

told key lawmakers about a series of Bush administration cost estimates that could have torpedoed congressional passage of the White House-backed Medicare prescription drug plan.

The Senator from North Dakota was just addressing this issue. Obviously, the reimportation plan was part of the Medicare legislation, and had we been able to pass a meaningful reimportation provision, we could have brought down costs.

Again, quoting from a report copy-righted by the Miami Herald:

When the House of Representatives passed the controversial benefit by five votes last November, the White House was embracing an estimate by the Congressional Budget Office that it would cost \$395 billion in the first 10 years. But for months the administration's own analysts in the Centers for Medicare and Medicaid Services had concluded repeatedly that the drug benefit could cost upward of \$100 billion more than that.

Withholding the higher cost projections was important because the White House was facing a revolt from 13 conservative House Republicans who had vowed to vote against the bill if it cost more than \$400 billion.

Representative Sue Myrick of North Carolina, one of the 13 Republicans, said she was "very upset" when she learned of the higher estimate.

"I think a lot of people probably would have reconsidered [voting for the bill] because we said that \$400 billion was our top of the line," Myrick said.

Five months before the November House vote, the government's chief Medicare actuary had estimated that a similar plan the Senate was considering would cost \$551 billion over 10 years. Two months after Congress approved the new benefit, White House Budget Director Joshua Bolten disclosed that he expected it to cost \$534 billion.

Richard Foster, the chief actuary for the Centers for Medicare and Medicaid Services, which produced the \$551 billion estimate, told colleagues last June that he would be fired if he revealed numbers relating to the higher estimate to lawmakers.

"This whole episode, which has now gone on for 3 weeks, has been pretty nightmarish," Foster wrote in an e-mail to some of his colleagues June 26, just before the first congressional vote on the drug bill. "I'm perhaps no longer in grave danger of being fired, but there remains a strong likelihood that I will have to resign in protest of the withholding of important technical information from key policymakers for political reasons."

Cybele Bjorklund, the Democratic staff director for the House Ways and Means health subcommittee, which worked on the drug benefit, said Thomas Scully—then the director of the Medicare office—told her that he ordered Foster to withhold information and that Foster would be fired for insubordination if he disobeyed.

The vote on this Medicare legislation was one of the most critical decisions Congress had made in 40 years on Medicare. We are talking about a difference of more than \$150 billion. What this article states is that key members of the administration were told they would be fired if they told Congress the truth. I think this is one of the most reprehensible actions that I have seen since coming to Congress.

For the life of me, I cannot understand how such irresponsible behavior could be condoned, could be allowed.

We will get to the bottom of this. But I think it calls into question how laws are made. It certainly calls into question what efforts may now be made by the administration to keep information on other issues from Congress, before we make critical decisions.

I think we ought to bring this bill back for another vote. I think the House and the Senate deserve to have a vote based on all of the information, not just part of it. If this and perhaps other information was withheld, Members of Congress were called to vote under false pretenses. They were called to vote without having the truth. On an issue with these repercussions, we have no other choice but to revote this issue.

Already, the Congress has tried to offer corrections to the bill. Bills have been offered and amendments suggested to try to correct many of the problems created by this bill. But now we know, based on the information provided in this article, that not only are there significant policy questions, but the very issues provided to Congress as fact before were, in fact, untruthful misrepresentations upon which Congress voted mistakenly.

So we are going to have to review the available options that we have, with regard to how this happened and what ought to be done. I think an investigation of some kind is certainly warranted. Whether this is criminal or not is a matter that we will certainly want to clarify. But if not criminal, it is certainly unethical.

I think we need to know the facts. How did this happen? Why did it happen? Are there precedents for things like this happening for which the situation called for another vote? As close as that vote was, in the dead of night, I think we owe it to the American people, we owe it to seniors, to reconsider these votes and question whether or not we can put in place some absolute guarantee that this will never happen again.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, following the comments of my colleague, this is a shameful thing to have had happen and to read about. It breaks the bonds of trust that exist in this town. This is a political town, so we expect politics, but not in the context of information given us by agencies that are inherently nonpolitical and are supposed to give us good information with which to make public judgments and policy. I agree fully with my colleague. This not only breaks the bonds of trust, but it is a shameful and disgusting thing to read in a paper this morning. My hope is that it is fully investigated.

TRIBUTE TO JIM TESCHER

Mr. DORGAN. Mr. President, on another subject, I will now make some comments about a North Dakotan who

has died. I want to do this for a very special reason. I think his passing needs to be noted by us.

Willie Nelson has a song called "My Heroes Have Always Been Cowboys." Out in my part of the country—I grew up in western North Dakota—we understand Willie Nelson's music and lyrics and what his songs mean. Willie Nelson really gave voice, with "My Heroes Have Always Been Cowboys" to a way of life—about rodeos, ranch life, 10-gallon hats, pickup trucks, sweet clover, wild horses, newborn calves, going to town on Saturday night, good neighbors, strong families, and living free.

I grew up in a small area of western North Dakota. My dad was a good horseman. He raised horses. When I was a young boy, we went to rodeos. We did not have professional sports. We did not have Major League Baseball or the National Football League. We went to rodeos.

I recall as a young boy going to the rodeos in all the small towns in North Dakota, but also going to the National Western Livestock Show in the coliseum in Denver, CO. Cy Tallon was the announcer, one of the great rodeo announcers in our country. He would announce, "Coming out of chute No. 2, Jim Tescher from North Dakota."

We had cowboys who were the best in the world—Jim Tescher, Tom Tescher, Alvin Nelson, Duane Howard, Dean Armstrong—tops in the world. I remember how proud I had been hearing these North Dakotans being introduced at the National Western Livestock Show—saddle-bronc riders, bareback riders, and bull riders. They were the best in the world—tough, good people and champions.

Last month, one of them died. In a cemetery in the Badlands of North Dakota up on a hill, his casket sat to be buried. His name was Jim Tescher. He came from a ranch in the Badlands of North Dakota. He rode in rodeos in Madison Square Garden, the Boston Garden, and the Cow Palace. He won the saddle-bronc riding in the National Finals Rodeo twice. He was a real champion. He went for 2 years at one stretch as a professional RCA cowboy without being bucked off a saddle-bronc horse. Think of that: 2 years without being bucked off a saddle-bronc riding in rodeos.

His first love was the ranch, the cows, and the horses, so he rodeoed when he could. He didn't rodeo as much as some of the others, but when he did, he was a winner. After a long rodeo career, he returned to his ranch to live in the Badlands.

Last summer, he was driving a little four-wheeler out in the Badlands to check on some cattle and it tipped, fell down a cliff, and pinned him and paralyzed him from the neck down. I went to visit him at Thanksgiving time in the hospital in Mandan, ND. Jim was lying in his hospital room paralyzed. He said to me that what he really wanted to do was try to get back to the ranch and the Badlands and look out

the picture window and see his cattle once again.

On December 23, they put Jim in a wheelchair and wheeled him down to the front door of the hospital wrapped in a blanket. Unbeknownst to him, his daughter had fetched his horse Bonner, a horse just over 20 years old. Bonner had been with Jim all of his life. She brought his horse Bonner in from 180 miles away. She hauled him in a horse trailer.

His daughter had Bonner standing behind a tree. They wheeled Jim out in a wheelchair and led Bonner out from behind the tree. This horse had not seen his master for about 5, 6 months. Jim could not lift his hands, but he made that clicking sound with his mouth that cowboys make to their horse, and Bonner walked over and nuzzled him on the nose. He still knew Jim after 6 months in the hospital. Jim had tears in his eyes that day.

About 4 days later, Jim died, and on January 3, a group gathered in the cemetery in the Badlands to bury him. This picture which was in the *Cowboy Chronicle* in North Dakota shows a man named Brad Gjermundson, also a North Dakotan, a four-time world saddle bronc champion rider. He rode to that cemetery following the hearse leading Jim's horse Bonner. As Jim was to be buried that day in a coffin decorated with his well-worn cowboy boots, some spurs, a rope, and some cedar from the Badlands, the cowboys from North Dakota gathered around to pay their last respects.

This picture shows a lonely horse watching his master being put away. When I saw that picture in the *Cowboy Chronicle*, I knew I wanted to share with my colleagues the fact that this country has lost a really great champion, a champion rodeo rider, but also a champion human being.

Teddy Roosevelt once lived in those Badlands, and Teddy Roosevelt once said: Cowboys don't walk real well; that's because they do most of their work in the saddle. He could have said: Cowboys don't talk much either; they just love their country, they honor family values, and they live free. And that describes Jim Tescher's life. He, in my judgment, is one of those real American heroes, a North Dakota champion, and our State will miss him.

Mr. President, I yield the floor, and 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. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MARTY PAONE'S 25TH ANNIVERSARY OF SERVICE IN SENATE CHAMBER

Mr. DASCHLE. Next Monday, March 15, the Senate will be in recess. As Ju-

lius Caesar could tell you, the Ides of March is a good day to be far from the Senate Chamber, but this Ides of March the Senate family has something to celebrate: the 25th anniversary of Marty Paone's service to the Senate Chamber.

The Senate is not the simplest of institutions. The rules and traditions that govern our work can seem baffling even to the most experienced legislator. Marty has the most comprehensive understanding of the rules and procedures of the Senate of anyone I have ever known.

We may lose an issue because we do not have the votes, but in my time in the Senate we have never lost an issue on procedural grounds. In fact, we have even won a few, and when we do, it is thanks to Marty's extraordinary knowledge and unerring counsel.

He not only knows what the rules are, but how they serve the greater purpose of maintaining the Senate's unique role within our democracy. This innate understanding has come as a result of a quarter century of dedicated service to the Senate and our Nation.

Marty was born in Everett, MA, and is a graduate of Boston College. After graduation, he made his way to Washington to attend graduate school at Georgetown University. It was while working on his master's degree in Russian studies that he first came to Capitol Hill. While attending school, he worked in the House post office and later moved to the Senate parking office. In 1979, Marty joined the staff of the Senate Democratic cloakroom. A few years later he joined the Senate Democratic floor staff, and in 1991 became assistant secretary for the minority. In 1995, he was elected by the Democratic Caucus to the position he holds today, secretary for the minority.

Each of us knows that the Senate has its own peculiar schedule that is unpredictable at best, but no one knows that better than Marty. Twenty-one years ago, while planning his wedding, he and his fiancée Ruby, who is also a member of the Senate family, pored over the calendar looking for a date that they could be certain the Senate would be out of session. They chose Veterans Day and made their plans.

Perhaps predictably, the Senate held a rare Veterans Day session that year, and Marty did what he has seldom done in his 25 years, he actually missed a day of work. Fortunately, the Senate adjourned early enough for Marty's colleagues to share in his and Ruby's joy that day and make the wedding.

Fitting one's family life around the peculiar schedule of the Senate is never easy. It takes a lot of patience, a good sense of humor, qualities that Marty has in abundance. We are grateful to him, his family, his wife Ruby, and their children Alexander, Stephanie, and T.J., for sharing their husband and father with us.

During his time in the Senate, Marty has shown unequalled dedication and

loyalty to our institution and to the men and women who serve here. As a result, he has won the trust of every Senator and every staff person who has ever had the honor of working with him.

Thanks to his experience, every Senator is better able to serve his or her constituents and the Senate is better able to serve the needs of the American people. We owe him an extraordinary debt of gratitude. There is no one I know who has more respect and affection for the Senate as an institution than Marty. On behalf of the entire Democratic Caucus, I thank him for his service of 25 years.

I yield the floor, and 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. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. DOLE). Without objection, it is so ordered.

A SQUANDERED OPPORTUNITY ON LANDMINES

Mr. LEAHY. Madam President, on February 27, I spoke on the floor about the administration's new policy on landmines. It is a policy that some in the administration had leaked to the press the day before it was to be announced. And many believed it was being done to give it the most positive spin possible.

The reason I want to take some time to discuss it just prior to this recess is some Senator may be asked about it. I want them to know what the policy does and what it does not do.

The centerpiece of the policy is the administration's announcement that they will eliminate, in 6 years, all persistent or "dumb" landmines that remain lethal indefinitely.

First, let me say that any decision by this or any other administration to eliminate any type of landmine is a positive step. I concur with the administration on this. These indiscriminate weapons do not belong in the arsenal of the world's only superpower. Actually, they do not belong in the arsenal of any civilized nation. They do not differentiate between a child and a soldier. They are inhumane. They should be banned.

I have traveled to many parts of the world, sometimes in places where we use the Leahy War Victims Fund. I have seen those who have been crippled and disfigured by landmines.

My wife is a nurse. Before she retired, she was on a medical surgical unit. She has gone into some of the surgery wards in these countries where a child had a limb blown off, and it had to be reamputated to fit a prosthesis. It is terrible. And while there are military people on either side who are injured or killed, it is usually civilians. The vast number are civilians.