

The legislative clerk read as follows: A resolution (S. Res. 199) honoring the life of Rex David "Dave" Thomas and expressing the deepest condolences of the Senate to his family on his death.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LEVIN. Madam President, today I join a large number of my colleagues in the Senate in recognizing and mourning the loss of a selfless, dedicated American who was an unyielding advocate and activist for the cause of adoption.

Rex David "Dave" Thomas was born on July 2, 1932, in Atlantic City, NJ, and was adopted soon afterward by Rex and Auleva Thomas, who lived in Kalamazoo, MI. Dave Thomas passed away on January 8 of this year at the age of 69. The bipartisan resolution which the Senate is about to adopt, hopefully today, extends condolences to Dave's wife of 47 years, Lorraine, and their 5 children: Pam, Ken, Molly, Wendy, and Lori, and their 16 grandchildren.

The Thomas family has much to be proud of and to cherish. Dave Thomas led a life of dynamic public and human service. He was a man of vision, action, and compassion, and for generations to come the fruits of his labor will continue to improve the lives of the multitude of children who seek a permanent home and loving family and the multitude of families who wish to enrich their lives through adoption.

Dave Thomas was 12 years old when he got his first restaurant job as a counterman. At 20, he successfully turned around four failing restaurant franchises. He became a millionaire by the age of 35. In 1969, Dave Thomas started the company for which he is most famous, Wendy's Old Fashioned Hamburgers. It was and is a success by any standard. Dave Thomas was able, through sheer determination, unpretentious know-how, and love for the restaurant business, to rise to the top of his chosen field. Dave Thomas was exemplary in the degree to which he gave back. He became famous through his numerous television commercials, which were so successful because they reflected his magnetic and joyful personality. He used that fame to become one of the most outspoken proponents of adoption in America.

In 1992, he established the Dave Thomas Foundation For Adoption, and he donated his speaking fees and profits from the sale of his books to adoption causes. From 1990 through 2000, he headed up numerous White House adoption and foster care initiatives. His fingerprints are on the Adoption and Safe Families Act of 1997, the purpose of which is to decrease the number of children placed in foster care and to legally free those who cannot be safely returned to their homes; the Adoption Awareness postage stamp, and the shaping of health policy for numerous corporations to cover adoption benefits and expenses.

Though Dave Thomas was a successful businessman, as well as a generous

philanthropist, he was first and foremost committed to actively improving the lives of children in foster care and helping to facilitate their adoption. He did more than just use his irreproachable reputation to improve the lives of thousands of children; he personally donated millions of dollars to the Arthur G. James Cancer Hospital at Ohio State University, to Children's Hospital in Columbus, OH, and to the Thomas Center at Duke University, which he founded. Through these and many more charitable contributions, Dave Thomas advanced the American dream. He was a man who gave not out of a sense of obligation but because he believed it was simply the right thing to do.

So, Madam President, David Thomas was a remarkable man, and his too-early death will leave many people with one fewer friend. He was greatly respected, much loved, and he will be deeply missed by all who knew him. The resolution, which I hope will be cleared for passage today, is a testament to the respect and the high esteem in which this body holds Dave Thomas and his memory.

I ask unanimous consent that the names of the Senators, including our Presiding Officer, who join me in sponsoring this resolution be printed in the RECORD.

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

COSPONSORS OF THE DAVE THOMAS  
RESOLUTION AS OF JANUARY 23, 2002

Senators Levin, DeWine, Landrieu, Stabenow, Craig, Clinton, Helms, Voinovich, Rockefeller, Grassley, Baucus, Chafee, Crapo, Inhofe, Feinstein, Hollings, Lugar, Hagel, Hutchison, Allen, McCain, Johnson, Nickles, Burns, Sessions, and Durbin.

Mr. JOHNSON. Madam President, today I pay tribute to the life of Dave Thomas. The adoption community has suffered a huge loss through his death on January 8th, and I am pleased to be a cosponsor of the Senate resolution honoring his life.

As a founding member of the Congressional Coalition on Adoption, I have had the opportunity to recognize people who have been exceptional advocates for the adoption community, and Dave Thomas is at the top of that list.

An adopted child himself, Dave Thomas made it his lifelong goal to find every child a home. In 1990, Dave answered the call of President George Bush, who asked him to be the spokesperson for his national adoption program called "Adoption Works. . . For Everyone." After 2 years, Thomas decided he wanted to do more, and so he created his own nonprofit organization to make it easier and more affordable for people to adopt children. Thomas' efforts, backed by the Congressional Coalition on Adoption, have streamlined the adoption process and reduced the financial barriers many families face when they adopt children, especially those with special needs.

The Dave Thomas Foundation for Adoption provides a voice for 134,000

children across our country who are waiting to find a loving family. The efforts of the Dave Thomas Foundation for Adoption and Wendy's have paid off. Forty percent of all callers into the National Foundation for Adoption's toll free number cite trayliners, public service announcements and posters that they have seen inside Wendy's Restaurants as the reason for their call.

Dave was a tireless advocate for the adoption community, and thankfully his legacy will live on through the thousands of children who have found a loving home because of his efforts. If everyone subscribed to Dave's theory that no child is "unadoptable," this world would be a better place.

Mr. REID. Madam President, I ask unanimous consent that the resolution and the preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 199) was agreed to.

The preamble was agreed to.

(The text of the resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

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ELDERLY NUTRITION PROGRAM

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 200 submitted earlier today by Senators KENNEDY and MIKULSKI.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 200) expressing the sense of the Senate regarding the national nutrition program for the elderly, on the occasion of the 30th anniversary of its establishment.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 200) was agreed to.

The preamble was agreed to.

(The text of the resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

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MEASURES PLACED ON THE CAL-  
ENDAR—H.R. 3343, H.R. 1432, H.R.  
3487, H.R. 400, H.R. 3529, H.R. 2362,  
H.R. 3504, H.R. 2742, AND H.R. 3441

Mr. REID. I understand the following bills are at the desk, having been read for the first time: H.R. 3343, H.R. 1432, H.R. 3487, H.R. 400, H.R. 3529, H.R. 2362, H.R. 3504, H.R. 2742 and H.R. 3441.

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. I ask unanimous consent it be in order that these bills be considered to have received a second reading en bloc, and I would object to any further consideration.

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

The bills will be placed on the calendar.

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MEASURES INDEFINITELY  
POSTPONED—S. 1536 AND S. 1543

Mr. REID. Madam President, I ask consent that the following calendar items be indefinitely postponed: Calendar No. 193, S. 1536, and Calendar No. 196, S. 1543.

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

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JOINT SESSION OF THE TWO  
HOUSES OF CONGRESS TO RE-  
CEIVE A MESSAGE FROM THE  
PRESIDENT OF THE UNITED  
STATES

Mr. REID. I ask consent the Senate proceed to the consideration of H. Con. Res. 299, just received from the House, which is at the desk.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 299) providing for a joint session of Congress to receive a message from the President on the State of the Union.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table, with no intervening action or debate.

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

The concurrent resolution (H. Con. Res. 299) was agreed to.

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ORDERS FOR THURSDAY,  
JANUARY 24, 2002

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, Thursday, January 24; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, time for the two leaders be reserved for their use later in the day, and there be a period of morning business until 10 a.m., with Senators permitted to speak for

up to 10 minutes each with the time equally divided between the two leaders or their designees; further, at 10 a.m., the Senate resume consideration of H.R. 622, the Adoption Tax Credit Act, with the Daschle economic recovery amendment being the pending amendment.

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

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ADJOURNMENT UNTIL 9:30 A.M.  
TOMORROW

Mr. REID. Madam President, if there is no further business to come before the Senate tonight, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:41 p.m., adjourned until Thursday, January 24, 2002, at 9:30 a.m.

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NOMINATIONS

Executive nominations received by the Senate January 23, 2002:

THE JUDICIARY

KENNETH A. MARRA, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA, VICE A NEW POSITION CREATED BY PUBLIC LAW 106-553, APPROVED DECEMBER 21, 2000.

PERCY ANDERSON, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE KIM MCLANE WARDLAW, ELECTED.

JOSE E. MARTINEZ, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA, VICE EDWARD B. DAVIS, RETIRED.

LANCE M. APRICK, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF LOUISIANA, VICE EDITH BROWN CLEMENT, ELECTED.

STANLEY R. CHESLER, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY, VICE ANNE ELISE THOMPSON, RETIRED.

FREDERICK W. ROHLFING, III, OF HAWAII, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF HAWAII, VICE ALAN C. KAY, RETIRED.

JOAN E. LANCASTER, OF MINNESOTA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MINNESOTA, VICE PAUL A. MAGNUSON, RETIRED.

WILLIAM J. MARTINI, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY, VICE JOHN C. LIFLAND, RETIRED.

THOMAS M. ROSE, OF OHIO, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF OHIO, VICE HERMAN J. WEBER, RETIRED.

MICHAEL M. BAYLSON, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA, VICE ROBERT F. KELLY, RETIRED.

JOY FLOWERS CONTI, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA, VICE ALAN N. BLOCH, RETIRED.

LEGROME D. DAVIS, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA, VICE EDMUND V. LUDWIG, RETIRED.

TERRENCE F. MCVERRY, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA, VICE DONALD E. ZIEGLER, RETIRED.

CYNTHIA M. RUFFE, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA, VICE NORMA LEVY SHAPIRO, RETIRED.

ARTHUR J. SCHWAB, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA, VICE MAURICE B. COHILL, JR., RETIRED.

SAMUEL H. MAYS, JR., OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TENNESSEE, VICE JEROME TURNER, DECEASED.

RONALD H. CLARK, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TEXAS, VICE HOWELL COBB, RETIRED.

LEONARD E. DAVIS, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TEXAS, VICE PAUL N. BROWN, RETIRED.

DAVID C. GODBEY, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF TEXAS, VICE ROBERT B. MALONEY, RETIRED.

ANDREW S. HANEN, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS, VICE FILEMON B. VELA, RETIRED.

HENRY E. HUDSON, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA, VICE A NEW POSITION CREATED BY PUBLIC LAW 106-553, APPROVED DECEMBER 21, 2000.

RONALD B. LEIGHTON, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WASHINGTON, VICE ROBERT J. BRYAN, RETIRED.

WILLIAM C. GRIESBACH, OF WISCONSIN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF WISCONSIN, VICE A NEW POSITION CREATED BY PUBLIC LAW 106-553, APPROVED DECEMBER 21, 2000.

JOHN F. WALTER, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE JOHN G. DAVIES, RETIRED.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD RESERVE UNDER TITLE 10, U.S.C., SECTION 12203(A):

*To be captain*

DONALD E. BUNN, 0000  
MICHAEL R. PRICE, 0000  
DALE M. RAUSCH, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. STEVEN R. POLK, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. JOHN R. BAKER, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be major general*

BRIG. GEN. DOUGLAS V. O'DELL JR., 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral*

REAR ADM. (LH) STEPHEN S. ISRAEL, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be colonel*

LINDA F. JONES, 0000  
ROBERT J. KING, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE, UNDER TITLE 10, U.S.C., SECTIONS 624 AND 1552:

*To be lieutenant colonel*

DAN ROSE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

DOUGLAS W. KNIGHTON, 0000  
DAVID R. ROWBERRY, 0000  
ROBERT J. SEMRAD, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

RICHARD E. HORN, 0000  
TAMARA E.B. KOSS, 0000  
MICHAEL E. MURZYN, 0000  
ROBERT C. VASSEY, 0000  
MARK A. WEINER, 0000