

of human kindness. He never had to ever say he cared. It just showed in how he greeted the elevator operators and the policemen outside. Sometimes we would walk over to the Hart Building and talked to workers on the ground. Everyone was a friend of Paul's and he always had a smile and a hand-shake for everyone.

We saw this in him every day, in dozens of ways, from that hand over there at his desk relentlessly chopping the air as he stood on the floor speaking for those who otherwise had no voice, to the countless people he reached out to help across his State and across the Nation.

The hard-working folks he cared about most didn't have lobbyists or influence, but they had Paul Wellstone, and he truly was their best friend. Everyone called him Paul—not just his colleagues but staff and citizens alike. He would not have it any other way. No one ever wore the title of "Senator" better—or used it less.

In the days since that terrible tragedy, we have seen an outpouring of grief and admiration every bit as authentic as Paul was himself. It is a tribute to him and to the yearning I believe in this country for a politics that can truly be the noble profession of putting principle above the latest polls. Paul truly was the soul of the Senate. Sometimes he cast votes that even some of his friends disagreed with—on war or on welfare. But when he did, he was the mirror in which we, his colleagues, looked at ourselves and searched our own hearts to ask whether or not we were doing the right thing.

So we say thank you to the political science professor whose measure of truth was never in political theory, but the impact that his decisions and ours had on real people.

Since he left us, Paul's friends and admirers have focused on Paul Wellstone as the lone man in the arena fighting a battle against injustice. Paul Wellstone was that. But he was also a doer who left behind a real record of accomplishment in the Senate.

Paul was one of the Senate's leading voices for education, pushing for investments in early education, for class size reduction, and for student financial aid so working and middle-class families could afford to send their kids through college. And we worked together tirelessly to increase the Federal Government's investment in special education, so students with disabilities could get the education that is their right.

Paul Wellstone worked alongside Senator DEWINE to pass sweeping reforms of our Nation's job training, adult education, and vocational rehabilitation programs. By streamlining often confusing and overlapping programs and paperwork, Paul Wellstone's efforts are helping ensure that America's workers get the training and help they need to stay on the job or to find new employment.

As a warrior for peace, Paul understood this Nation's duty to the men and women who bear the scars of war. Paul authored, fought for, and helped enact legislation to improve the living conditions of hundreds of thousands of American veterans. This law ensures that homeless veterans who suffer with alcoholism and drug addiction have ready access to the treatment and care they need and deserve.

Paul also made a courageous push for a policy whose time had passed and should be done now, and that is mental health parity. Along with Senator DOMENICI, Paul authored the Mental Health Parity Act of 1996, a groundbreaking proposal ensuring health care coverage of mental illnesses be provided on par with coverage of other medical illnesses. In the final year of his life, he continued to push for the expansion of mental health coverage, again teaming with Senator DOMENICI to introduce the bipartisan Mental Health Equitable Treatment Act, which could expand parity for mental health insurance.

I hope that in the next Congress, the Senate and the House will enact what I hope will be deemed the Paul Wellstone Mental Health Parity Act, to finally put mental health on the same plain, the same level as all other medical illnesses.

Paul once said, "Politics is about what we create by what we do, what we hope for, and what we dare to imagine."

Paul didn't just dare to imagine a better America—he helped to build it. Sure, he was willing to fight the lonely fight when he thought it was right and proper, but he also knew how to turn idealism and ideas, ideas into action to improve people's lives—investing in education, expanding health care, fighting killer diseases such as Parkinson's, helping homeless veterans, and veterans exposed to radiation.

Because of what he did, family farmers will have a better future. Because of what he demanded, mental illness will be soon treated equally in our health care system. Because of who he married—his wife Sheila—and because of her passionate charge, more women and children will find safe harbor from the scourge of domestic violence.

Paul Wellstone left us at a time when America needs him the most. He believed, as his champion and mentor Hubert Humphrey once said, that "the moral test of Government is how that Government treats those who are in the dawn of life, the children, those who are in the twilight of life, the elderly, and those who are in the shadows of life, the sick, the disabled, and the needy."

Those words, as much as anything else, form the focus of my public life and, I hope, the true path of my political party. It is a course in conscience that Paul Wellstone tried to set for his party and his country.

But it now falls to each of us, those in the land of the living, to continue

Paul Wellstone's journey for justice, to continue to speak out, to stand up and fight the good fight, and to lead our Nation with courage and conviction. The times demand it. In the coming days, may we all have the courage of our friend, Paul Wellstone.

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. 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.

#### WORKING WITH SENATORS DON NICKLES AND MITCH MCCONNELL

Mr. REID. Mr. President, when I first was elected to the House of Representatives, I knew a man by the name of Cliff Young who had also served in the House of Representatives for two or three terms, ran for the Senate, was defeated, and then served for many years in the Nevada State Senate, and then served in the supreme court, where he became the chief justice of the Nevada Supreme Court—that is also an elective job. At the end of this year, he will retire. He is a wonderful man, a Republican, who rendered great service to the State of Nevada and to the country. The reason I mention his name, however, is that he said: HARRY, you are going to Washington to serve in the House. Make sure you do a couple of things. One is use the gym. You need to get some exercise. Also, make sure you do nothing to change the seniority system. The seniority system is the only thing that gives that body, the House of Representatives, stability.

He certainly spoke volumes when he said that because it is absolutely true. The seniority system in the House has some faults, but at least it gives that body stability. One of the things the Gingrich-led Congress did to hurt the House was change the seniority system.

I mention that because there is going to be a change in the Senate. MITCH MCCONNELL is going to take over for DON NICKLES as the assistant Republican leader, their whip. That is being brought about as a result of the fact that they do not follow the seniority system there and have term limits on their jobs, except for the leader of the Republicans. That is a rule they have, and even though I think it is wrong and I think they are making a mistake doing it, that is the way it is.

Having said that, I want to acknowledge publicly how I have enjoyed serving with DON NICKLES as my counterpart on the minority side. DON NICKLES and I have worked together since I came to the Senate. We were on the Appropriations Committee together. We served as chairman and ranking member on the Legislative Branch. We

did a lot of work together on the Interior Appropriations Committee. I always found him to be easy to work with, someone who is very set in his views but would tell you how he felt. That has not changed in all of the years I have known him.

The reason I admire and respect DON NICKLES is I do not agree with a number of things he wants to do politically and tries to do politically, but he believes in those things. These are ideological feelings he has, and I have great respect for people who do things based on ideology. So I am going to miss DON NICKLES in this capacity, and I want him to know that I have great admiration and respect for him, and I consider the friendship we have developed over the years as something that is very important to me.

I say to MITCH MCCONNELL, who is going to take his place, that I welcome him. He will be assistant to the Republican leader, Senator LOTT, and will do a good job for him, but also for the Republicans generally. I have told him this personally and I say publicly, anything I can do to help the transition to make it more smooth, I will be happy to do that.

MITCH MCCONNELL is someone whom I have gotten to know. MITCH MCCONNELL has held different leadership positions on the other side, including having been the campaign chairman, where he did an excellent job. He served in other capacities with the Republicans. A lot of times I disagree with what MITCH MCCONNELL does politically, but he never hides his feelings from anybody. Campaign finance reform: There was a train moving down the track, and he was the only one brave enough to stand in front of it, and he never left. I have admiration for his stand on that issue, even though I disagree with what he wanted to try to do.

So I will miss DON NICKLES. I welcome Senator MCCONNELL. I have great respect for his abilities and look forward to working with him.

#### RECESS SUBJECT TO THE CALL OF THE CHAIR

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

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

Thereupon, the Senate, at 4:17 p.m., recessed until 5:40 p.m. and reassembled when called to order by the Presiding Officer (Mr. DAYTON).

#### UNEMPLOYMENT INSURANCE EXTENSION

Mr. DASCHLE. Mr. President, I come to the floor to make one final plea with regard to unemployment compensation. It is important to remember what the Senate has done as we reflect back over the last many months in our efforts to deal with this issue.

We offered an amendment that was sponsored by our departed, distin-

guished Senator Paul Wellstone. That legislation was the same as legislation that Congress passed when the first President Bush was in office in the early 1990s. We tried to pass it. Unfortunately, it was blocked by our Republican colleagues on eight different occasions.

Again, let me repeat. That was what we had in place when the first Bush administration was in office. Unemployment benefits that were actually extended three times when President Bush Sr. was in office.

The Senate then took up a bipartisan compromise to extend benefits for just 3 months. Republicans and Democrats got together. On the 14th of November we passed a simple extension for 3 months. Once again, the House refused to act.

So we took what was originally acceptable to the senior Bush administration, and that didn't work with the House. Then we passed what worked on both sides of the aisle here in the Senate for a simple 3-month extension, and that too didn't work for the House.

Over the course of the last 48 hours, we have been involved with House leadership, asking if there was any possible compromise, any way that we could extend it for 2 months, 1 month, any way that somehow we could send a message to the almost one million people who will lose their benefits on the 28th of December and to the 95,000 people who will lose them each week following the 28th of December. Hundreds of thousands of people, ironically, right over the Christmas holidays will lose any opportunity to provide for their families with unemployment insurance.

I must say I am disappointed to announce to my colleagues that once again our House Republicans said no.

I have to say that I think it is a story right out of Charles Dickens. I can't imagine that under these circumstances, even for a month, they couldn't see fit to act. Ebenezer Scrooge had a last-minute conversion. I hope that our Republican colleagues in the House will do so.

They are coming back on Friday and the Senate's bipartisan 3-month extension is waiting. I would urge the President—I ask President Bush—to call on the House Republican leadership to recognize the consequences of their inaction and pass our bipartisan unemployment extension.

We were, as I said, prepared to take whatever action necessary. We would have stayed in session if we had to to accommodate something that the House could have done to extend those benefits for a couple of months, which would have allowed us to work out something for a longer period of time.

That is my plea, my hope, recognizing, as I say, that hundreds of thousands of people will be affected at the worst possible time of the year.

I again renew that request. I urge the President to act. I urge our House colleagues to reconsider.

Mr. FITZGERALD. Mr. President, I want to call upon the House to act on

the unemployment insurance compensation relief that we have passed in this body. I have been a cosponsor with other Members on this side of the aisle, as well as Senators CLINTON and SARBANES on the Democratic side.

I think we need to pass the legislation over in the House which has already cleared this body. If we do not, benefits are going to fall off the cliff on December 28, as the majority leader stated. I hope the House will take up that important legislation and at least extend the benefits until we can come back and deal in the new year with this issue.

#### PRESIDENTIAL AUTHORITY TO INTRODUCE ARMED FORCES INTO IRAQ

Mr. BYRD. Mr. President, earlier this year, I wrote to a number of constitutional scholars advising them that I was concerned about reports that our Nation was coming closer to war with Iraq. I asked a number of esteemed academics their opinion as to whether they believed that the Bush administration had the authority, consistent with the U.S. Constitution, to introduce U.S. Armed Forces into Iraq to remove Saddam Hussein from power.

All of the scholars I consulted responded by stating that, under current circumstances, the President did not have such authority. Several of the professors I consulted, namely Peter Raven-Hansen of George Washington University Law School, and Philip Trimble, Professor Emeritus of the UCLA School of Law, were kind enough to call and discuss their views on this subject with my office. I would like to take this opportunity to thank them for taking the time to provide me with their thoughts on this matter.

While those professors contacted me by phone, others provided written responses. I have previously submitted for the RECORD the responses of professors Michael Glennon of the Fletcher School of Law and Diplomacy at Tufts, Jane Stromseth of Georgetown University Law Center, Laurence Tribe of Harvard Law School, and William Van Alstyne of the Duke University School of Law.

Now, I would like to submit four additional responses I received on this same subject from professors Jules Lobel of the University of Pittsburgh School of Law, Thomas M. Franck of the New York University School of Law, Bruce Ackerman of Yale Law School, and Larry Sabato of the University of Virginia. I found their analyses of this important issue to be exceptionally learned and informative. For this reason, I ask unanimous consent that their responses be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows: