

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will return to legislative session.

Mr. REID. Madam President, I 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 the order for the quorum call be dispensed with.

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

MORNING BUSINESS

TRIBUTE TO KELLY CLARK

Mr. JEFFORDS. Mr. President, today I rise to recognize Kelly Clark, the snowboarder from West Dover, VT, who on Sunday earned, for the United States, the first gold medal of the 2002 Winter Olympics in the women's halfpipe event.

That is not "half pint." That is "halfpipe." One has to know the skiing history to understand what a halfpipe is.

Kelly's enthusiasm and tremendous skill and ambitious drive are equaled only by her beaming smile. Kelly's achievement on Sunday was more than athletic ability. It means more than pride to her fellow Vermonters. A gold medal in an Olympic event brings people together, especially when they need it most. When have Americans needed someone to root for more than we do right now?

I am especially pleased, of course, that the focus of our attention and congratulations is an 18-year-old from southern Vermont. Thank you, Kelly, for giving your best, for making us proud, and for winning the gold.

I do not know how many have watched these events, but snowboarding is something which really started pretty much in Vermont. It has been perfected there, and now it is all over the world.

Today is Kelly Clark's day.

I yield the floor.

BLACK HISTORY MONTH

Mr. SARBANES. Mr. President, I am pleased to join with my Maryland constituents and millions of Americans in celebrating African-American History Month this February. Since 1926, February has been designated as a time to recognize a crucial part of our diversity: the vast history and legacy that African-Americans have contributed to the founding and building of our Nation. While we have much to celebrate in the achievements of many African-Americans, and the great strides this country has made towards true equality, there is also much work to be done.

This year's theme, designated by The Association for the Study of African-

American Life and History, ASALH, is "The Color Line Revisited: Is Racism Dead?" The fact that this question can even be posed indicates the progress that our society has made in race relations over the past 50 years. We must attribute this progress to the sacrifice, vision and commitment of thousands of African-Americans and others who proved that the true strength of our Union lies in the diversity of our population.

One such visionary is Marion Wright Edelman, the founder and president of the Children's Defense Fund. Recently I had the opportunity to hear Ms. Edelman speak at the Annual Martin Luther King, Jr. Memorial Breakfast at Anne Arundel Community College in Maryland. Marion Wright Edelman shares Dr. King's vision of a unified and equal Nation, and acknowledges the great strides that have been made in working towards this vision. Through her work at the Children's Defense Fund, Marion Wright Edelman is helping to ensure that all children in America get a healthy, fair and safe start in life.

Yet despite the great strides that have been made toward eliminating racism and inequality, Ms. Edelman stressed that many disparities still exist. The Children's Defense Fund reports that nearly one in three African-American children are poor in America, compared with 13 percent of white children. Many children are educated in substandard schools. A disproportionate number of African-American children are without health insurance. And African-American juveniles are over-represented on every level of the criminal justice system.

But there is hope, Marion Wright Edelman and the Children's Defense Fund are working hard to correct these inequalities. The Children's Defense Fund acts as a voice for children in America who cannot speak for themselves, and Marion Wright Edelman has been a tireless advocate for children who are suffering and need a helping hand.

There is much that we in Congress can do to continue to improve the quality of life for African-Americans and for all Americans. We can help the parents of working families by raising the minimum wage. We have already passed the "Leave No Child Behind" education reform bill that will provide new standards for schools and teachers, and will help make quality education available to all Americans. We can work on election reform to ensure that all voters are properly registered, and every vote is counted. And we need to make health care available and affordable for African-Americans and all Americans. With these and other reforms we will move further down the path to equality dreamed of by Dr. King.

The terrorist attacks of September 11 left us shocked and wounded, yet we found once again that the strength of this Nation lies within its people and

its diversity. In the months that have passed since that day, we have shown the world how people of all races, colors, religions and nationalities create the fabric of our Nation, a fabric that is richer because of our differences. This month we honor the special contribution African-Americans have made to that fabric. Through African-American History Month, we celebrate how far this country has come, and remind ourselves of how far we have to go.

• Mr. SMITH of Oregon. Mr. President, while we are celebrating Black History Month, I want to rise to honor a man named York, arguably the first black American to make a significant contribution to, and cast a vote in, my home State of Oregon.

Most Americans know very little about York, Captain William Clark's "servant," as Clark called him, who made the journey to Oregon with the Lewis and Clark expedition in 1803. Despite his important role in opening the West, it is unfortunate that York has not been remembered along with other early black Americans who helped shape our nation's history.

William Clark's lifelong slave companion, York was roughly the same age as Clark, and by all accounts the two were friends for most of their lives. York was bequeathed to Clark by his father, John Clark, in a will dated July 24, 1799, and on October 29, 1803, he joined Clark and Captain Meriwether Lewis on a journey into history.

York, when he is remembered, is often remembered best for the curiosity he aroused in Native Americans he met during the journey. Apparently, York so fascinated the people he met that there exist numerous stories of women attempting to wash his skin white. According to journal accounts, he sometimes used their fascination to the expedition's advantage, intimidating Arikaras tribesmen, for example, with fantastic tales of his wild youth as a cannibal.

Perhaps because of such stories, York is often described in an inaccurate, negative manner. However, common characterizations more accurately reflect the racial biases of historians than they do York's actual contributions to the expedition. Judging from the journals kept by members of the expedition, York was a reliable and indispensable part of the expedition. During a time when most black Americans were denied access to firearms, York was counted on as a skilled hunter. York also served as a cook, a confidant, and a nurse, as did each member of the party from time to time. One account has York charging into a flash flood, fearing for the safety of Clark, the famed translator Sacagawea, her son, and her husband, Toussaint, who had not yet made it to safety.

The most telling example of York's role in the expedition occurred in November 1805, when the group decided to winter in Oregon. Finding little game on the northern bank of the Columbia

River, the group had to decide whether to winter there or cross the river in search of a more hospitable setting. Lewis and Clark took a vote on the matter, and the final tally included the votes of Sacagawea, a woman, and York, a black man. That winter, York and the group built Fort Clatsop, the westernmost outpost of the United States Government at the time, and one of our Nation's major claims on the disputed Oregon country.

It is odd that York is not commonly honored as an American who made possible the western expansion of our nation. The Lewis and Clark expedition, which will soon celebrate its 200th anniversary, is a seminal event in American history, and a black American who contributed significantly to that historic endeavor remains unknown to a nation which owes him a debt of gratitude.●

ADDITIONAL STATEMENTS

TRIBUTE TO LLOYD KIVA NEW

● Mr. BINGAMAN. Mr. President, I rise today to pay tribute to a man who through his dedication and vision made a significant difference in the lives of many people in my home state of New Mexico and around the country. Lloyd Kiva New passed away last Friday in Santa Fe at the age of 85.

A Cherokee from Oklahoma, Lloyd Kiva New was a graduate of the School of the Art Institute of Chicago. He became the first American Indian to obtain a degree in arts education from the institute in 1938. After serving in World War II, he established a fashion design studio in Arizona. He was also instrumental in developing several progressive educational projects, including the Southwest Indian Arts Project.

In 1962, Lloyd Kiva New co-founded the Institute of American Indian Arts, an innovative school located in Santa Fe. He became the IAIA's Art Director and eventually its President. He retired as full-time president of the institute in 1978. He was known for his novel approach to the arts in which he sought to reawaken artistic traditions that had been a primary mode of Indian expression for centuries. He continually urged students not to be bound by existing notions of artistic expression and to reject stereotypical ideas of American Indian art and culture. In part because of his vision, IAIA has been influential in sending art from Indian artist all over America, enriching Indian and mainstream cultures in the process.

The recipient of numerous awards, Lloyd Kiva New also served on the Indian Arts and Crafts Board and the National Council of the Museum of the American Indian. In addition, he was named President Emeritus of the IAIA, was honored as a Living Treasure of Santa Fe, and received the New Mexico Governor's Award for Excellence in the Arts.

I wish to extend my deepest sympathies for his passing to his family and loved ones. His wife, two children, and five grandchildren survive him.

Many people were inspired and encouraged by Lloyd Kiva New over the years. He has left a great legacy and his absence will be deeply felt in the American Indian communities and in the hearts of many individuals.●

LOCAL LAW ENFORCEMENT ACT OF 2001

● Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of last year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred July 30, 1992 in Elk Grove, IL. A gay man was assaulted by two men after being invited to go out with them. One of the assailants, Robert F. Braschko, 19, of Rolling Meadows, was charged with criminal damage to a vehicle, battery, and a hate crime in connection with the incident.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

NOMINATION DISCHARGED

The following nomination was discharged from the Committee on Government Affairs pursuant to the order of December 20, 2001:

DEPARTMENT OF DEFENSE

Joseph E. Schmitz, of Maryland, to be Inspector General, Department of Defense.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WELLSTONE:

S. 1928. A bill to amend section 222 of the Communications Act of 1934 to require affirmative written consent by a customer to the release of customer proprietary network information; to the Committee on Commerce, Science, and Transportation.

By Mr. MCCONNELL:

S. 1929. A bill to amend title II of the Social Security Act to permit Kentucky to operate a separate retirement system for certain public employees; to the Committee on Finance.

By Mr. CONRAD:

S. 1930. A bill to promote the production of energy from wind; to the Committee on Finance.

By Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. TORRICELLI, Ms. SNOWE, and Mr. COCHRAN):

S. 1931. A bill to amend title XVIII of the Social Security Act to improve patient access to, and utilization of, the colorectal cancer screening benefit under the medicare program; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 929

At the request of Mr. HUTCHINSON, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 929, a bill to amend the National Labor Relations Act to preserve charitable giving.

S. 1370

At the request of Mr. MCCONNELL, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 1370, a bill to reform the health care liability system.

S. 1737

At the request of Mrs. CLINTON, the names of the Senator from Michigan (Ms. STABENOW), the Senator from Massachusetts (Mr. KERRY), and the Senator from Minnesota (Mr. DAYTON) were added as cosponsors of S. 1737, a bill to provide for homeland security block grants.

S. 1760

At the request of Mrs. LINCOLN, the names of the Senator from South Dakota (Mr. DASCHLE) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 1760, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the medicare program, and for other purposes.

S. 1799

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 1799, a bill to strengthen the national security by encouraging and assisting in the expansion and improvement of educational programs to meet critical needs at the elementary, secondary, and higher education levels.

S. 1800

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 1800, a bill to strengthen and improve the management of national security, encourage Government service