

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

So the fact that the administration is pledging to get rid of these so-called dumb mines, including anti-vehicle dumb mines—albeit not until 2010—that is constructive. It sets a good example.

But what was not said in the press release, of course, is that the United States has not used this type of landmine for decades. We have not even used them in Korea along the demilitarized zone.

We have stockpiles of these mines around the world, but they are widely recognized by our military as posing not only an unacceptable danger to civilians, but also to our own troops. Once these mines are in the ground, they impede the mobility of our own forces. I cannot imagine any combat officer—certainly none trained by the United States—who would support using these indiscriminate weapons in this day and age.

So the bottom line is that the administration is saying: Since we do not use these mines, have not used these mines for decades, we will get rid of them, and we want the world to credit us for that.

Well, that is sort of like saying we are going to stop using leaded gasoline in the United States to reduce air pollution. Of course, we have not used leaded gasoline for years, so it really is not an issue.

What the administration says is that its new policy will “help reduce humanitarian risk and save the lives of U.S. military personnel and civilians.” But insofar as we do not use these mines, and have not used them for years, the claim is meaningful only to the extent that we can convince other nations to stop using them.

Now, to do that, the administration says it will seek a worldwide ban on the sale or export of dumb landmines. That is a positive announcement. But is it realistic?

We tried this back in 1994. We got nowhere because other nations refused to even discuss giving up their mines if we refused to give up ours. I have yet to hear anybody say why they believe the reaction of other nations, such as China, Russia, Pakistan, and India, is going to be any different this time.

After 2 years of reviewing the landmine policy, we say we are going to eliminate the mines we no longer use. But what the administration glosses over is that it has abandoned the key pledges the Pentagon made 6 years ago to phase out all antipersonnel mines outside of Korea by 2003, and in Korea by 2006. That would mean all the mines would be gone now, outside of Korea; and in Korea, the year after next. That used to be U.S. policy, until February 27.

That commitment included not only dumb mines but also self-destructing mines. And the commitment to find suitable alternatives to replace these self-destructing mines was painstakingly negotiated in 1998 between myself and the White House and the Pentagon.

The administration now defends its decision to abandon the pledge to phase out these weapons on the grounds that “after they are no longer needed on the battle field, [these mines] detonate or turn themselves off, eliminating the threat to civilians.” They say “self-destructing landmines have been rigorously tested and have never failed to destroy themselves or become inert within a set time.”

Now, these self-destructing mines, these mines with timers, do pose less of a danger to civilians. If the world only used this type of mine, we would still have casualties of civilians, but there would be far fewer.

But it is not that simple. For one thing, the mines are also dumb. Once activated, they cannot distinguish between an enemy soldier and a fleeing refugee or a child trying to get out of harm's way any better than any other dumb mine.

If they are touched, they will explode. You could be the farmer trying to get his animals out of harm's way because a war is going on. These mines cannot distinguish between the farmer and an enemy gunner.

Secondly, we have only used this type of mine once and that was in the first Gulf War. We used them there because we had assurances from the Pentagon that they had been well tested and they would self-destruct so we did not have to worry about them.

Guess what. After that war, U.S. and British deminers discovered thousands of these mines that had not self-destructed as designed. They still needed to be disarmed. In fact, I had one leader in combat in the first gulf war who said: We did use them.

I said: Did you trust them to self-destruct?

He said: Heck no. Neither I nor anybody under my command would dare send our troops across a field where we have been told all these mines had self-destructed because we knew that a certain number of them would not.

Most importantly, Mr. President, by insisting we will continue to use our more expensive self-destructing mines, which the administration does, we give other nations an excuse to continue to use their cheap dumb mines. I don't know how many times I have talked to officials of other nations. I have said: Why don't you stop using land mines?

They have asked me: How can you, the most powerful nation history has ever known, tell us we should give up our land mines when you say you can't give up yours?

There is no answer to that.

There was strong opposition in the Pentagon when we passed my amendment—finally, in the end, every single Senator voted for it—which banned the export of anti-personnel land mines. Now the Pentagon and everybody else brags about the step forward we took in banning the export of land mines. It was a good step. But when we had a chance to join the Ottawa process to ban these mines once and for all, we

stepped back from it. And because of that, we made it easy for Russia and China, other countries, to do so.

In fact, I believe in our hemisphere there are only two countries that don't ban land mines—the United States and Cuba. Everybody else has. In fact, 150 nations, including every member of NATO except the United States, has joined the Ottawa Treaty banning anti-personnel mines.

It is arrogance for our country to take such a unilateral attitude, for us to say: We know it is for your own good, get rid of land mines, but we won't.

Many times on this floor I have talked about flying in a helicopter along the Honduras-Nicaragua border at the height of the contra war. I stopped at a hospital on the Honduras side, an area carved out of the jungle. It was a very rudimentary hospital, with a small, separate unit for an operating room that was air-conditioned and sterile. The hospital part had a dirt floor, barracks, row after row of cots, in the corner, just some blankets.

A young boy stayed there, 12 years old or so. He had been living there for years since he lost his leg. He hobbled around on a homemade crutch. He was a peasant child who could not go to work in the jungle and help his family to get food because he was not up to it. He couldn't climb the steep trails. He had been out looking for food when he stepped on a land mine.

I asked him whether it was put there by the Sandinistas or the contras. He didn't know who they were. He didn't even know there was another country just over the mountains called Nicaragua. But he did know his life was changed. Unlike those of us who are privileged to serve in this body where, if we lost a leg we could continue to do our work, be paid the same, there would be some inconveniences, but we would make it. Not he. If he didn't have the floor of the hospital dormitory and if he didn't have the medics to give him some food, he had no place to go. There are thousands of people—thousands of children—like that.

After that, we started the Leahy war veterans fund, which to the credit of our Nation, does use \$12 million a year to buy artificial limbs, wheelchairs, and other assistance for war victims. We have passed a law to ban the export of land mines.

But it is like trying to stop a flood. As long as people continue to make them, continue to use them, they are out there. We can't bring more pressure on China, one of the big makers and exporters of land mines, because they say, rightly so, the U.S. still uses them.

It is so frustrating. I come from a beautiful State, as does the Presiding Officer. I have hundreds of acres of my tree farm, wonderful fields and hills and mountain trails on which I can walk. My children and grandchildren do. It is so much fun. All you worry about is that you might trip and skin

your knee. You don't have to worry about a land mine.

Somebody said to me in one of these countries, when they were asking about land mines and why we didn't do more in the United States to get rid of them: How long would it take you in the United States to ban them if your children had to go to schools where they were told, you walk exactly between these two lines because, if you step over it, you might have your legs blown off? Or if you are like the teenage girl in Bosnia whose family sent her away at the beginning of the war so she would be safe and finally got word to her that it is safe to come back and she was running to her family and stepped on a mine. Her legs were blown off. I saw that young woman and talked with her in a hospital where the Doctors Without Borders and the Leahy War Victims Fund were helping her and other mine victims.

If this was happening in Washington down on The Mall, if this was happening on the playgrounds of America, we would be rising up and saying: Get rid of these things.

I have talked about this so many times that I am like a broken record. But I will keep talking about it as long as I am in the Senate. I will keep pushing and I will keep traveling around the world working with people who want to get rid of landmines. I will keep raising money for landmine victims, and I will keep trying to get rid of landmines.

I hope someday this wonderful country of ours, which I love and every one of us loves so much, will stand up and say: Enough. We will, by our own example—not by unilateral arrogance saying you get rid of them, but we won't—use the moral suasion of our Nation and get rid of landmines. Maybe then others will, too.

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

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

#### BERKSHIRE HATHAWAY

Mr. FRIST. Mr. President, we will be wrapping up here in about 15 or 20 minutes.

Seeing the Presiding Officer, who is from Tennessee, I want to pull out something which I find remarkable. It doesn't have anything to do with Senate business, but it does have something to do with the State which the Presiding Officer represents and which I represent. In fact, it is a historic sort of message. The bottom line is very simple. It has to do with saying "thank you" and the thoughtfulness of saying "thank you." I will take a very few

minutes to recount this fascinating story.

In the 2003 annual report of Berkshire Hathaway Incorporated, a report that was released to shareholders on Saturday, March 6, there was a fascinating item that piqued my interest. Berkshire Hathaway is the \$42 billion dollar firm led by someone who is considered to be the greatest stock market investor of all times, Warren E. Buffet. I call the annual report to your attention because it contains an unusual story involving 40 students and a professor from the University of Tennessee.

For the last 5 years, Professor Auxier has led his finance class on a field trip from Knoxville, TN to Nebraska to meet that legendary oracle of Omaha, as Mr. Buffet is known. The meetings there would last as long as 2 hours as students would have and took advantage of that opportunity of peppering the investor with questions on everything, everything from finance to life lessons, to mentors, to instances or occurrences or events that shaped his life. At the end of each meeting, the group presents Mr. Buffet with a gift of appreciation, a gift of thank you for taking the time to share his thoughts with them.

Professor Auxier tells my office his pupils always leave, as we might expect, exhilarated and inspired. At last year's meeting, the Tennessee group presented Mr. Buffet with an autobiography of Knoxville home builder Jim Clayton. The book made sense. It was from their hometown of Knoxville, TN, where the University of Tennessee is located. They left this as a thank you.

This would not be particularly noteworthy except for the fact Mr. Buffet became so interested in Jim Clayton's story and his successful venture—Jim Clayton's successful venture called Clayton Homes—that Mr. Buffet turned around and bought the Knoxville company for \$1.7 billion. He closed that deal last October.

Now the story gets even better. Mr. Buffet was so appreciative of the students who had come to visit him to share his thoughts with them, putting him on to Clayton Homes investment through this very simple gift, so this past October he presented each of them with a share of class B stock in his company. The shares are now worth roughly \$3,100 each. He also gave the professor a share of his class A stock which was worth, as of yesterday, \$94,700. Professor Auxier tells my office when Mr. Buffet unveiled these surprise gifts, everyone was simply, using his words, flabbergasted.

All of this is recounted in Mr. Buffet's annual report to his shareholders. Those shareholders now include those 40 very lucky students and a tremendously appreciative professor from the University of Tennessee.

I believe there are two lessons to be learned from this delightful story. The first is to be interested in other people. We all, no matter how busy we are, should take advantage of that oppor-

tunity to share experiences with others. It also shows Mr. Buffet was interested in other people, the fact that he took this book and he actually read it. It was an autobiography of a fellow businessman, indeed, a long way from his home. He was so impressed he turned around and ended up buying the company for \$1.7 billion.

The students took that opportunity—it is not always easy to go all the way from Tennessee out to Nebraska—to avail themselves of meeting the world's renowned expert in the field. They had the good fortune of getting his advice. What they did not expect is to get that additional per person \$3,100. Now they are that much richer for the experience.

That brings me to the second lesson and then I will close, and that is what I opened with. Make sure you always give a thoughtful thank-you present. It is the right thing to do. You never, ever know where it might lead.

#### CONFIRMATION OF DR. McCLELLAN, MEDICARE AND DRUG REIMPORTATION

Mr. FRIST. Mr. President, early this morning, in fact, a little over 12 hours ago in the Senate, Dr. Mark McClellan became administrator for the Centers for Medicare and Medicaid Services. I thank all of my colleagues for their cooperation over the course of that whole week, this past week, in order to facilitate the confirmation of Dr. Mark McClellan.

I say that because the responsibilities of the CMS—again, the Centers for Medicare and Medicaid Services—are that of being the Government organization responsible for Medicare and Medicaid in this country. These responsibilities are crucial. The administrator oversees the program that provides health care coverage for over 70 million people, including seniors, as we know, including individuals with disabilities, with low-income children, with pregnant women—a huge responsibility.

This becomes critically important because the challenges facing CMS today are greater than at any time in this agency's history. I say that because the head of that agency, now Dr. McClellan, will be charged with implementing the Medicare Modernization Act and, in a very short period of time, educating seniors about the benefits of the new law, about the advantages of the new law, and how they best can take advantage of these new benefits.

It is going to take a strong and steady hand to get the job done. I am confident, and I think my colleagues on both sides of the aisle have expressed that strong confidence, in Dr. McClellan. He has the skills, he has the commitment, he has the temperament, he has the judgment, he has the leadership abilities, all of which have been demonstrated in Government. He has served under both President Bush and President Clinton in Government, and