

King, as we heard Bob deliver these words:

A nation defines itself in many ways; in the promises it makes and the programs it enacts, the dreams it enshrines, or the doors it slams shut. Thanks to Dr. King, America wrote new laws to strike down old barriers. She built bridges instead of walls . . . there is nothing partisan about justice. It is conservative as the Constitution, as liberal as Lincoln, as radical as Jefferson's sweeping assertion that all of God's creation is equal in His eyes.

I could not agree more.

I am very proud of the rich and vibrant African American Heritage in my home state of North Carolina. Indeed, Mr. President, our history is full of trailblazers, including, Franklin McCain, Joseph McNeil, Ezell Blair, Jr., and David Richmond, known as the Greensboro Four because of their February 1960 sit-in at a Woolworth Store counter in Greensboro, North Carolina. They, along with others, laid the foundation for the America we strive to be, where all people are given an opportunity regardless of the color of their skin.

We have come a long way since then. Today, African Americans and minorities serve in every aspect of business, politics, and the legal profession. They're represented in judgeships throughout the country. John Wesley Winters, Sr., who died just a few weeks ago at the age of 84, was the first black Raleigh, NC, City Council member and one of the first black state senators of the 20th century. He was known as a bridge-builder between the races. And in 1992, my good friend Eva Clayton became the first African American woman to represent North Carolina in Congress. And just last year, Mr. President, I was privileged to support Allyson Duncan, confirmed as the first African American woman to serve on the 4th Circuit Court.

Higher education is another area where strides have been made. North Carolina is home to 11 historically black colleges and universities, including Shaw University in Raleigh, founded in 1865 and the oldest H.B.C.U. in the South. And I was honored to give the commencement address and receive an honorary degree several years ago from Livingstone College, another outstanding historically black college in my hometown of Salisbury, NC, where Dr. Algeania Freeman currently serves as the first woman president. And I am so very proud that my husband Bob is serving as chairman of a \$50 million dollar fundraising campaign at Bennett College in Greensboro, one of only two historically black women's colleges in America. In fact, Bennett's president, Dr. Johnetta Cole, currently serves as national chair of the United Way, and in that capacity has worked with HILLARY CLINTON and me on legislation to create a nationwide 2-1-1 line, a one-stop community service referral system.

This month we honor the steadfast commitment of so many people, many of whom gave their lives so that Afri-

can Americans could have the same opportunities as any other citizen in our Nation.

Today, as the Nation continues to celebrate Black History Month, I salute this heritage and the fine citizens who have contributed to North Carolina's greatness. May we continue their work on behalf of all Americans.

Mr. 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. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### PROTECTION OF LAWFUL COMMERCE IN ARMS ACT—MOTION TO PROCEED

Mr. FRIST. Mr. President, there have been a number of conversations regarding the gun manufacturers liability bill. Those discussions were about the likelihood of reaching an agreement to allow the Senate to consider that bill under an orderly time agreement. Now it appears that we will be unable to reach an agreement on the bill and there is an objection to even proceeding to that measure.

With that said, I now ask unanimous consent that at a time determined by the majority leader, after consultation with the Democratic leader, the Senate proceed to the consideration of Calendar No. 363, S. 1805, the Protection of Lawful Commerce In Arms Act.

The PRESIDING OFFICER. Is there objection?

Mr. REID. On behalf of Senator REED of Rhode Island, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. FRIST. I now withdraw the pending motion.

The PRESIDING OFFICER. The leader has that right.

#### CLOTURE MOTION

Mr. FRIST. I now move to proceed to Calendar No. 363, S. 1805, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 363, S. 1805, a bill to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others.

Bill Frist, Orrin Hatch, Mitch McConnell, Larry Craig, Jim Talent, John Ensign, John Cornyn, Conrad Burns, Saxby Chambliss, Craig Thomas, Don

Nickles, Rick Santorum, Trent Lott, John E. Sununu, Mike Crapo, Lamar Alexander, Wayne Allard.

Mr. FRIST. I ask unanimous consent that the live quorum under rule XXII be waived.

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

Mr. FRIST. I now withdraw the motion to proceed to S. 1805.

The PRESIDING OFFICER. The Senator has that right. The motion is withdrawn.

#### ORDER OF BUSINESS

Mr. FRIST. Mr. President, for the information of my colleagues and those watching, we have a scheduled cloture vote on the motion to proceed to the OB/GYN medical liability bill tomorrow afternoon. As I stated earlier, along with many of my colleagues, I hope that cloture will be invoked and that the Senate will be able to consider this bill. If we are prevented from even debating this legislation, it is our hope to take up the bipartisan gun liability bill. Given the earlier objection, it was necessary to file that cloture motion to proceed tonight. So the vote will occur on the gun liability bill on Wednesday of this week.

#### MORNING BUSINESS

Mr. FRIST. I ask unanimous consent the Senate now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

#### SENATOR JOHN GLENN

Mr. STEVENS. Mr. President, as the days go by, I think it is more and more important to recognize that Senators have friends on both sides of this aisle. One of my great friends is Senator John Glenn and his wife Annie. They have been very important people in my life. I have great memories of times I spent with John Glenn privately.

For instance, I distinctly remember the time John and Annie asked my wife Catherine, my daughter Lilly, and me to go on their boat. It is called the SENIRAM. Few people, other than the occupant of the Chair, would recognize that name, but if you spell it backwards, you will get the point. We had a wonderful day with them. I have had wonderful times throughout the years we have known each other since John and Annie came to the Senate.

Recently, I had the occasion to attend a dinner in his honor. Our distinguished minority leader TOM DASCHLE was the keynote speaker. I think the remarks Senator DASCHLE made about John Glenn and his career were most appropriate and some of the finest I have heard.

I ask unanimous consent that the remarks of the distinguished Democratic

leader at the dinner honoring Senator John Glenn, an American hero, on the 100th anniversary of the Wright brothers' first flight, Friday, December 12, 2003, be printed in the RECORD.

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

REMARKS BY SENATE DEMOCRATIC LEADER  
TOM DASCHLE HONORING SENATOR JOHN  
GLENN

From all accounts, Wilbur and Orville Wright were both deeply shy. Once, at a big dinner in their honor, the host gave an effusive introduction and then called on Wilbur to make a speech. Poor Wilbur rose to his feet and after a long stammer said, "There must be a mistake. I think you want my brother"—and quickly sat down. The host then called on Orville, who replied, "Wilbur just made the speech." I know the feeling. What in the world do you say when you open for John Travolta and John Glenn?

This is a thrill and an honor. I want to thank Spencer Dickerson, president of the Aero Club of Washington, for inviting me to be a part of this incredible evening. I also want to thank FAA Administrator Marian Blakey, my partner in this warm-up act and a truly outstanding public servant; Admiral Wesley McDonald, chairman of the National Aeronautic Association, sponsors of the Wright Trophy; and Don Koranda, president of NAA. And to any Ohioans who are here, thank you, too. There is something amazing about a state that gives the world Wilbur and Orville Wright, Neil Armstrong and John Glenn.

We are here tonight to pay tribute to a genuine, old-fashioned American hero—a man with whom I was privileged to serve for 12 years in the U.S. Senate and who I am honored, and still a little amazed, to be able to call my friend.

We are also here to thank Annie Glenn. In his memoir, John tells a great story about how hard Annie worked to overcome her lifelong habit of stuttering. When she succeeded, about 20 years ago, she told him, "John, I've wanted to tell you this for years. Pick up your socks"—which makes Annie Glenn possibly the only person on Earth who is not awed by John Glenn. John may have been the one who strapped himself into those rockets, but it was Annie's love, courage, and unshakable faith in him that made John's space missions and virtually everything else he has done possible. Thank you, Annie Glenn.

A few months ago, Linda and I got a sneak preview of the incredible exhibit on the centennial of flight that's now at the Library of Congress. Of all the treasures in that exhibit, what fascinated us most was a letter that you'll find reprinted in tonight's program. It was written in 1908 by Gutzon Borglum, the visionary sculptor who carved Mount Rushmore out of the Black Hills of South Dakota. Linda and I were surprised to learn that, in 1908, Borglum was also president of the Aero Club of America—the forerunner of NAA.

He wrote this letter late on a September night. He was in Washington—still awestruck by something he had witnessed hours earlier. For the first time in his life, he had seen a man fly an airplane. That man was Orville Wright.

This is a small portion of what Borglum wrote: "My dear Ned, Well, hell's popping, the gasoline motor is in the air, and man with outspread wings is astride of it! Orville Wright has broken all previous records. He flew 67 minutes in a 16-mile wind, handled his pair of planes like a chauffeur, and rode the air as deliberately as if he were passing over a solid . . . road. Nothing I have ever

seen is comparable in action to this gliding bird, save the ice-boat." He goes on to say, "This is not an experiment. Man has put, safely and forever, his shod heel into the blue heavens, and glides about as if on ice. 'Flight,' he predicted, 'will rub out the boundaries of the world.'"

Someone said that, in that first flight at Kitty Hawk, the Wright Brothers "flew through the smokescreen of impossibility." It's fitting that John Glenn receive the Wright Brothers Memorial Trophy. And it is especially fitting that he receive it tonight, just days short of the 100th anniversary of the Wright Brothers' first flight—because isn't that what John Glenn has done all his life—fly through "the smokescreen of impossibility" and show us that we can achieve more than we ever imagined?

We all have John Glenn stories we plan to tell our grandchildren. One of mine is from about eight years ago when Linda and I traveled to China with several other Senators and their spouses, including John and Annie. On our flight home, we persuaded John to tell us about the Friendship 7 flight. He told us about the wonder and majesty of space—about the beauty of the light particles that seemed to hang in space like fireflies frozen in place. He told us about the joy he felt when he flew over Perth, Australia at midnight and saw that the entire city had left its lights on to help guide his voyage. He told us about those moments when the world held its breath—when the skin of the spacecraft caught fire from the friction of re-entry and began to peel off in flaming pieces—and those terrible 2½ minutes when he lost all radio contact with the ground.

We all huddled around him, wide-eyed, on that flight. No one moved. No one said a word.

Another story I will tell my grandchildren took place in September 1998. It was just before John left the Senate to begin his last, grueling month of training at NASA for his return to space. The members of the Senate held a dinner for him at the National Air and Space Museum. Not only were John and Annie there, so was John's entire Discovery crew.

Before dinner, John and Annie graciously agreed to pose for pictures with Senators—right next to the Friendship 7 capsule! Now, you may not know this, but U.S. Senators are not exactly famous for their willingness to wait in lines. But that night, we all stood in line and waited—happily—to have our pictures taken with our hero. It's not unusual for Senators to like and admire their colleagues. But John Glenn is that rare Senator who inspires in other Senators feelings of sheer awe.

In his 24 years in the Senate, John's extraordinary knowledge of aviation served America well. Over and over, it enabled him to see essential issues instantly. I saw that ability again on the morning of September 11, 2001.

John and I were in my office in the Capitol when someone told us that a plane had hit the World Trade Center. We turned on the TV just in time to see the second plane hit the tower. In that first, terrible moment, when the whole world seemed stunned and confused, John understood the nature of the horror instantly. His eyes narrowed and he said simply, "Pilots don't fly into buildings."

John's influence in the Senate extended far beyond aviation.

People who've been there say you see the world differently from space. You see how small and fragile our world is, and you are forever changed by that knowledge. That is certainly true of John Glenn. He fought to protect our fragile environment. And no Senator ever worked harder to prevent the

spread of weapons of mass destruction, especially nuclear weapons. For that, we owe him our undying gratitude.

One of the most remarkable things about John is that he wears his heroism with such extraordinary modesty. Partly because he'd already had enough fame and tickertape parades before he came to the Senate—but mostly, I suspect, just because of who he is—Senator Glenn never worried about grabbing headlines. He worked quietly and diligently—with Democrats and Republicans—to solve difficult problems. He immersed himself in complicated but important issues—like troop readiness, government ethics and campaign finance reform.

He was willing to take on what he called the "grunt work" of government. He looked at government with the eyes of an engineer and tried to imagine ways it could work better. He used his position on the Government Affairs Committee to fight for efficiency in government. He was the author of the Paperwork Reduction Act and the lead sponsor of laws requiring inspectors general and chief financial officers in all federal agencies.

He used his seat on the Senate Armed Services Committee to keep America's military strong, and to advocate for our men and women in uniform, and for veterans.

He was a very good Senator. He was also a very popular one. In 1974, the year he was elected to the Senate, he carried all 88 counties in Ohio. In 1980, he was re-elected with the largest margin in his state's history. The last time he ran, in 1992, he became the first Ohio Senator ever to win four terms.

In 1985, he responded to a magazine survey of Senators. Next to "favorite book," he wrote, "In election years, the Cuyahoga County voter registration rolls; in all other years, the Bible." Next to "aspirations after the Senate," he wrote, "retire gracefully." Back then, probably not even Annie imagined what he had in mind.

Five centuries ago, Leonardo DaVinci wrote, "Once you have tasted flight, you will forever walk the earth with your eyes turned skyward, for there you have been, and there you will always long to return." Francis Gary Powers, the U2 pilot, described the pull to return to the heavens differently. After this first flight, at the age of 14, he told his father, "Dad, I left my heart up there."

In 1996, at the age of 75, John set yet another speed record by flying his Beechcraft Baron from Dayton, Ohio to Washington, DC in 96 minutes.

In retrospect, we should have known then that something was up.

I was among a group of Senators who went to Florida that day to witness our friend's return to space. Our friend, Senator Stevens, was there, too.

So much had changed in the 36 years since John's Friendship 7 orbit. Yet, some things were the same. Walter Cronkite came out of retirement to cover the Discovery mission. The people of Perth again turned on their lights to guide his voyage. And we all learned once again, because of the extraordinary courage of this man, that we can achieve more than we ever imagined.

Some people think there are two John Glenns: Lt. Colonel John Glenn, the astronaut-hero, and Senator John Glenn. In truth, there is only one John Glenn—the patriot. Love for his country is what motivated John Glenn to risk his life in two wars. It's what kept him in the United States Senate for 24 years and what prompted him, in 1984, to run for President. It is what sent him into space the first time and what sent him back at the age of 77. Love for his country is also why he is working today on a challenge that may be as hard as the putting a man in space was in 1962: teaching young people to understand and respect public service. He believes in his

bones what he said when he announced his retirement from the Senate. "Despite all our problems—despite our sometimes inefficient bureaucracies . . . and all of the other problems we love to complain about—this is still the greatest nation in the history of the world, and still a shining beacon of hope and opportunity."

In July 1969, as the crew of the Apollo 11 prepared for lift-off, Esther Goddard was speaking to an AP reporter. She read these words from the diary of her late husband, Robert Goddard, "the father of American rocketry." "When old dreams die, new ones come to take their place. God pity a one-dream man." Tonight, I thank God for giving us John Glenn. By having the courage to live his many dreams, he gives us the courage to live our own. Thank you, John. Thank you, Annie. Godspeed to you both.

#### CONFERENCE DELIBERATIONS ON H.R. 3108

Mr. FRIST. Mr. President, on Thursday, February 12, 2004, the Senate appointed conferees on the pension bill, H.R. 3108.

The legislation, as amended, passed on January 28 on an overwhelming 86-9 vote.

Of course, the regular order on a bill of this type would have been to insist on the Senate position and appoint conferees to begin negotiations with the House over the contents of this bill. Normally, this would have occurred without comment immediately after passage of the legislation.

Sadly, that was not the case.

Instead, the Senate was diverted into an argument over past patterns and practices—how many times a bill has gone to conference, or been pre-conferenced, or simply agreed to by the other body or who has been at what meeting, when, or where. This argument may mean much to a few, but it stood in the way of the many.

The Senate and the House are different institutions, with different rules, different pressures, different Members, and different outlooks. The most reasonable way for them to blend these differences is together, with representatives from both bodies sitting down at a table, reconciling legislation that each House has endorsed as its best idea to resolve pressing national problems.

The pension legislation passed both the House and the Senate with large bipartisan majorities. In the Senate, the legislation was developed over 3 months with bipartisan input from across the ideological and party spectrum. Both leaders, as well as the chairmen and ranking members of the HELP and the Finance Committee, wrote the bill, negotiated with multiple interested members, and spearheaded the legislation to passage.

When it came to the pension legislation, I listened carefully to what the minority leader said in various statements. I was gratified by the leader's assurance, given on the floor February 4, that he was "not asking for any predetermined outcome," and that he was "not asking for a certain set of expecta-

tations with regard to the legislation itself." Such an expectation on the part of any Member would have been another sharp departure about how we do our work here.

It was the regular order that we go to conference on this legislation. I also believe it is the regular order that Senate conferees, majority and minority, participate in conference deliberations as compromise between the House and Senate is developed.

I will work with my Senate majority colleagues to validate this commitment. We should not stymie over process when there is so much substance for us to work on, together, as the year progresses.

#### THE POLITICIZATION OF THE FOREIGN SERVICE

Mr. LEAHY. Mr. President, I rise today to bring to the Senate's attention a speech given by Ambassador Thomas Pickering in which he addressed some important issues concerning the Foreign Service.

I had the privilege of hearing this speech during an event at the Smithsonian last year, and I know of no one better qualified to talk about the Foreign Service than Ambassador Pickering. In over 41 years in the Foreign Service, Thomas Pickering served as ambassador to a dizzying number of important countries and international organizations, including Russia, India, Israel, Nigeria, and the United Nations. He also happens to speak 5 foreign languages.

In his speech, Ambassador Pickering warns of the increasing politicization of the Foreign Service. He points out that after disastrous experiences in the Civil War and Spanish-American War, the United States military professionalized its officer corps. Today, with the rise of international terrorism and the proliferation of other complex international problems, we should be thinking along the same lines.

However, we seem to be going in the wrong direction. Increasingly, individuals who have done little more than donate to a political campaign are being placed into key positions within the State Department. Ambassador Pickering appropriately points out that certain political appointees have and will continue to play an important role in pursuing U.S. diplomatic efforts overseas. Bringing individuals like Howard Baker and Felix Rohatyn, who possess unique skills, to the State Department is essential.

But the world is becoming more interconnected and more dangerous. International crises no longer confine themselves to remote corners of the world. For example, the outbreak of a deadly disease in Africa is only a plane ride away from the United States. We need seasoned, talented individuals capable of effectively advancing U.S. interests in key positions in Washington and abroad—not individuals whose primary talent is digging into their pockets to donate to a political campaign.

I urge all Senators to heed Ambassador Pickering's address and ask unanimous consent that the entire speech be printed in the RECORD.

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

NATIONAL PORTRAIT GALLERY'S PAUL PECK  
PRESIDENTIAL AWARD—ACCEPTANCE SPEECH  
BY AMBASSADOR THOMAS R. PICKERING

Thank you very much for the kind introduction. I am grateful to Strobe Talbott for his very kind remarks. Thank you too for this extremely generous and most unexpected award. I want to extend my warmest congratulations to Diana Walker, my co-recipient tonight, for her great contribution to portraying the presidency. I look forward to doing more television shows together.

I am even more grateful for this award, given my distinguished predecessors in receiving it, one of whom, General Brent Scowcroft, is here tonight, and the high respect I have for the members of the selection committee.

Let me also thank Mr. Peck for his unstinting generosity to the Portrait Gallery, the Presidency and to the pursuit of educational opportunities for disadvantaged Americans, including African Americans and Hispanics and many others. Your willingness to support so generously such worthy and deserving causes is more than admirable. Were I not a recipient of the award tonight, I would say with equal vigor "thank you for doing this for your country and its future." I want too to thank all the cooperating foundations and organizations that made the award and the evening possible.

I would be remiss in my own understanding of reality were I not to say immediately that it has been my family who have been my strongest supporters throughout my career in government. I'm happy to have with me tonight my son Timothy and members of his family, my daughter Margaret and members of her family and most especially my wife Alice. To all of them, but most especially to Alice, my firmest friend and toughest critic through many fascinating assignments, I owe the most, and they too should be receiving the award with me in every sense of the word—they surely deserve it.

I have had the honor of serving every president since Harry Truman, when I worked as a clerk in the U.S. Post Office and for the U.S. Weather Bureau as a summer intern in the Arctic. Since leaving the Foreign Service at the end of 2000, I have also served on a number of official advisory committees to U.S. departments and agencies.

My Foreign Service career was highly rewarding and in some respects, very unusual. I've had the pleasure of serving on all continents except Australia. But then too, I went to university there under the Fulbright program. I also spent three and one-half years in the U.S. Navy and over 41½ in the Foreign Service.

I wallowed in diversity, both ethnic and religious. I had the pleasure of being Ambassador to the world's only Jewish state (Israel); to a Muslim country (Jordan); to the world's largest Hindu state where Buddhism was born and where 150 million are Muslims, which makes it the world's second-largest Muslim state (India); to the largest Orthodox Christian country in the world (Russia); to a predominantly Roman Catholic republic (El Salvador); and to two countries, while still both Christian and Muslim, contain very large populations which practice traditional African religions (Nigeria and Tanzania). It's been a wonderful career, even though my mother often wondered why I kept moving around and couldn't keep a steady job.