

tonight, it is a political expression. It is not something that will become a functional, operative bill.

The House is out. We are about to go out. There will be no conference. We will be back to visit this again a week from now. The reason we will be back a week from now with or without action on the floor of the Senate tonight is we do not have answers to this problem. We are asking for those answers because this time I have told the Secretary, I have told OMB, and as chairman of the Veterans' Affairs Committee—Senator HUTCHISON is chairman of the Appropriations Committee and made it very clear, and my colleagues on the other side of the aisle are backing us on this—we will get the right figures and we will do it right.

Now, with the new progressions, now with the growth rates understood, now with the incoming out of Iraq and Afghanistan and those numbers clearly understandable, we will serve them as we have been serving them and no veteran so qualified will be denied.

That is what this Congress has done responsibly year after year and that is what this Congress will do. The Senate has acted. But in this hour there is nothing we can do, nor in this instance should do. In that time, no veteran will be denied service.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. It is interesting to hear the description given by the Senator who is the chairman of the veterans' committee. It is also interesting to put it in the context of where we have come over the last few days.

The amendment on the floor just a few days ago when the shortfall was noted on a bipartisan basis from Senator MURRAY was an amendment less than the one adopted. It was \$1.4 billion. The Senator, the chairman of the committee, as well as others, came together on a bipartisan basis and said, That is not enough. That is not enough, \$1.4 billion will not meet the shortfall. By our best estimate, they said 24 hours ago or whenever we debated it, we need more, we need \$1.5 billion. And we acceded to your knowledge of the agency and your knowledge of its need and came together on a bipartisan basis—I believe the vote was 96 to nothing—and said that is exactly what we will do, \$1.5 billion.

Then while we barely finished this work, the House came back and said no, the figure is \$975 million or whatever number they came up with, dramatically less than what we had approved.

It strikes me as interesting that we are going to back off of our best estimate and say let's err on the side of less money for the Veterans' Administration. Why wouldn't the Senate be holding fast to its position? Why wouldn't the Senate be holding fast to

its position and say we believe \$1.5 billion is the right number still, as we believed 24 hours ago when we voted on it? Why do we want to back off at this point and say it must be that much less?

It strikes me, unless there has been a dramatic infusion of new information and knowledge, that we are acceding to the House of Representatives because they have decided to go home.

Mr. REID. Regular order, Mr. President.

Mr. CRAIG. Will the Senator yield?

The PRESIDING OFFICER. Regular order has been called for. Is there objection?

The majority leader.

Mr. FRIST. Reserving the right to object, and I will be brief, just listening to the conversation, I ask the minority leader's unanimous consent agreement be modified to simply clear the House legislation for 975, and that the House bill be considered read three times, passed, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Does the Senator so modify his request?

Mr. REID. Reserving the right to object, Mr. President.

The PRESIDING OFFICER. The minority leader.

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

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

Mr. REID. Mr. President, with all due respect to the distinguished majority leader, my friend, I will not agree to the modification. I am standing on the unanimous consent request I offered a few minutes ago.

The PRESIDING OFFICER. Is there objection?

Mr. FRIST. I object.

The PRESIDING OFFICER. The question is on the original request by the minority leader for the unanimous consent.

Mr. FRIST. I object.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, for the short term, we have a problem that we will resolve when we return a week from now. By then I hope we have accurate figures, so that we can do as I think the Senate wants to do, and as the unanimous consent of the Senate expressed the other evening. At this late hour, all we could do is make a political expression. We could not resolve an issue. I think we are all intent on resolving a very important issue for the sake of our veterans. We hope to have those numbers, and I think we will. Those requests have gone to OMB, to see what their figures are, as I work with the Veterans' Administration, as appropriators do to make sure we have

those accurate figures. I think all of us this time want to get it right. I know this Senator does.

I yield the floor.

TRIBUTE TO BERNARD A. "TONY" GOETZ

Mr. McCONNELL. Mr. President, I rise today to pay tribute to a Kentuckian who has spent much of his life dedicated to improving access to healthcare and educational opportunities for the people of the Commonwealth. Today, I ask my colleagues to join me in honoring Owensboro native, Mr. Bernard A. "Tony" Goetz, as he prepares to begin a new chapter in his life—retirement.

I have had the pleasure of working with Tony on several different occasions, particularly through his tenure at the University of Kentucky where he served as Associate Dean of the College of Medicine and later as Director of Government Relations. In addition, Tony dedicated more than half of his professional career to developing an effective alumni affairs program at UK. He also helped establish the UK Center for Rural Health, create the UK Area Health Education System and launch the McDowell Cancer Network, which later became the Kentucky Community Cancer Program.

Tony's background in healthcare education and advocacy dates back to 1965, when he first served as executive director of the Owensboro Council for Retarded Children. He then served as executive director of the Blue Grass Association for Mental Retardation. In his next two jobs, Tony served as chief executive officer of the Bluegrass Regional Health Planning Council, Inc. and the East Kentucky Health Systems Agency, Inc.

Continuing his pattern of selfless service, Tony most recently worked in the Office of the Governor in Frankfort, KY. For the past two sessions, he has served as liaison between the Governor and the Kentucky General Assembly, combining his legendary affable nature with encyclopedic command of details he helped the Commonwealth move forward on a number of legislative fronts. Though his employers and responsibilities have changed over the years, it is obvious that Tony was instrumental and effective at every position he held. He balanced many duties and he performed each of them with tremendous skill. I ask my colleagues in the Senate to join me in honoring Tony Goetz for his dedicated service. I wish him well in retirement.

EULOGY TO FORMER SENATOR JAMES EXON

Mr. REID. Mr. President, I ask unanimous consent that the eulogy given by former Senator Bob Kerrey at the funeral of our late colleague, Jim Exon, be printed in the RECORD.

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

EULOGY FOR SENATOR JIM EXON

(By Bob Kerrey)

To Governor Dave Heineman—I thank you for the wisdom and the generosity to allow these services to be conducted in the rotunda of this capitol that Jim Exon loved so much. It is a precedent worthy of the risk.

To the family of Senator Jim Exon—I pray your pain will pass and become a loving memory. I hope you will always feel pride to have known this great man so well.

To his friends, both in attendance and not—let us count our blessings that we were so fortunate that he cared for us.

To his colleagues who have left their work in the Senate to travel to Nebraska to pay tribute to one of their own: Senators HAGEL and NELSON, Leader REID, Senators BINGAMAN, LEVIN and AKAKA—thank you for honoring Jim in this way.

To the lawyers present—I apologize for I must begin my eulogy to Jim Exon with a lawyer joke. It is, I assure you, the least offensive one he ever told me. A doctor, a teacher, and a lawyer are killed in an automobile accident and find themselves at the gates of heaven at precisely the same time. Saint Peter is in an unusually good mood and asks them each a very easy question: how much is 2 plus 2? In turn the doctor and the teacher give the correct answer and are granted entry through the pearly gates. The lawyer hesitates, pulls Saint Peter aside and whispers: “What do you want it to be?”

This was a question Jim Exon never asked. He always added up the numbers and gave them to you straight whether or not you liked the answer.

He was born on August 9, 1921. It was a bad day for his St. Louis Cardinals; they lost to the Brooklyn Dodgers 8 to 7.

Each of us is influenced—though by no means limited—by the circumstances of our births. Jim Exon was born the same year that Adolf Hitler became Chairman of the Nazi Party. In that year the United States officially ended World War I and signed a peace treaty with Germany. Radicals Sacco and Venzetti were found guilty of murder by a Massachusetts judge. The Tomb of the Unknown Soldier was dedicated by President Harding at Arlington Cemetery on November 11, Armistice Day. In South Dakota, where Jim was born, scientists held a conference that summer to discuss the unrealized potential of electricity.

He was eight years old when the stock market crashed and the Depression officially began. He was witness to the dust storms and the terrible consequence of the loss of that top soil. He came of age when the possibility of an economic revolution was real, when the New Deal became a salvation and a political way of life for many who believed that FDR had saved their lives.

He was a teenager when the lights came on in two-thirds of Nebraska thanks to rural electrification. He remembered the enactment of Social Security legislation and the hope which the WPA and the CCC gave to grown men and women who had given up.

He was twenty years old when Japan invaded Pearl Harbor. In a single day the naive innocence which had propelled our twenty year disarmament came to a sudden and terrible end. The United States had steadfastly stayed out of the war trying at all cost to avoid this conflict. Thus it was that he came of age at a time when losing our freedoms was not political rhetoric but a real possibility. He knew the terrible price of weakness and isolation.

Both of these big events—the Depression and the Second World War—defined Jim Exon. They explained a lot about who he was, why he took the political and economic positions that he did, and why he always

seemed so grateful to be alive and an American. It explains why he didn't complain, why he seemed to take whatever came his way in stride, and why he talked little about the hardships he had so obviously endured. Most of all it explains his values: a lifetime commitment to Pat, his children and his community, and his unrelenting desire to make life a little better for everyone.

The events of Jim Exon's youth explain a lot about Jim Exon, the man. But one thing remains a mystery to me: Where did that laugh come from? I have never heard anything quite like it. It was more like a duck call than a laugh. But, like so many other things about Jim Exon (his pipe, his short sleeve shirts, his big ears) his laugh added to his authenticity. He was a man who never caused you to wonder: what's he thinking? What you saw was what you got with Jim Exon. Except that some people saw this large, big wristed son of the high plains and concluded that he was a rube who could be easily fooled. The thing is Jim Exon could tell when someone was underestimating him and he'd turn it into his advantage—either for fun or the benefit of Nebraskans.

He came to New York City once to visit a number of people, including the New Deal economist Eliot Janeway. Arriving in Mr. Janeway's plush offices Governor Exon saw from the look on the receptionist's face that she was a little taken aback by his look. So, after asking directions to and using the bathroom, he returned to comment to a startled receptionist how wonderful it was to find a place with indoor plumbing.

“That's something we don't have back in Nebraska. And what are those white porcelain bowls hanging on the walls?”

After she explained their function and he exclaimed that he was going to have one installed in the Governor's mansion when he returned to Lincoln, she realized she was being put-on.

Basin Electric in Wyoming was not so lucky. As Governor, Jim had persuaded his friend Attorney General Paul Douglas to bring a lawsuit against the State of Wyoming over a water dispute involving Wyoming's decision to grant a permit to Basin Electric for a new power plant. Negotiating in private Governor Exon emerged with an agreement which created the Sandhill Crane Trust on the Platte River near Grand Island. The net for Nebraska has been hundreds of millions of tourism dollars and sufficient stream flow to guarantee the preservation of an ancient wild bird flyway.

This conservation ethic produced a locally famous encounter at Valentine High School shortly after I arrived in the Senate. Senator Exon had introduced legislation to designate a portion of the Niobrara River as “scenic,” which would limit development—something that Cherry County residents are not known for favoring. I suggested to Jim that we schedule a town hall meeting in the high school and invite opponents and supporters to give us their views.

Needless to say few of the latter showed up. In fact we were welcomed at the door of the school by two cowboys on horseback who turned their horses as we approached. In doing so we were able to see hand painted signs they had hung from their saddles. One said Senator Exon; the other said Senator Kerrey. Both had arrows pointed down at the horses' rear ends.

A humbling moment.

As humbling as when he and I first met in 1982. As a relatively unknown candidate for Governor, I wanted to get a photograph of Senator Exon and myself to include in my campaign brochures. Upon meeting him I was surprised how tall he was and even more so when the film was developed. I looked like a small imitation of the real thing standing

next to him. In order to use the image I chose to turn the negative slightly when it was printed making us appear a little closer in stature.

Truth is I had to do a lot of that during my sixteen years in elected politics when standing next to him.

What impressed me most about Jim Exon was that he never let his size or his power inflate his personal opinion of himself. Remarkably and gratefully he never lost his humility. He never stopped typing notes to Lenny in the cloakroom about some baseball detail that only he knew. He never stopped returning the calls of friends who had helped him get started or he knew along the way. He began and ended the same.

He made friends with rich and poor alike, with the powerful and the powerless. He could count half a dozen Presidents he had met, including President Bill Clinton with whom he was especially close. They were all the same to him—just another human being with a range of strengths and weaknesses.

He left behind a big and lasting legacy. Balanced budgets, stronger defense, land conserved, rural communities healthier, better schools and jobs, and a more just America. Beyond those accomplishments was something more important. To all of us who met him, knew him, respected and loved him, he was like Jimmy Stewart in “It's A Wonderful Life.” Our lives and the places we call home would not have been the same without him. Governor, Senator, Big Jim, J.J. Exon died on Friday at 8:30 p.m. on June 10, 2005, after the Cardinals had secured a 7 to 1 victory over the New York Yankees. For him a perfect ending to his life on this earth.

INTERIOR APPROPRIATIONS

Mr. BYRD. Mr. President, yesterday I voted for both of the amendments offered by Senators BURNS and BOXER in relation to studies that test pesticides on humans. I believe that they are both partially right. We should not cut off vital products from the market that are needed and used in our homes, businesses, and farms. Using the best available scientific data is essential in assuring the public that these valuable products are safe and also readily available. Senator BURNS's amendment would support a thorough review of human dosing studies to make sure that they comport with certain conditions and would report back to the authorizing committees as well as the Appropriations Committee.

At the same time, the EPA should establish strong scientific and ethical standards on studies that expose people, especially young children, to various pesticides, fungicides, and other toxins that are used in commerce. I am concerned that the now-halted study on small children from Jacksonville, FL is an irresponsible example of how to conduct such reviews. Strong standards should apply both to the agency's own studies as well as to third-party studies. Important questions have been raised about the protocols and guidelines of certain studies, and therefore it is only prudent to step back for a year to scrutinize that process. For this reason, I voted for the Boxer amendment.

I hope that the study required by the Burns amendment will be carried out