

Taylor, who handles the Subcommittee on Labor, Health, Human Services and Education, has had extensive contact with the National Institutes of Health. When I saw Carey last night, less than 24 hours ago, she had expressed her gratitude for the kind of care which she had received.

She said, in her own words, she had a good run and she was understanding and at peace with herself as she knew her imminent fate.

She had left the hospital shortly after being married to her sweetheart, Clyde Slease, III, on Saturday. We have a beautiful set of wedding photographs, a clear remembrance of her from just a few days ago. And she came home, setting up a hospice, in effect, in her home.

As I say, when I saw her yesterday, she was reconciled and at peace with herself, and considering the circumstances, as composed and as brave and as resolute as any human being could be. She said she was advised that it was a matter of a few days or a week or two. She was taken this morning, as I say, at 5:30.

Her life was really the U.S. Senate. She graduated from Radford University. She was the oldest daughter of a retired colonel, William F. Lackman. She is survived by three sisters and three brothers—a large family of seven children—and her mother.

She came to the Senate family at the age of 24, and she spent most of the remaining half of her life in the Senate, dying at the age of 48. She was a legislative assistant to Senator John Heinz from 1979 to 1985. She then founded her own firm in Los Angeles for a period of 6 years. She then came back to work for me in the early 1990s. Except for a very short stint, again, with her own firm in biotech in the public sector, she was on my staff, coming back to work for me some 2½ years ago in December 2001, when called to active duty.

She did an extraordinary job for me. She was beautiful in many ways: a statuesque blonde, an amiable personality. She worked well with her colleagues. She worked well with the young staff. She was a mentor. She was very accomplished, brilliant, studious, analytical, and handled the substantive problems of the office with aplomb, dignity, and efficiency.

She was one of the first women to be chief of staff in the U.S. Senate. She was acclaimed by PoliticsPA as one of Pennsylvania's most politically powerful women.

She had an extraordinary career, regrettably cut short by her untimely passing at the age of 48.

Funeral services will be held in Middleburg, VA, on Friday at 10 a.m., with a viewing tomorrow evening.

She has made quite an impact in many realms of her professional pursuits, but really most of all in the U.S. Senate, where she had made so many friends and was held in such very high regard, really beloved by the Senate family.

So it is a sad occasion for the entire Senate family, but most of all for her colleagues in my office and for me to note her passing at the very tender age of 48.

Senator SANTORUM was in the chamber and wanted to speak but could not wait until the other speakers had concluded.

I thank the Chair and, in the absence of any Senator seeking recognition, suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant 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. COLEMAN). Without objection, it is so ordered.

#### UNANIMOUS CONSENT AGREEMENT—H.R. 4520

Mr. FRIST. Mr. President, in a few moments I will be propounding a unanimous consent request that we can comment on afterwards. It reflects a number of negotiations and back and forth between both sides of the aisle that have gone on for several weeks, but aggressively and intensively over the last 8 to 9 hours.

I ask unanimous consent that on Thursday, July 15, immediately following morning business, the pending motion to proceed be withdrawn and the majority leader or his designee be recognized in order to move to proceed to Calendar No. 591, H.R. 4520; provided further that the motion be agreed to and that Chairman GRASSLEY then be immediately recognized in order to offer S. 1637, as passed by the Senate, as a substitute amendment; provided further that Senator DEWINE be recognized in order to offer a DeWine-Kennedy first-degree amendment relating to the FDA and tobacco; further, that no other amendments be in order to the bill and that there be 3 hours for debate equally divided in the usual form; I further ask consent that following the debate, the Senate proceed to a vote in relation to the amendment at a time determined by the majority leader after consultation with the Democratic leader and that immediately following the disposition of that amendment, the substitute be agreed to, the bill then be read a third time, and the Senate proceed to a vote on passage of the bill with no intervening action or debate; I further ask consent that the Senate then insist on its amendment, request a conference with the House, and the Chair then be authorized to appoint conferees on the part of the Senate with a ratio of 12 to 11.

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

Mr. FRIST. Mr. President, what this means is we will be proceeding to conference on the FSC/ETI JOBS bill, a bill that overwhelmingly passed the

Senate and passed the House of Representatives and that prior to proceeding to conference, we will have a vote tomorrow on a combined bill that has to do with the FDA and a tobacco buyout. That vote will follow up to 3 hours tomorrow. The vote will likely be tomorrow afternoon, although we will be debating the issue in the morning.

I am pleased. We all know that the FSC/ETI JOBS bill is a very important bill for the United States, for jobs and jobs creation. There is a certain time limit involved. In fact, every month that we wait, the Euro tax goes up 1 percent every month; it is 9 percent now. It is time to take this to conference and pass this bill.

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. DASCHLE. Mr. President, I am pleased to join with the majority leader in announcing this agreement tonight. This has not been easy for anybody involved in these discussions. We are now prepared to proceed with, I think, a very good understanding about how we as Members of the Senate will present ourselves in the conference. I am very confident that we can reach a successful conclusion.

Mr. FRIST. I want to discuss with the Democratic Leader an approach that might enable us to move forward to conference on the JOBS bill, S. 1637. The Senate JOBS bill reflects overwhelming bipartisan support, passing by a margin of 92-5. Much work remains to be done on this bill and it is important we start as soon as possible.

There are significant differences with the House bill, so this is likely going to be a challenging process. I want to make sure that all Senators know that it is unrealistic to expect that the House will agree with all our provisions and that we will likely have to make changes to S. 1637.

But as we make those changes, we should make them together. The JOBS bill we passed was a model of bipartisan cooperation that was marked by good faith on both sides. And that is the essence of the agreement I am proposing—a commitment from both sides that they will work in good faith in the conference to get the best possible result. I have spoken to Senator GRASSLEY and he has agreed that he will not pursue a conclusion to the conference—nor sign any conference report—that would alter the text of S. 1637 in a way that undermines the broad bipartisan consensus S. 1637 achieved on final passage.

Mr. DASCHLE. I thank the Majority Leader for his leadership. I have discussed this with my colleagues and can commit wholeheartedly to the good faith process you have proposed. Our side understands that changes will have to be made to S. 1637; but, as they are made, these changes will be the result of the mutual agreement of the lead Senate conferees, as well as the Majority Leader and the Democratic Leader, acting in good faith.

By moving S. 1637 through the Senate, Senators GRASSLEY and BAUCUS have already demonstrated that they can make that process work. If the process should break down due to disagreements over either corporate tax policy or extraneous provisions, then we understand that such a conference report will not be brought to the floor.

Mr. FRIST. That is correct, so long as the Democratic conferees are acting in good faith. And I have every expectation they will. I agree that it is our mutual goal to reach a conference agreement that reflects the balance and broad bipartisan consensus S. 1637 achieved. That will be the test of good faith for both sides. I think we can do that, and we will not bring a bill to the Senate floor if it does not reflect that commitment. I want to thank the Democratic Leader for his leadership and willingness to address this process.

Mr. DASCHLE. Mr. President, I appreciate the majority leader's work in reaching the agreement and the good faith that I believe we need to demonstrate on a bipartisan basis to move forward. This accommodates the concerns on both sides. We have made some real progress. We have a lot of work to do. There are a lot of differences with the House. But I am confident that Democrats and Republicans are now in a position to work very closely together to come up with the best result.

There are no predetermined conclusions as to what the result may be, but we do this with a full appreciation of the need to work together to accomplish what is clearly a real opportunity to move forward on a jobs bill, on legislation that I believe is a must-pass piece of legislation prior to the time we adjourn for the year.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. MCCONNELL. Mr. President, I congratulate the majority leader and the Democratic leader for what I think is an excellent agreement made in good faith. It gives us a chance to pass one of the most important pieces of legislation that Congress will consider in the second session of the 108th Congress.

It has not been easy getting to this point. I wanted to say, particularly on behalf of those of us who represent States in which tobacco farmers are slowly having their assets stripped from them, that this agreement gives the buyout a chance. It doesn't guarantee an outcome, but it certainly gives the buyout a chance to be considered in conference. Getting to conference on this bill is a significant move in the right direction from the point of view of those of us who represent tobacco growers.

I thank the leaders for what I think is an excellent agreement to move this

into conference and have a chance to pass a very important bill.

#### MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there now be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### MAKING A DIFFERENCE: DR. FRED CHOLICK

Mr. DASCHLE. Mr. President, more than 7,000 students and thousands of South Dakota farm and ranch families have been impacted through the leadership of one man: Dr. Fred Cholick.

Dr. Cholick has served South Dakota's No. 1 industry of agriculture for nearly a quarter of a century. He has been a teacher, a mentor and an advocate for expanded research. For the past 6 years, he has served as Dean of the College of Agriculture and Biological Sciences at South Dakota State University, a land grant university and South Dakota's largest educational institution.

He has earned a strong reputation nationally. Through his work, he caught the attention of Kansas State University, where he will become Dean of the College of Agriculture in Manhattan. It is a loss for my home state of South Dakota, but an incredible professional opportunity for Dr. Cholick.

When Dr. Cholick became Dean of the College of Agriculture and Biological Sciences in 1998, he instilled a motto for the college: "Making a Difference." It was a bold statement that faculty embraced and, to those students who arrived on campus, it signaled the high expectations of the University and Dr. Cholick.

Dr. Cholick is an academic, but he has never been confined to a classroom or laboratory. He has traveled extensively throughout our expansive state, engaging in a constructive dialogue with farmers, ranchers and agri-business men and women. He understands that adapting to the changes in agriculture—brought about by a global economy, breakthroughs in technology and other factors—should be a collaborative effort.

While Dr. Cholick is a forceful spokesperson for agriculture, he is an equally good listener, taking in people's ideas and insights in a patient, thoughtful manner.

As a young professor and researcher from Oregon State University and Colorado State University, Dr. Cholick made a difference for South Dakota's

farmers with his work on spring wheat varieties that can withstand the harsh weather of the Great Plains. He continued that commitment when he headed up the Plant Science Department, continually working to improve seed genetics to create more efficient and effective corn and soybean varieties.

South Dakota State University has been enriched by Dr. Cholick's service for 23 years. Beginning next month, he will continue his good work at Kansas State University.

I ask my colleagues to join me in saluting Dr. Cholick for his distinguished career and commitment to our Nation's land grant institutions.

#### LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

On September 30, 2003, in San Pablo, CA, Police Officers found a transgender hair stylist named Sindy Cuarda wearing a blouse and pants, bleeding heavily from several gunshot wounds in the driveway of a business in San Pablo. She was shot in the chest and genitals. Though police have not commented on the case, witnesses have said that it was motivated out of hate.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

#### ENSURING AMERICA'S COMPETITIVENESS

Mr. BINGAMAN. Mr. President, I have come to this floor several times in the last few months to discuss our country's future competitiveness in the global marketplace, which I consider to be a very serious subject. As a first step in tackling the challenges we are now facing, yesterday I introduced three bills that I feel will move us in the right direction. They will ensure a strong workforce that can handle the ever-changing world around it, and create more high tech job opportunities for this workforce by encouraging the development of science parks.

We have, as a nation, a significant negative trend to reverse. The United