

and killings are going to happen very soon unless that spark of conscience happens somewhere in this administration.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant journal 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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. Without objection, it is so ordered.

Mr. FRIST. Mr. President, we are still in some negotiations and will be in for a bit longer. But I will speak for a few moments on several issues while those negotiations continue.

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

COMMEMORATING BORIS TRAJKOVSKI, PRESIDENT OF MACEDONIA

Mr. FRIST. At this juncture, Mr. President, I rise with heavy heart in that Thursday morning, Boris Trajkovski, the President of Macedonia, perished in a plane crash in the mountains of Bosnia. He was a good man, a man I had met, a man with whom I had extensive discussions, a man who was a great leader. Indeed, the people of Macedonia have lost a true hero and, indeed, America has lost a great friend.

Elected to his country's highest post in 1999, President Trajkovski held his country together through terrible crises and conflicts. He kept the struggling new Republic from descending into anarchy and civil war and, in doing so, set an example for the entire region.

President Trajkovski was one of our first allies to publicly support Operation Iraqi Freedom and to commit troops to the liberation. The Iraqi people owe President Trajkovski and the Macedonian people a debt of gratitude for his belief in them.

He was a sincere champion of freedom. Only 47 years old, Boris Trajkovski was a President, a minister, an attorney, a father, and a husband. Our prayers go out to his family and the families of all who were lost on that fateful plane.

It is my hope that the people of Macedonia will honor him by carrying on his work of cultivating and nurturing their newfound freedom.

Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The senior journal 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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. Without objection, it is so ordered.

ASBESTOS LITIGATION

Mr. FRIST. Mr. President, I rise this afternoon to discuss the progress that has been made to date in my efforts to resolve a critically important issue; that is, the issue of asbestos litigation—a crisis that is currently playing out and has been playing out over the last several years, an issue I have addressed on the floor of the Senate. I wanted to give an update of where we are, a little bit about where we have been, but also what my expectations will be as we look to the future.

First and foremost, we have made good progress toward enacting Chairman HATCH's FAIR Act, which is the Fairness In Asbestos Injury Resolution Act. I have made this a personal priority in that the Senate must resolve this issue.

First of all, the crisis itself, the asbestos crisis. As I mentioned on the floor last fall, the magnitude of the asbestos crisis is truly overwhelming. The torrent of litigation has wreaked havoc on victims, on American jobs, and on the economy. The 600,000 claims that have been filed have already cost \$54 billion in settlements, in judgments, and in litigation costs.

Even with those billions being spent, the current asbestos tort system has today become nothing more than a litigation lottery. A few victims receive adequate compensation, and far more suffer long delays for unpredictable and inequitable awards, if they receive anything at all. Today, it is a system with only one real winner; that is, the plaintiffs' trial lawyers. They are taking half of every dollar that is awarded to victims. One-half of every dollar that is awarded to victims ends up going to plaintiffs' trial lawyers.

The future prospect for people who have been victimized even gets worse. But let me say it is not only the victims who suffer—that is clear—but workers lose their jobs. Asbestos-related bankruptcies spell doom for workers' jobs, for their incomes and, of course, for their retirement savings. It has already cost more than 60,000 Americans their jobs. For those who lose their jobs, the average personal loss in wages over a career is as much as \$50,000. That \$50,000 does not include lost retirement and lost health benefits.

Workers at asbestos-related bankrupt firms with 401(k) plans lost about 25 percent of the value of their 401(k) plans. The victims; yes. They have been hurt by the current system but, indeed, with the bankruptcy of these companies, employees are hurt all around the country.

The problem is there. It is a crisis. It is a crisis that is getting worse. It is not getting better. Thus, it is incumbent upon us to act.

I asked a simple question during my remarks last year. That question was, Can we create a system that is better than the status quo? The answer is, of course, yes. But time is running short. That is what brings me to the floor today.

First of all, progress to date: The crisis is there, it is getting worse, and it demands a response from us. As an update on what we have accomplished to date, the FAIR Act—Fairness In Asbestos Injury Resolution Act—has already made significant headway. Under the leadership of Chairman HATCH, it was passed by the Senate Judiciary Committee last July, and there have been ongoing discussions and negotiations ever since.

I commend Senator HATCH and the ranking minority member, Senator LEAHY, for their tremendous hard work on this bill.

I also want to recognize my colleague from Pennsylvania, Senator SPECTER, who has done hard work in conjunction with Judge Becker on this particular issue.

A strong bill, steady progress, and constant discussion.

I want to note that my Democratic colleagues as well as organized labor and other stakeholders have been deeply involved throughout the process.

Led by Senator HATCH, bipartisan breakthroughs were made on issues that previously have proved irreconcilable. These included a whole range of issues but included the linchpin issue of medical criteria that has proven historically to be so difficult and controversial.

In addition, much work was done over the winter recess to resolve outstanding issues regarding the appropriate administrative structures of the system for resolving current and future asbestos claims.

What has emerged under S. 1125 and the current negotiations is a streamlined national trust fund for paying asbestos claimants quickly, fairly, and efficiently. The new system will provide more certainty and efficiency for claimants, and more certainty and predictability for businesses.

Passing this bill will create enormous economic benefits. Certainty that flows from a bill will stimulate capital investment, preserving existing jobs and creating new ones. I had hoped to bring this bill to a floor vote before the end of last session, but we were simply unable to achieve that goal.

Chairman HATCH and Senator LEAHY worked hard to resolve many difficult issues at the committee level. Senator DASCHLE and I, along with our staffs, have continued to work with stakeholders to put more issues behind us over the past months. In fact, there have been more than 20 meetings starting last July at which my staff, Senator HATCH's staff, Senator SPECTER's staff, and staff representing the minority have negotiated these issues.

While there are many issues which remain outstanding, the core principles of an effective bill are now clear. The crisis is there, the crisis is getting worse, the bill has been delivered, continued progress, continued discussions with improvement of the bill.

Then the question is, Where do we go from here?

If we intend to make good on our collective hope to pass legislation, at some point the ongoing discussions and negotiations must end and a bill must be brought to the floor.

In addition to the months of work that have been put in by my staff and others on these discussions last year, we had an additional 90 days since the winter recess, and I am prepared to have talks go on for another 30 days through the end of March. But at some point, talking must end. As I made clear last fall, I am committed to bringing a bill to the floor by the end of March.

Victims are still going uncompensated. Companies are still going bankrupt, and the economy is still being unnecessarily burdened.

The minority leader, as well as Senator LEAHY, Senator DODD and other Democratic Members have made clear to me their interest in working toward consensus legislation.

I ask all participants in the process to work during these remaining days to bring these discussions to a close and to reach consensus on the remaining outstanding issues.

I am not interested in forcing a vote on this bill. But the victims and the workers who are being hurt by these delays deserve closure. They deserve a bill that puts an end to this ongoing crisis. I will begin floor action on an asbestos bill either the last week of March or the first week in April. Again, I will begin floor action on an asbestos bill either the last week of March or the first week in April.

There is no perfect solution to the current asbestos litigation crisis. But it is clear that maintaining the status quo is simply unacceptable. We must not let this historic opportunity to enact fair and meaningful reform pass in order to pursue a perfect solution that is unachievable. The time has come for the Senate to fashion the right solution for one of the most pressing issues facing us, facing our economy, and facing this Nation today.

BLACK HISTORY MONTH

Mr. FRIST. Mr. President, I will make a few comments in respect to the closing days of Black History Month, the month of February.

Two weeks ago, I had the opportunity to take a truly extraordinary journey with Members of the Senate and House Members. I use the word "journey" because this trip was not only to a geographic destination, not only a place to which we traveled but, indeed, was in many ways an emotional and a spiritual voyage that touched—I know me and, in talking to my colleagues, them—in very deep and meaningful ways.

It was 2 weeks ago Friday that we departed from Washington. This journey was one I had the honor of leading. It was a bipartisan delegation. Ten Senators participated at some time over the course of those 3 days on this civil

rights pilgrimage to Alabama and to Tennessee. It was a real privilege to travel not just with my colleagues in this body and the House of Representatives, but also traveling with us were some of the loftiest figures of the civil rights movement.

These included our colleague, Congressman JOHN LEWIS, who, by the way, graciously organizes this trip each year for his colleagues. This is the first time he specifically put it together for the Senate, but also traveling with us or speaking to us as we were in Alabama and Tennessee were the real civil rights giants, people such as Dorothy Cotton; Bernard LaFayette, who I had the opportunity to get to know over the years, he is a close friend of a physician friend, Dr. Karl VanDevender from Nashville; Diane Nash, who played a prominent role in the non-violence movement, much of which originated in Tennessee; Johnnie Carr; Attorney Chestnut, whose vivid words are starkly ringing in my mind even as I stand here; Bob Mants, and the list goes on—people who were there, people who participated through the late 1950s and early 1960s in the civil rights and nonviolence movement.

I say to them and take this opportunity, something I have told each one personally, to publicly thank them for their service to our country, for their willingness to face violence and intimidation directly, to face injustice and to face oppression, and to face all of this with bravery and to face it with love and caring and compassion. It was this juxtaposition of one facing the other that ultimately had the impact of transforming America. Indeed, it led to a great awakening that continues to reverberate through history.

I also thank these remarkable individuals for sharing their hearts over this 3-day period, of sharing their faith, sharing their spirituality, and sharing their stories with us for these intense sessions over Friday, Saturday, and Sunday. I speak for my colleagues. Again, 10 Senators is 10 percent of the Senators in this body participating in this pilgrimage in some shape or form. I speak for all of them when I say that we thank the participants from the civil rights movement who spoke to us, who spent time with us, and left us profoundly inspired.

We began our trip in Montgomery, AL, visiting the Montgomery bus stop where Rosa Parks said no to moving to the back of the bus. We marched over the Edmund Pettus Bridge where—you read about it and you study it and you hear where, as they marched over the bridge they were trampled by horses and were beaten with billy clubs and were sprayed with tear gas just for the audacity of seeking their constitutional right to vote. You read about it and you hear about it and you see it in some little clips, but actually being there, that physical presence, that physical sense of time and space that we were given 2 weeks ago, really captures the full picture as much as one

can. Again, to those participants, I say thank you.

We met with people throughout who were present and who described the crushing of bones as those billy clubs came down; people who, in the first person, described in such vivid detail, that had such a tremendous impact when you hear it. It is difficult for me to find just the right words to express the power of standing shoulder to shoulder with people who actually crossed the bridge at the time, that bridge that almost 40 years ago was faced with the threatening opposition standing before them.

We later visited the Birmingham Sixteenth Street Baptist Church where four young girls perished on that vicious Sunday morning bomb attack—again, talking to other people who were in the church that morning when that bomb went off, taking the lives of those four young girls.

We walked through Kelly Ingram Park where Bull Connor unleashed dogs and fire hoses on schoolchildren. And on Sunday we entered the Nashville First Baptist Church where the nonviolence movement's young heroes studied and learned and where we heard accurately described the role-playing of nonviolence which ultimately played out just a few weeks and a few months later in the historic lunch counter sit-ins in Nashville. The role-playing, the studying, the curriculum, the discipline, was all around a movement of nonviolence which characterized so much of the subsequent Civil Rights Act in the late 1950s and early 1960s. We met many of the participants who were at the historic lunch counter sit-ins in Nashville, sit-ins that peacefully transformed Nashville, TN, over a period of weeks and then months, sit-ins that started at the lunch counters and subsequently a few months later moved to the movie theaters.

We walked in the footsteps of giants, and we came closer thereby to knowing them as men and women.

I relate all this because it is also clear to me that the movement is not over. So much has changed. We heard it again and again, so much has changed in a very short period of time, but the great hope of that movement has yet to be realized; that is, full equality not only before the law but in the lives of every single citizen.

Immediately you relate it to the sort of things we do in the Senate, to create an environment that equality is not just before the law but in the lives of every citizen. That means equal education. It means no child left behind. It means equal opportunity to live the American dream. It means equal treatment at the doctor's office. It means equal consideration by the mortgage lender. It means equal opportunities to climb that economic ladder and to open the doors to higher learning.

As we celebrate Black History Month, as we look forward to the 50th anniversary of Brown v. Board of Education, we must remember that, yes,