

Democratic Party. He was greatly admired by his peers for his dedication to his community and local concerns. A principle figure in the State party, Don served as State Central Committeeman and Vice Chairman, as well as a delegate to the Democratic National Conventions in 1992 and 2000. His tremendous contributions to the community and public leadership set him apart from other outstanding South Dakotans.

Born in 1920, Don joined the U.S. Army in 1942 and served with General George Patton's Army in Europe where he was awarded the Bronze Star and five Battle Stars. A native of Missouri, Don moved to South Dakota 40 years ago, where he and his wife Maxie ran a very successful feed and seed business in Huron. They had two children, a daughter Connie and son Sid, who recently preceded his father in death. An active member of the community, Don was a participating member of the First Presbyterian Church, the Huron Country Club, Yel Daz Shrine, American Legion, VFW, and the Huron Chamber of Commerce.

Like fellow Missouri native, President Harry Truman, Don was described as a regular guy who did not mince words. He was a staunch and determined political fighter, who unselfishly lent his support to many local politicians. A man of action and passion, Don made things happen and those around him proud to know him. His influence on South Dakota's political development is extraordinary, and extends here to our Nation's capital. He was a friend and supporter of both Senator DASCHLE and myself, both as State legislators and as representatives in Washington, D.C.

Through his outstanding community involvement and political activism the lives of countless South Dakotans were enormously enhanced. His work continues to inspire all those who knew him. I am proud to have been a friend of Don Cook. Our Nation and South Dakota are far better places because of his life, and while we miss him very much, the best way to honor his life is to emulate his commitment to public service and to his community.●

IN MEMORY OF EDWARD PIOTROWSKI

● Mr. KOHL. Mr. President, over the weekend one of my constituents, Edward J. Piotrowski, passed away. This eulogy was written by his son, Steve, a long time and greatly valued member of my State staff. Steve's words speak for themselves, but I would just add that Steve and his father are not at all average, but extraordinary citizens and contributors to the State of Wisconsin and the Nation.

The eulogy follows:

AN AVERAGE AMERICAN

An average American died today. His death did not make the evening news. Only his friends and family noticed his death. His death was unremarkable as was his life. Yet, his passing lessens us all a little bit.

He was the son of Polish immigrants. He grew up on a farm in Central Wisconsin. He attended a school that was taught in Polish, and he only had an eight-grade education. Yet, he was a smart man, and he was a kind and gentle man. He cared about other people and knew that part of his obligation in life was to help make his community a better place. He cared deeply about his family, his community, his church and his country. He never aspired to greatness, he only wanted to work hard and make life better for his family and community.

His was a simple life. He worked hard from the time he was young as one of thirteen children helping his family on the farm. He came of age during WWII, and in spite of the fact that he had and could have maintained a farm deferment, he volunteered to serve his country during the War. He was initially trained as an infantryman, but was then transferred to the Army Air Corps where he became a nose gunner on a B-24. He was scheduled to ship to the European theater of operations when one of his crewmembers was killed in a training accident. The Army broke up the crew and reassigned and retrained them. He was on his way to the Pacific when the war ended. I believe that he always regretted that he never got the opportunity to test his courage in combat but was also grateful that he along with his brothers made it home alive and well.

Shortly after the war, he met my mother and they married and began the process of raising their family. Eventually they had six children, and suffered through the loss of their first daughter at the age of two. He drove a semi-truck for nearly 20 years after the war. It was a good way to earn a living, but caused him to have to spend a great deal of time away from his home and family. He eventually decided to run his own business, a small service station in his small hometown. He loved to build and fix things, and this business, while trying at times, allowed him many opportunities to do that. After a while the changes in the service station business convinced him to look for work that better suited his skills and abilities.

He found a job as a carpenter; his life-long hobby was now also his occupation. He had a talent and dedication for wood working that was amazing. His ability to turn raw lumber into beautiful furniture and useful items was inspiring. He loved to spend his time in his workshop building furniture for his family and friends. He usually made his furniture only for friends and family, and he never charged anywhere near what his skills and labor could have demanded. He just wanted to create useful and beautiful things for others to enjoy. He donated his creations to his church and the community for their use and as items in various fundraisers.

He was not a man that showed his emotions easily. Like most men of his generation, he was taught to be stoic and composed in all situations. Yet, he showed his love for his family in so many ways every day. When his boys were young, go-carts were all the craze. He found an old Nash Rambler and using parts from the body and frame of the car, his own ingenuity, and his skills with wood working and welding, he built the boys a go-cart with a hood and seat and working lights. It was a rather funny looking little vehicle, but it gave the boys hours and hours of pleasure racing around the farm fields and yards.

When we moved off the farm and into town, there wasn't a place for us to play baseball. The only ballpark in town was set up for softball, and the river ran right behind the short left field fence causing us to lose many baseballs. He, along with a number of other fathers, talked to a man who owned an unused farm field on the edge of town and

got permission for us to build a ball field. Using only their garden roto-tillers and hand tools, he led the fathers and boys in building, seeding and leveling a very useable ballpark for us kids. It was maintained and used for years by the kids in Amherst as a ballpark.

He also worked to fulfill the dreams of his daughters. He spent many hours building a dollhouse for his second daughter. It challenged his skills to work in such a small scale. Because she wanted it, he built it for her using left over materials from his home remodeling projects. She has that dollhouse in her home today. His last daughter wanted a playhouse. He built her one that many would have considered a starter home in early days. She still has the miniature cupboards and kitchen cabinets from that treasured play area.

For many years he was a member of the volunteer fire department. He regularly volunteered to help out with community improvement projects bringing his skills and work dedication to help make his hometown a better place. He always was willing to help his church, friends and family. He was a member of the local American Legion for many, many years. He always marched in the Memorial Day parade, and was especially proud when he was selected to be the flag bearer for the parade. Last year, in spite of the cancer that was slowly destroying him, he again was in the parade. He did make the concession to ride in the pick-up truck rather than march because of his loss of strength. He epitomized the dedication of a citizen that is necessary to make a city a true community.

Our father was never recognized as a celebrity. In fact, if you met him on the street, he would have appeared to be just an average American. In all so many ways he was just an average American, but he was the type of everyday American we need. He worked hard. He cared about his family and community. He gave of himself to help others and to make his small part of the world better. Most of all he set an example for his children, an example of what it takes to be a good person and to succeed in life by taking care of those things that really matter. As we got older we tried to let him know how well he had done in raising us and how much he meant to us. I don't think I could ever truly express to him how much he taught me by his example and his everyday kindness.

Edward J. Piotrowski, known to your family as Pops from the time we boys felt too old to call you daddy, you will be deeply missed. I hope that when you died you understood that we were proud to call you "Pops". I also hope that I can someday be considered as good a citizen of our great country as you were.

With love and respect, your children.●

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.)

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

Under the authority of the order of January 7, 2003, the Secretary of the Senate, on January 10, 2003, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

H.R. 11. An act to extend the national flood insurance program.

Under the authority of the order of January 7, 2003, the enrolled bill was signed by the President pro tempore (Mr. STEVENS) on January 10, 2003.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-271. A communication from the Assistant Secretary, Bureau of Indian Affairs, transmitting, pursuant to law, the report of a rule entitled "Arrangement with States, Territories, or Other Agencies for Relief of Distress and Social Welfare of Indians" received on December 16, 2002; to the Committee on Indian Affairs.

EC-272. A communication from the Acting Director, Office of Regulatory Law, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Vocational Training for Certain Children of Veterans—Covered Birth Defects and Spina Bifida" received on December 12, 2002; to the Committee on Veterans' Affairs.

EC-273. A communication from the Chairman, Federal Election Committee, transmitting, pursuant to law, the report entitled "FEC Policy Statement: Interim Reporting Procedures" received on November 25, 2002; to the Committee on Rules and Administration.

EC-274. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Dental Devices; Classification for Intraoral Devices for Snoring and/or Obstructive Sleep Apnea" received on December 12, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-275. A communication from the Director, White House Liaison, Office of Educational Research and Improvement, Department of Education, transmitting, the report of the elimination of the position of Assistant Secretary, received on December 12, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-276. A communication from the Director, White House Liaison, Office of Educational Research and Improvement, Department of Education, transmitting, the report of the creation of the position of Director, Institute of Education Sciences, received on December 12, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-277. A communication from the Director, White House Liaison, Office of Educational Research and Improvement, Department of Education, transmitting, pursuant to law, the report of nomination confirmed for the position of Assistant Inspector General, Department of Education, received on

December 12, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-278. A communication from the Acting Assistant General Counsel, Division of Regulatory Services, Office of Elementary and Secondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Title I—Improving the Academic Achievement of the Disadvantaged" received on December 2, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-279. A communication from the Deputy Assistant Secretary for Program Operations, Pension and Welfare Benefits Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Amendment to Prohibited Transaction Exemption 97-11" received on December 12, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-280. A communication from the Regulations Coordinator, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Possession, Use, and Transfer at Select Agents and Toxins" received on December 9, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-281. A communication from the White Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Inspector General, received on October 9, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-282. A communication from the White House Liaison, Office of the Inspector General, Department of Education, transmitting, pursuant to law, the report of the designation of acting officer for the position of Inspector General, received on October 9, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-283. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Ear, Nose, and Throat Devices; Classification of the Transcutaneous Air Conduction Hearing Aid System" received on December 1, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-284. A communication from the Regulations Coordinator, Center for Medicare Management, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Revisions to Payment Policies Under the Physician Fee Schedule for Calendar Year 2003 and Inclusion of Registered Nurses in the Personnel Provisions of the Critical Access Hospital Emergency Services Requirement for Frontier Areas and Remote Locations (RIN0938-AL21)" received on January 2, 2003; to the Committee on Finance.

EC-285. A communication from the Secretary of Education, transmitting, pursuant to law, the report relative to the follow-up, required by Section 6(b) of the Federal Advisory Committee Act, on the report entitled "The Power of the Internet for learning: Moving from Promise to Practice" received on December 1, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-286. A communication from the Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC-287. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Advance Reimbursement of Medical Expenses (Rev. Ruling 2002-80)" received on December 2, 2002; to the Committee on Finance.

EC-288. A communication from the Chief, Regulations Unit, Internal Revenue Service,

Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Ruling 2002-83—Related Party Like-Kind Exchanges" received on December 2, 2002; to the Committee on Finance.

EC-289. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Overpayments from a qualified plan" received on December 2, 2002; to the Committee on Finance.

EC-290. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "RAP & RENT/SUPP PAYMENTS (Rev. Ruling 2002-65)" received on November 7, 2002; to the Committee on Finance.

EC-291. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Ruling 2002-77—Bureau of Labor Statistics Price Indexes for Department Stores—September 2002" received on November 7, 2002; to the Committee on Finance.

EC-292. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Biodiesel ((RR-136293-02) (Rev. Rul. 2002-76))" received on November 25, 2002; to the Committee on Finance.

EC-293. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Taxpayer Identification Number Rule where Taxpayer Claims Treaty Rate and is Entitled to an Unexpected Payment" received on November 25, 2002; to the Committee on Finance.

EC-294. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Information Reporting Relating to Taxable Stock Transactions ((RIN1545-BB40)(TD 9022))" received on November 18, 2002; to the Committee on Finance.

EC-295. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notice 2002-76—Disaster Relief Payments by lower Manhattan Development Corporation (Notice 2002-76)" received on November 18, 2002; to the Committee on Finance.

EC-296. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Statement of Procedural Rules—Freedom of Information Act (RIN1545-AR99)" received on November 21, 2002; to the Committee on Finance.

EC-297. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—December 2002 (Revenue Ruling 2002-81)" received on November 21, 2002; to the Committee on Finance.

EC-298. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "CPI Adjustment for Section 7872(g) for 2003 (Rev. Rul. 2002-78)" received on November 21, 2002; to the Committee on Finance.

EC-299. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "CPI Adjustment for Section 1274A for 2003 (Rev. Rul. 2002-79)" received on November 21, 2002; to the Committee on Finance.