an education President. He speaks before Veterans groups. He speaks about combating the war on terrorism by strengthening the FBI's investigative capabilities and shoring up security at the Nation's airports, ports, and borders. But talk is cheap. The necessary funding for these priority programs is not. Where is the White House cooperation when it comes to priority domestic funding, especially those relating to homeland security and the plight of our veterans and the state of our education programs? Remember, watch what he does, not what he says.

Mr. President, as the days and weeks slip by and the domestic programs of the Federal Government limp along on autopilot under the provisions of the continuing resolutions, the four-million veterans who rely on the Veterans Administration for their health care are having to worry about whether that care will be available to them. Maybe they are not sleeping too well. While the weeks slip away, the 11,420 FBI agents who are supposed to be combating the war on terrorism are having to wonder whether they have the necessary resources to fight that war. Maybe we all ought not to sleep too well. While the weeks slip away, the government's effort to root out corporate fraud is being put on hold. Watch what they do, not what they say. While the weeks slip away, the President appears to be satisfied to forget his No Child Left Behind promise and turn the commitment to educating America's children into another unfunded mandate, another unfulfilled promise.

The President is quick to champion homeland security, but his budget priorities reflect a different agenda. The administration's adamant refusal to move off of the dime in these appropriations discussions could jeopardize homeland security, no matter when or how any new Department of Homeland Security is created.

Recently, former Senators Rudman and Hart released a report that con-

cluded that the American transportation, water, food, power, communications, and banking systems remain easy targets for terrorist attacks. According to the report, "A year after 9/11, America remains dangerously unprepared to prevent and respond to a catastrophic terrorist attack on U.S. soil. In all likelihood, the next attack will result in even greater casualties and widespread disruption to our lives and economy."

The report highlighted the vulnerabilities created by: the minuscule fraction of trains, ships, trucks and containers that are searched for weapons of mass destruction; poor radio communications and equipment and training for police, fire and emergency medical personnel; inadequate coordination and focus on threats to food safety; lack of lab capacity to test for biological or chemical contaminants; and insufficient sharing of intelligence information with State and local governments on potential terrorist threats.

Not only has President Bush failed to lead the nation in addressing this vulnerability, he has, in fact, actively opposed efforts to provide the resources necessary to address these significant weaknesses. When it comes to homeland defense, the President talks a good game, but puts no points on the board for our needs. Under pressure from the White House, since September 11, 2001, critical funding to address the specific concerns identified in the Rudman/Hart report have been squeezed out of spending bills considered by the Congress.

The Congress has succeeded in approving \$15 billion for homeland defense programs in December of 2001 and July of 2002, \$5.3 billion above the President's request. However, on several occasions in November, December and July, the President threatened to veto legislation that would have provided nearly \$24 billion more for critical homeland security programs, including \$15 billion from the stimulus bill and \$8.9 billion from Fiscal Year 2002 bills reported by the Senate Appropriations Committee.

In August of 2002, the President chose to terminate \$2.5 billion of funding that Congress approved for homeland security programs in the Fiscal Year 2002 supplemental. He turned his back to funds that would have helped to save lives.

In October of 2002, the White House took credit for forcing the entire domestic side of the government to operate by automatic pilot under a continuing resolution of last year's funding levels. That means that agencies like the FBI, the Customs Service, the new Transportation Security Administration, the Coast Guard, FEMA and the Immigration and Naturalization Service, agencies that are critical participants in securing our homeland, have no new resources to address known homeland security vulnerabilities. This postponed over \$5

billion of increases approved by the Senate Appropriations Committee for homeland security programs.

When the President called on Congress to send him the Defense bills, Congress responded. But, how about the other eleven bills? We hear no call from the President to send him the remaining bills. The silence is palpable.

Under the long term continuing resolution, the veterans health care system will be funded at a level that is \$2.4 billion short of the level proposed in the Senate passed FY2003 VA-HUD bill. There are currently over 280,000 veterans on waiting lists for VA medical care. Under a long-term continuing resolution, the waiting lists will more than double. VA will schedule 2.5 million fewer outpatient clinic appointments for veterans, and 235,000 fewer veterans will be treated in VA hospitals.

Thousands of FEMA fire grants, grants to resolve the interoperable emergency communications equipment problem, grants to upgrade emergency operations centers, grants to upgrade search and rescue teams, grants for emergency responder training and grants to improve state and local planning would be funded under the Senate's appropriations bills. But the Administration insists on operating the domestic programs of the Federal Government under the autopilot provisions of the continuing resolution which are mindless, formulaic, and without any trace of human judgment.

Has the President asked the Congress to send him the VA/HUD Appropriations bill that funds these critical veterans and homeland defense programs? No.

Many of the requirements of the Transportation Security Act require large expenditures in the first quarter of Fiscal Year 2003. Local airports are required to purchase explosive detection equipment to keep bombs from being placed on our airliners. To do that, they need help. Our highway program is facing a \$4.1 billion cut in spending that could reduce jobs by over 160,000. Could our economy use those jobs? Amtrak could go bankrupt, throwing 23,000 people out of work and eliminating train service to 1.7 million citizens per month. Merry Christmas Amtrak workers from the White House. The Senate Transportation bill addresses these concerns. Has the President asked Congress to send him the Transportation bill to fund these programs? No.

Federal funds also are needed to hire new federal screeners and to make our nation's seaports more secure. But this cannot be accomplished under a continuing resolution. The INS is at a critical juncture in developing a comprehensive Entry/Exit system to protect our nation's borders. The Senate bill provides \$362 million for this initiative. But the Administration's inflexibility means that this program is frozen under the provisions of a continuing resolution just like our

progress on protecting our borders—frozen! The President signed an authorization bill to help root out corporate fraud, but the continuing resolution would deprive the Securities and Exchange Commission of \$300 million contained in the Senate bill to investigate corporate fraud. Let the fraud flourish for just a little while longer. Has the President asked the Congress to send him the Commerce/Justice/State bill that funds those programs? No.

The Customs Service is scheduled to hire more than 620 agents and inspectors to serve at the nation's high-risk land and sea points of entry. The Senate provides the funding for the Customs Service. But, again, the Administration seems to be satisfied with government by autopilot. A continuing resolution does not fund new agents for our border. Has the President asked the Congress to send him the Treasury/General Government bill to fund that border security program? No.

Without additional funding for security at our nuclear facilities, the Department of Energy will have to lay off 240 security guards at nuclear facilities in Tennessee and Texas. These 240 guards are the first line of defense between our enemies and a significant portion of our nation's nuclear material. Has the President asked us to send him the Energy and Water bill? No.

By forcing the government to operate on autopilot, the Administration wants the nation to fight terrorism with a wink and a nod.

Last month, Congress passed landmark election reform legislation. \$3.8 billion is authorized for grants to state and local governments to improve our election systems. Yet, there is no funding for this initiative under a continuing resolution. Has the President asked the Congress to send him legislation to actually fund these new election reform grants? No.

Last year, Congress passed the No Child Left Behind Act with bipartisan support. But, this law becomes nothing but an unfunded mandate on our local governments if the federal funding is not there for states to implement the new act. It takes money to reduce class size, to provide teacher training, to invest in new technology and to develop meaningful assessment tools. The No Child Left Behind Act requires States to ensure that all teachers teaching in core academic subjects are "highly qualified" by the end of the 2005-2006 school year. But, the President's budget included no new money for teacher training. The Senate bill would increase funding for Teacher Quality State Grants by \$250 million, for a total of \$3.1 billion. The President's budget would increase funds for education by just \$367 million—less than a 1% increase. That level gets an "F" in my grade book. The bill passed by the Senate Appropriations Committee, meanwhile, would increase education funds by \$3.2 billion, or 6.5%. Has the President asked Congress to send him the Labor/HHS/Education bill? No.

Here in the Senate, Senator STEVENS and I sat down and worked out a topline for discretionary spending that reflected our views of the level of spending that would be required to produce thirteen bipartisan, fiscally responsible bills. We then followed through and the Senate Appropriations Committee produced all thirteen bills by the end of July consistent with that allocation. All thirteen annual appropriations bills cleared the Senate Appropriations Committee with fifteen Democratic members and fourteen Republican members voting aye. There is nothing partisan about these Appropriations bills. I worked with my Republican colleagues, led by that very able Senior Senator from Alaska, TED STEVENS, to make sure that these bills represented a consensus of our members, both Democratic and Republican. There are no gimmicks. The bills have been available for all Members to see for over sixteen weeks. Yet, the lack of action in the House has shut down progress in the Senate as well.

Senators should know that frustration with the lack of progress on the FY 2003 appropriations bills is bipartisan and bicameral. In a recent, widely distributed memorandum to the Speaker of the House of Representatives, House Appropriations Committee Chairman BILL YOUNG said, "A long-term continuing resolution that funds government operations at FY 2002 levels would have disastrous impacts on the war on terror, homeland security, and other important government responsibilities. It would also be fiscally irresponsible."

All it would have taken to move the FY 2003 bills was some degree of cooperation between the House and Senate leadership, but the White House thwarted any chance of a compromise being reached. That's right. The White House—the Bush White House—the one that promised to change the tone in Washington, thwarted any chance of a compromise being reached. They did not want the work to be done. The White House spinners wanted to spin and weave their tangled web.

We ought to be more concerned about how our actions will affect the course of the country than we are about how our actions or inactions will affect the direction of our polls. We ought to be more concerned about the price the people will pay for our actions or inactions than we are about the price our parties will pay at the voting booth. We ought to be more concerned about raising public awareness than we are about raising campaign funding. We ought to be more concerned about doing our jobs than we are about keeping our jobs.

Now, because of the White House's unwillingness to put what is best for the American people ahead of what is best for our political parties, the Congress is forced to pass a continuing resolution to fund the operations of government until the 108th Congress. The Congress will forsake one of its most

important functions—to ensure funding for the operations of the federal government—because it could not reason with this partisan, partisan White House.

Call me old-fashioned, but I remember a time when compromises were crafted by individuals who had differing views on an issue. But with this President, it is my way or the highway.

The Senate must not blindly follow, in the name of party unity or under the yoke of political pressure, a short-sighted path that ultimately undermines our Constitutional processes. He could not stay off of the campaign trail long enough to negotiate and help us pass these bills.

Why isn't the Administration up here working in a bipartisan and flexible fashion with the leadership of the House and Senate Appropriations Committees to facilitate the processing of the appropriations bills that fund domestic programs so that the necessary funding can be provided to the veterans, the FBI, the education programs, the homeland security programs at the Federal, State, and local levels?

Why the giant stall, the big freeze, the cold shoulder? This Administration is setting quite a track record. Unfortunately for the American people, it is not a record on which to look back with pride. It is a record that rejects reasonableness in favor of stubbornness. It is a record that rejects progress in favor of partisanship. It is a record that puts politics ahead of the American people.

I, for one, can not forget what is important to America. I recognize, as do many members of this body, the critical nature of these appropriations bills to the future progress and security of this nation. I recognize the importance of these appropriations bills to the farmers, to the teachers and their students, and to the veterans. I recognize the importance of these bills to future breakthroughs in medical research and cancer treatments. I recognize the importance of these bills to our nation's energy independence and to our transportation network.

I can only pray that the Creator will see fit to protect us from the plots of twisted souls who lurk in the shadows, and I can only hope that in January, either our shame or our fear or both will compel us to act.

I have very strong feelings of gratitude for my colleague, Senator STEVENS, the ranking member, who has worked so closely with me. And I am especially appreciative for all of the cooperation and bipartisanship that has been shown by the members of this committee.

We have a committee of 29 members—15 Democrats, 14 Republicans. On all of these measures, we have reported the bills on a bipartisan basis without any partisan differences within the committee.

So I have many reasons to thank the ranking member, Mr. TED STEVENS,

former chairman of the committee. I want to take this opportunity to thank him, and to also thank the other members of the committee.

I also want to thank staff on both sides of the committee. We have excellent staff that works with the Members. And I can only express my very deepest appreciation to the staff and to the membership.

I urge the Members of the Senate to vote as they see fit on this continuing resolution. I shall support it, although I am not entirely pleased that we have been forced to engage in this exercise in passing continuing resolutions. But be that as it may, we do have to fund the operations of the Government. So I shall vote for the continuing resolution.

The House has not taken up an appropriations bill for 8 weeks. When I came to the floor on September 17 and warned Members that the White House was leading an effort to stall the appropriations process, that process has been stalled. We sent two appropriations bills to the President. That is it. Eleven appropriations bill out of the 13 have not been sent to the President's desk. This is because the House Republican leadership has put the brakes on and has simply refused to let the Appropriations Committee in the House move the bills forward. The leadership on the House side has simply refused to have that body act on the appropriations bills that had been reported by the Appropriations Committee in the House.

That is most unfortunate.

I yield the floor in the event that my distinguished counterpart, Mr. STEVENS, wishes to say whatever he wishes. He may have the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I thank you. I thank the distinguished chairman of our committee.

The pendulum of politics is swinging. When we return in January, I will become, once again, the chairman of our committee, and I look forward to working with my great friend from West Virginia in the manner I have tried to work with him as he has been chairman.

During the recent days, I have had the privilege of meeting with the President of the United States and the Office of Management and Budget Director, and with Congressman BILL YOUNG. We discussed the process by which we might try to finish with the appropriations for fiscal year 2003 so that we might be ready to handle the 2004 requests when they come following the State of the Union message that the President will deliver to us on January 20.

I look forward to working with Senator BYRD in that regard. This continuing resolution is absolutely necessary to give us the opportunity to move forward, and sometime in the first week that we are back in January we can decide how quickly we want to finish this appropriations process.

For myself, I am sure Senator BYRD and I will do our best to work in the Senate's best interest and to see to it that we finish these bills so that we can turn to the new task of dealing with the new budget requests which this time will include a new Department of Homeland Security. It will be a most interesting transition. And it is going to be a difficult problem for us in reorganizing the appropriations process to handle this new Department—whether or not we will create a new subcommittee or divide the work of the existing subcommittees to handle the new Homeland Security Department, that will have to be determined in the future.

I will certainly consult with Senator BYRD on all of those details.

For now, I urge Members to approve this continuing resolution and to understand the process. This is something the Senate is compelled to do in order to take us into a new Congress so that we can finish the work on the fiscal year appropriations for 2003. I hope everyone will understand the process and will give us their understanding even further when they return in January.

If the Senator is willing to yield back his time, I will be glad to yield back. We have no request for time on this side.

Mr. BYRD. Mr. President, I also want to take this opportunity to thank Chairman BILL YOUNG, the chairman of the House Appropriations Committee. I enjoy working with Chairman YOUNG. He has always been very cooperative and very gracious. He is a very courteous Member of that body, and is always very kind and considerate of me as I have labored to act as the chairman of the Appropriations Committee in the Senate upon more than one occasion.

I also thank DAVE OBEY, the ranking member on the House Appropriations Committee. DAVE OBEY brings a great deal of experience and knowledge and is a very articulate and forceful member of the House Appropriations Committee.

I enjoy working with DAVE OBEY, as I enjoy working with BILL YOUNG.

It has been a pleasure to work with the other members of the House Appropriations Committee on both sides—Republicans and Democrats. They have always been very nice to me.

This year I will relinquish my responsibilities as chairman and will begin work with my former chairman, Mr. STEVENS, and the other members of the committee as we go forward into the new year.

I believe we will have difficult times ahead. But I have always been able to work with Senator STEVENS. He has always been very nice to me, and very considerate, as has been his staff.

While I hesitate to feel that we must probably look forward to a more difficult year in the future than we have in the past, I can only say that I hope Senator STEVENS and our colleagues on

both sides of the aisle in that committee enjoy a wonderful Thanksgiving, a lovely Christmas, and a Happy New Year.

And may God look down upon us and help us in our struggles, as we will continue to do our best, with limited resources, in the forthcoming year.

Mr. President, I yield the floor.

The PRESIDING OFFICER. If all time has been yielded back, the clerk will read the joint resolution for the third time.

The joint resolution was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. SHELBY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Missouri (Mrs. CARNAHAN), the Senator from Georgia (Mr. CLELAND), and the Senator from New York (Mr. SCHUMER) are necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS), the Senator from Arkansas (Mr. T. HUTCHINSON), and the Senator from Alaska (Mr. MURKOWSKI) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 92, nays 2, as follows:

[Rollcall Vote No. 253]

YEAS—92

Akaka	Domenici	Lugar
Allard	Dorgan	McCain
Allen	Durbin	McConnell
Barkley	Edwards	Mikulski
Baucus	Ensign	Miller
Bayh	Feingold	Murray
Bennett	Biden	Nelson (NE)
Bingaman	Fitzgerald	Nelson (FL)
Bond	Frist	Nickles
Boxer	Graham	Reed
Breaux	Gramm	Reid
Brownback	Grassley	Roberts
Bunning	Gregg	Rockefeller
Burns	Hagel	Santorum
Byrd	Harkin	Sarbanes
Campbell	Hatch	Sessions
Cantwell	Hollings	Shelby
Carper	Hutchison	Smith (NH)
Chafee	Inhofe	Smith (OR)
Clinton	Inouye	Snowe
Cochran	Jeffords	Specter
Collins	Johnson	Stabenow
Conrad	Kennedy	Stevens
Corzine	Kohl	Thomas
Craig	Kyl	Thompson
Crapo	Landrieu	Thurmond
Daschle	Leahy	Torricelli
Dayton	Levin	Voinovich
DeWine	Lieberman	Warner
Dodd	Lott	Wyden

NAYS—2

Kerry Lincoln

NOT VOTING—6

Carnahan	Helms	Murkowski
Cleland	Hutchinson	Schumer

The joint resolution (H.J. Res. 124) was passed.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. SARBANES. Mr. President, I ask unanimous consent to proceed as in morning business for 5 minutes.

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

#### TRIBUTE TO SENATOR PAUL WELLSTONE

Mr. SARBANES. Mr. President, I was unable to be on the floor the day that we paid tribute to our colleague, Senator Paul Wellstone. I would like to take just a few moments this evening.

Like my colleagues, I was deeply saddened over the tragic death in a plane crash of our colleague, Paul Wellstone, his wife Sheila, his daughter, several members of his staff, and the plane's pilots. His death is a grievous loss to those members of his family who survived, to the people of Minnesota, whom he served so faithfully and honorably, to his colleagues in the Senate, and to the Nation.

Paul Wellstone lived the American dream. His parents came to this country as immigrants. He excelled in school. He earned both his B.A. and his doctorate at the University of North Carolina at Chapel Hill. He went straight from the University of North Carolina to Carleton College in Northfield, MN, as a young professor, where he taught for more than two decades. Minnesota became home to him and his family.

In 1990, the people of his State sent him to the Senate; and in 1996, they voted to send him back for another term.

Paul Wellstone was a person of deeply held convictions, a dedicated fighter for working families. He fought with passion for his principles but was also deeply respectful of those who disagreed with him. He was profoundly committed to the democratic political institutions that he had studied in his youth, that he taught to so many students over the years, and that, by his own direct engagement in our Nation's politics, he brought to life.

We feel a great loss in the death of this courageous fighter for a just and decent America, and we will seek to honor his memory by carrying forward in the spirit in which he lived and gave his life.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. SARBANES). Without objection, it is so ordered.

The Senator from Rhode Island is recognized.

Mr. REED. Mr. President, I ask unanimous consent to speak in morning business for up to 10 minutes.

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

Mr. REED. Mr. President, I too rise to pay tribute to Paul Wellstone and send condolences and prayers to the Wellstone family, to all of his hard-working and dedicated staff, and to the other families involved.

Paul Wellstone was a passionate, courageous, never wavering fighter for his ideals. He fought vigorously for what he believed in. He fought vigorously for Minnesotans, Americans, and people around the world. And he did so side by side with his wife Sheila, herself and eloquent and forceful advocate for domestic abuse victims and so many others.

He was committed to economic and social justice.

He was indignant about the lives faced by the poor, the downtrodden, the battered, and all the "little guys."

He envisioned a better world for everyone, and strove every day to help secure that better world. He was tireless, but never humorless, in this struggle.

He challenged Members of the Senate, the President, and all Americans to envision this better world and to join him in the struggle for that better world.

He fought for all of us, but most especially for our children, for battered women, for working families, for individuals with disabilities, for seniors, for family farmers, for veterans, for Native Americans, and for new immigrants.

He fought to improve education, health care, and the environment. He was a leading voice, a champion, a fighter for these and other important needs of our Nation.

As he said:

If we don't fight hard enough for the things we stand for, at some point we have to recognize that we don't really stand for them.

His view of politics was insightful and straightforward, just like the way he lived his life. He said:

Politics is what we create by what we do, what we hope for, and what we dare to imagine.

He believed with all of his heart and soul in the American promise of equal opportunity, that "every child in America should have the same opportunity to reach his or her full potential regardless of the color of skin, gender or the income level of the child's parents."

To make that happen, we need to provide every child with the same tools for success. I can still hear him say: "We cannot realize the goal of leaving no child behind on a tin cup budget." He would make this pitch during hearing held by the Health, Education, Labor, and Pensions Committee, on which I was honored to serve with him, on the floor, education funding rallies, and anywhere and everywhere.

He believed that education funding should come before tax cuts for the wealthy. In the education reform law, that he voted against because he believed that it didn't provide enough resources and that the tests it demanded