

I do not want to hear bleeding and caterwauling from the White House or the political mouthpieces from the Department of Justice, asking, Where are the judges. All 50 Democratic Senators will vote for them, as 400 Republicans and Democrats in the House voted for them. It is being held up by an anonymous Republican hold.

The conference report prohibits mandatory arbitration in a motor vehicle franchise contract between manufacturers and automobile dealers, to the same effect as the Hatch-Feingold-Leahy-Grassley Motor Vehicle Franchise Contract Arbitration Act, S. 1140. That legislation has more than 60 cosponsors, Republicans and Democrats. The automobile dealers lobbied strongly for it. All 50 Democrats are ready to vote for it. Their friends on the Republican side are holding it up.

The conference report includes an amendment to the Radiation Exposure Compensation Act to expand eligibility for compensation for injured uranium miners, mill workers and ore transporters. Many Senators from western States, on a bipartisan basis, such as Senators DASCHLE, HATCH, JOHNSON, DOMENICI, strongly support these changes. We are all ready to vote for them. Republicans are holding it up.

Finally, the conference report includes several important immigration provisions to help underserved rural areas with a critical shortage of medical doctors. Women die in childbirth. Teenagers in an accident die because they did not get care. Older people do not get the preventive medicine they need. This allows foreign doctors who are educated in the United States to remain here if they will agree to practice in the underserved areas. It extends H-1B status for certain working aliens and makes it possible for children whose sponsoring parent has died to apply for citizenship, nonetheless. I don't need to tell the Presiding Officer, representing the great State of New York, there were children whose sponsoring parents died in this country.

These are all noncontroversial provisions, for all over the country. Every single Democrat Senator said they will vote for it. We cannot bring it to a vote because the Republicans have an anonymous hold. I would not feel as bad about the holds if the Senator holding it up would come forward and state why. Instead, it is a stealth hold. It is a "during the night" hold. It is the quiet, anonymous phone call hold that stops it. It repeats an unfortunate pattern of anonymous Republican holds on bipartisan legislation designed to improve our Nation's national security law enforcement, immigration policies, and judicial branch of the government.

I am sure my colleagues are tired of hearing how much I enjoyed my earlier career in law enforcement. For 8½ years I proudly carried a badge, proudly served as chief law enforcement officer of my county. We prosecuted a lot of people. We saw a lot of tragic situations. We helped a lot of people in cases

of domestic violence, stopped crimes from happening. Those we were not able to stop, we oftentimes successfully prosecuted afterwards. I never recall anyone, either those in my office or any of the law enforcement agencies we talked about, whether we were dealing with a Democrat or Republican, asking whether someone who was beaten or killed was Democrat or Republican. You never asked a police officer if they were Democrat or Republican. No one asked when sending officers out to protect citizens, facing the potential of death, their political party affiliation. In working with my colleagues, both in the Senate and in the House, we did not look at this as Democrat and Republican. We talked about good law enforcement. That is why every single Democratic Senator has said they will vote for this bill.

Our caucus spans the political spectrum. I suspect if we were allowed to bring it to a vote, almost all of my colleagues on the other side of the aisle would vote for it, yet an anonymous hold is stopping this help to the law enforcement agencies, ranging from the smallest of our towns to our statewide law enforcement agencies, to our Federal law enforcement agencies. Nobody has spoken of any substantive question or issue of any provisions in this conference report. And there are not any. It passed the Republican-controlled house by 400-4.

It has been suggested the holds are merely partisan blocking to hold up legislative action and then blame the Democratic Senate majority for inaction created by Republican holds. I repeat, as I have over and over again on this bill, I have checked with every single Democrat Senator; we are ready to vote. We are all ready to vote.

If Republicans allowed this bill to come to a vote, it would pass immediately. It should have been passed last Thursday. We had an opportunity. Senator DASCHLE asked permission to pass it—Senator HATCH said we didn't each have to speak on it, we would put our speeches in afterward—asked to pass it by unanimous consent, but was told the Republicans objected.

For the sake of the Justice Department, the Congress, and the American people, we ought to pass it today. Twenty-one years fighting to get it, and here is what is in there: Combating terrorism, improving law enforcement, preventing crime, fighting drug abuse, enhancing intellectual property protection, strengthening the judiciary—adding 20 new judgeships and improving judicial disciplinary procedures—improving civil justice, and improving immigration procedures.

The irony is item after item was worked out with the support of the Bush White House. I spent an awful lot of time on this bill. A lot of my Republican colleagues spent a lot of time on this bill. And our staffs spent 10 times more time on this bill. I think somebody down at the White House, if they take time out from the fundraising and

the campaigning, could take a couple of minutes to pick up the phone and call the party, the Members on the other side of the aisle, and say the criminal justice system needs this, the fight against terrorism needs this.

This is not just something abstract, this is real. Let's pass it. That is why the Republican-controlled House passed it. I am sorry my friends on the Republican side of the aisle are blocking it. I hope when they think about it, they will come to their senses and let it go through.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. CLINTON). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

EXTENSION OF MORNING BUSINESS

Mr. REID. Madam President, it is my understanding we are in a period of morning business; is that correct?

The PRESIDING OFFICER. The time for morning business was to have expired at 5:15.

Mr. REID. Madam President, I ask unanimous consent that the time be extended until 6:45 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. 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. NELSON of Nebraska. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

HOMELAND SECURITY

Mr. NELSON of Nebraska. Madam President, as we enter our 5th week of debate on this Senate floor on the homeland security bill, I rise today to ponder exactly where we have been, and, perhaps much more importantly, where we are going.

In recent weeks, Democrats and Republicans have made little progress on the bill. Some have identified particular provisions they would like to have changed; some have not. The President offered his own proposal for consideration, and, as the RECORD will reflect, the Senate obliged him by allowing it to come to the floor for consideration.

My good friends, Senator GRAMM of Texas and Senator MILLER of Georgia, are championing the President's bill. He could have no two more noble or respected Senators as his gatekeepers.

Let me describe for you what this bill does. It will establish a new Federal

Department, the largest Government reorganization since the establishment of the Department of Defense. It will affect 170,000 Federal employees and each and every American. It will restructure existing agencies and create new ones. It will relocate and reclassify employees and will establish the largest reaching intelligence-gathering operation in the history of civilization.

Is this the kind of legislation that Congress should approve blindly? Obviously not.

Some would have you believe that anyone who wants to make any change—no matter how slight—to this massive legislation is an opponent of the President.

I want to make a slight change to this bill, one I believe is supported by a majority of the Senate, but that does not make me an opponent, nor does my amendment make anyone an opponent. I support the President. I want to see him achieve his goal of establishing this new Federal bureaucracy.

What I do not support is sacrificing our constitutional responsibility for oversight of not just the Department, once it is established, but of the effort to create the Department in the first place.

Passing this bill comes down to one unresolved issue: the method of resolving differences as they pertain to labor-management in the new Department of Homeland Security.

I have joined together with my colleagues, Senator John Breaux and Senator LINCOLN CHAFEE, to put forth a compromise that has the support of a majority of the Senators, and should be embraced as a victory, not demagogued as a special interest protectionist measure.

The President's bill, the Gramm-Miller bill, does not have enough votes to pass, and it does not have enough votes to invoke cloture. The Lieberman bill does not have enough votes to pass, and it has not had enough votes to invoke cloture.

Without becoming unnecessarily bogged down with Senate procedure, it is important to point out that cloture means to shut off debate and a majority to pass a piece of legislation under these circumstances. Now, my amendment has enough to pass, but it does not have enough to shut off cloture. If my amendment were passed and passed on the Gramm-Miller bill, I believe that the bill would then have enough not only to shut off cloture but pass. That is what we are really trying to do.

Our compromise would give the President the authority he needs to hire and fire, promote or demote employees in the new Department. Indeed, it gives him exactly the authority he sought when Homeland Security Director Tom Ridge wrote the chairman of the Governmental Affairs Committee in early September.

I have here for everyone to see—even those watching through the electronic eye—Governor Ridge's comments to Senator LIEBERMAN. I will quote in

part, but I can quote before or after. There is some question about the context of this particular legislation. It was in conjunction with explaining what the White House was interested in in terms of the flexibility that management would require over labor under this new agency. He said:

Senator, the President seeks for this new department the same management prerogatives that Congress has provided other departments and agencies throughout the executive branch. For example—

Then he identifies a couple of other processes that are fairly innocuous. Then he says, relating to personnel flexibility:

Personnel flexibility is currently enjoyed by the Federal Aviation Administration, the Internal Revenue Service, and the Transportation Security Administration.

We initially tried to embody the Federal Aviation Administration in our amendment, but it was ruled not to be germane. So we did the next obvious thing; we went to the Internal Revenue Service, which lays out under existing law—which made it germane—the nature of the flexibility, that personnel flexibility to which Governor Ridge had referred. We thought that would, in fact, do it.

Now, much to our surprise, that apparently does not do it because they have suggested that this is a non-starter. It seemed to be starting back in September—the third of September—but it seems to be a non-starter today. I don't know what has changed in that timeframe. My good friend, Senator GRAMM, said that everybody is entitled to their own opinion, but they are not entitled to their own set of facts. I think this is a set of facts that we have before us. It is hard to believe that there would be more than one opinion about what Governor Ridge had to say. There should be no more than one opinion about what his letter purported to deal with. So I think this is one set of facts, with one opinion. It is possible to mischaracterize facts, but I don't think there is any way to mischaracterize the plain and simple language when he said “the same management prerogatives.” He didn't say “almost the same,” or “slightly different”; he said “the same management prerogatives.”

I said the other day that there are times on this floor when you find out you are having a disagreement and you cannot understand why it is a disagreement; you are not sure what it is about, and you feel like Lewis Carroll must have felt when he wrote Alice in Wonderland. I have not seen the cheshire cat, but when winning is described as winning in the media about this issue, I feel as if we are in Alice in Wonderland.

Let me also suggest that there have been some news reports that I made reference to from the past few days that might shed some light on this situation. On Friday, Paul Light, of the respected Brookings Institution, told the Chicago Tribune that the dif-

ferences between the two sides in this fight—he calls it a “fight”—are relatively minor and that Democrats have already given the President almost everything he requested. I think Senator LIEBERMAN parenthetically has said he has given 95 percent. We have been looking for a way to close the gap. I quote from his story:

I don't think the answer's in the legislation. I think it is a little bit about Iraq and a little bit about the election.

Mr. Light said the President should declare victory and move on. He said:

Any President in history would celebrate the enormity of consensus that exists in Congress right now. The President has gotten 95 percent of what he wants.

I think it is closer to 99; obviously, it is not 100. Today's issue of Roll Call includes a news story and a column in which some Republican leaders outline a strategy to use the homeland security issue in the coming elections.

Mark Preston, a very able reporter from this respected publication, wrote:

A disagreement over key labor issues in the homeland legislation might force this bill to be shelved until after November.

Mr. Preston quotes my good friend from Pennsylvania, the chairman of the Republican conference, Senator SANTORUM, as saying:

There are issues not being acted upon here, and they would certainly be issues of great importance to the American people and therefore be of very great importance to a campaign.

Madam President, they are very important to the American people, and no more important for us to do today and tomorrow is to deal with national security as it relates to the American people, and put aside partisan politics, put aside this election and electioneering and resolve the differences and close the difference between 95 percent and 100 percent. The differences are, in fact, I think, as Mr. Light said, very small.

Accusations of obstructionism seem to be aimed at securing a campaign wedge, and what we really need to do is move away from obstructionism to constructionism. We can be constructive in developing this particular approach. There are some other issues besides the flexibility issue, and we thought we had pretty much closed the gap there as well.

The Morella amendment, as it was introduced in the House, relates to the question of collective bargaining. What this particular amendment does is go back and have Morella included in the amendment as it was introduced in the House. It may not be exactly what was requested, but we have suggested that if there are some particular questions or some particular interests in adding some language that would make this better, we are entirely interested in doing that.

The truth is that we have not had that opportunity to try to bring that about. We met Thursday, we met Friday, and we met today. I think it is time for us to stop meeting and time for us to find a way to solve the issue.

We are beyond meeting, I believe, when it comes to this particular amendment. Flexibility is important and making sure that what we do in terms of this legislation is that we not adversely impact job security for national security, and certainly not unintentionally.

The White House has made it clear they have no plans to go in and make major wholesale changes. I take them at their word. I think if that is the case—and I take them at their word—then we ought to find, if not this language, some language that will permit us to close the gap to move this forward. If, in fact, it is everybody's plan to achieve a result here, then I think we can achieve one.

I truly believe it is important to the national interest to be able to deal with the personnel flexibility of the President. There is no question he needs to have the capacity to hire and fire, to promote and demote, and do what is in the best interests. There is no question about that. And adding that there be some requirement regarding the changing of authority or the changing of position in mission of the personnel is a slight adjustment. It certainly is not any kind of major intrusion on the Presidential authority.

To include the Morella language, in terms of flexibility, simply adds to that. I hope we will be able to move beyond meetings to closing the gap, bridging this debate so it brings about the best result that we can, not simply for the White House but for the people of this great country. This should not be about Republicans or Democrats. It should not be about the legislative branch or the executive branch. It ought to be about what is in the best interest, the national interest of our people, and for those who share the same desire for freedom and are struggling to achieve it in other parts of the world.

We have a great responsibility to the American people, but we also have a responsibility that is now being questioned and challenged around the world. One of the best ways for us to begin to resolve these issues is to take care of business at home. I cannot think of a better way than to adopt this amendment so we can adopt the Gramm-Miller proposal and move forward for national defense and our own homeland security.

Madam President, I appreciate the opportunity to speak, and I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. NELSON of Nebraska. 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 that the order for the quorum call be rescinded.

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

A TRIBUTE TO THE LIFE OF HOLLY LADAY JOHNSTON RICHARDSON

Mr. THURMOND. Mr. President, early this morning, I lost one of my closest friends and staff members, Holly Johnston Richardson, who succumbed after a difficult battle with cancer. For nearly 30 years, she was a member of my extended family in every sense of the word. She was my right hand. My trusted advisor. My vital link to literally thousands of South Carolina friends, constituents, and family members.

But more than anything else, Mr. President, Holly Richardson was one of my dearest friends, and I will miss her more than words can convey.

To her husband, Phil, to her two wonderful children, Anne and Emmett, and to Holly's mother and father, Joanne and Coy Johnston of Summerville, South Carolina. I extend my heartfelt sympathies. I know my colleagues—so many of whom knew Holly very well—join me in expressing their support and offering their prayers during this very difficult time.

But it is Holly Richardson's life, and the courage she demonstrated throughout her illness, that is most on my mind today. I know I speak for everyone who knew and loved Holly as I did in saying that we deeply mourn her passing, and yet celebrate her wonderful life, a life dedicated to God, to her family, to her fellow man, and to her State and Nation.

Like all trusted staff members, Holly Richardson had my ear. What she probably never knew fully is that she also had my heart. On a personal level, she was—for my entire family—an unofficial "third daughter." Our confidant. Our friend. Our partner in so many aspects of our lives.

On a professional level, Holly and I were virtually inseparable. As anyone who has ever visited my Senate office knows, Holly's desk was always next to mine. We shared an office ever since she became my personal secretary in 1979. She could always be counted upon to work the longest hours, to handle the toughest jobs, and to render even-handed advice and counsel.

In fact, it was Holly who quietly bragged that she had broken in more than eight chiefs of staffs, five or six office press secretaries, eight committee chief counsels, and literally hundreds of staff assistants, aides and interns. She was, of course, correct. Holly was "the standard" when it came to professionalism, hard work, integrity and public service in a United States Senate office.

It is not an exaggeration to say that "everyone" knew Holly. Whether you were from South Carolina, or were a Washington, D.C. fixture, if you were around politics, you knew, and you came to love, Holly Richardson. From Presidents and First Ladies, to Senators and their spouses, to everyday working men and women who would call my office, Holly was beloved at every level of life.

Single-minded. Fiercely independent. Loyal and dedicated. She had the personal qualities that define what President Theodore Roosevelt once called the "courageous life."

But it was not until she was diagnosed with breast cancer less than a year ago, that people came to see just how courageous an individual Holly Richardson actually was.

Holly never wore her illness on her sleeve. She never asked you to feel sorry for her, share her burden, or wallow in her pity. In fact, few people outside of the office even knew Holly was sick. The reason was, of course, that she didn't feel sorry for herself. Holly summoned the courage of a warrior to fight her disease. And with quiet dignity and the help of the Almighty, she fought as bravely as any soldier I have ever known.

Her dedication to work, and to the people of South Carolina—whom she considered her "real bosses"—paled only to her devotion as a wife and a mother. Holly always made time for what was truly important in life. She and her husband Phil together built a loving home and were blessed with two wonderful children. She was an active member of her parish, Saint Paul's Episcopal Church, in Virginia, and managed to make time to be scout helper, soccer Mom and, above all, role model.

Holly's life was truly a gift, which she shared without reservation with everyone she knew and loved. That gift now lives on in all of us—for she inspired our lives, strengthened our spirits, and touched our hearts.

VALUE OF PUBLIC LANDS, NATIONAL PUBLIC LANDS DAY, SEPTEMBER 28, 2002

Mr. CRAIG. Mr. President, last Saturday was National Public Lands Day. It was a time for volunteers in states and communities across the country to give something back to America's public lands. National Public Lands Day is the largest grassroots, volunteer effort mounted on behalf of America's public parks, rivers, lakes, forest, rangelands, and beaches.

This year's National Public Lands Day theme was "Explore America's Backyard," recognizing that many volunteers go to nearby public lands for recreation and to enjoy the outdoors. These volunteers will put in a day of real work on needed projects ranging from trail construction and repairs to habitat restoration to making public lands more accessible for disabled visitors.

This year's signature event was held at Anacostia Park in Washington, D.C. where over 400 volunteers cleared brush, removed trash and debris, planted trees and grasses, and constructed benches and boardwalk trails. These volunteers were joined by key dignitaries: Washington, D.C. Mayor Anthony Williams, the current Miss USA, Shauntay Hinton, National Park Service Director Fran Mainella, Forest