

he was going to give on a Friday afternoon on November 22, 1963. As he walked in this Chamber to give it, he was told that President Kennedy had been shot. But he gave it in the Old Senate Chamber, and it was just as new as it would have been then, just as responsive.

He said: We have to lower the level of partisanship. We have to work together—of course, not give up our principles—this is not a unibody of opinion—and have the personal relationships that make it work.

He spoke in many ways. He was from a different era of the Senate, but in many ways a better era, where individual Senators, person to person, would work out problems. I think today, as I have seen so many Senators come together on some of these problems since the terrible events of September 11, Senator Mansfield would be proud of us for doing that.

People sometimes ask me what I consider the greatest thing about being a U.S. Senator. I always say one of the greatest was having Senator Mansfield here as leader when I came to the Senate. I have served wonderful leaders in both parties, but what he did to help all of us, as new Senators—to talk with us, to advise us, to work with us, to make us feel we belonged; and then to ask us to make sure others felt they belonged—was unique. The country was better for his service in the Senate.

I think life has shown that each one of us, whether we are leader or not, has the privilege of being 1 of the 100 people in this Chamber who serve our Nation of a quarter of a billion people. And we owe great responsibilities to each other and to the country. That is a great legacy.

So I say it was bittersweet to be there. But it was wonderful to celebrate such a full, full life, a life that so few people ever equal. So I bid adieu to a dear friend.

I yield the floor.

Mr. SARBANES. Mr. President, I rise today to pay tribute to the life of a great American, former Senate Majority Leader Mike Mansfield, who passed away on October 5 at the age of 98.

Senator Mansfield's legacy as a Member of Congress will leave a shadow as long as his very life. Born in New York, the son of Irish immigrants, in 1903, Michael Joseph Mansfield experienced tragedy at an early age when his mother died when he was only 3. Sent to live with relatives in Great Falls, MT, Senator Mansfield soon began a lifetime of hard work, first in the family grocery store, then enlisting in the Navy before his 15th birthday, and later, when the Navy discharged the young Senator Mansfield after discovering he was underage, serving in the United States Army and Marine Corps, all before the age of 20. In 1922, Senator Mansfield returned to Montana and began working as a "mucker" in the copper mines near Butte, MT. Five years later, he met Maureen Hayes, to whom he would be married from 1932 until her death just last year.

It was his wife that encouraged Senator Mansfield to continue his education, first at the Montana School of Mines then completing his high school education through correspondence courses. In 1930, he left the copper mines and enrolled in the University of Montana where he later became a professor of Far Eastern and Latin American history and political science after completing graduate work at the University of California at Berkeley.

Although he did not follow a traditional path, Senator Mansfield's education provided him with the background that would allow him to become one of Congress' foremost experts on foreign affairs. After losing his first bid for elected office, Senator Mansfield was elected to the House of Representatives in 1942 and was immediately assigned to the Foreign Affairs Committee. Just two years later, then-Representative Mansfield was sent on a confidential fact-finding mission to China by President Franklin Roosevelt, returning in 1945 to report on the state of that nation. In 1952, he narrowly defeated an incumbent to win a seat in the Senate where he was again called upon to use his expertise on the Senate Foreign Relations Committee, completing another fact-finding trip, this time to Indochina, and serving as a representative to the Manila Conference.

Outside the realm of foreign affairs, Senator Mansfield quickly rose through the ranks of Senate leadership, first as party whip in 1957 and becoming the Democratic Majority Leader just four years later in 1961. In his 16 years as Majority Leader, Senator Mansfield helped steer the Nation through some of our most difficult times. After President Kennedy's assassination in 1963, Senator Mansfield delivered a eulogy at a Capitol Rotunda memorial service that was broadcast across the country and helped all Americans mourn the loss of our great President. Senator Mansfield was a vocal critic of our Nation's involvement in the Vietnam War, and warned three administrations, from Eisenhower to Johnson, about the extent of U.S. military actions there. Although his position on the Vietnam War strained his relations with the Johnson administration, he was able to work with the President on passage of landmark civil rights legislation. The turmoil of that era was immediately followed by the Watergate scandal that resulted in the resignation of President Nixon and shook the faith of some Americans in our government. But throughout all of these trying times, Senator Mansfield led the Senate with quiet determination that exemplified his service in Congress.

And that truly is how we will remember Senator Mansfield. Through the most difficult of times, Senator Mansfield led this great body with a sense of purpose and integrity. He put his trust in the rules and procedures of the Senate to reach a result that was right for

the American people. He encouraged Committee Chairmen to lead Senate debate on bills under their jurisdiction, and inspired young Senators to make their voices heard on the floor. He delegated responsibility to others, making the Senate a more democratic place, instead of a body dominated by the "old guard." And when the Senate failed to live up to the high ideals embodied in the Constitution, Senator Mansfield would say so. It has been reported many times in the past few days that Senator Mansfield nearly resigned his position as Majority Leader in 1963. Following President Kennedy's assassination, Senator Mansfield put that speech aside, but delivered the remarks in 1998 as part of a lecture series in the Old Senate Chamber. We would be wise to remember those words now, and to follow Senator Mansfield's example of thoughtful consideration and respect for others in the difficult times we face today.

Senator Mansfield's service to our Nation did not end with the 16 years he spent as Majority Leader. His expertise on Far East matters led very different Presidents, Jimmy Carter and Ronald Reagan, to choose him as their ambassador to Japan. Ambassador Mansfield spent 11 years in this difficult diplomatic post. After leaving Tokyo in 1987, the Japanese ambassador to this country predicted the Ambassador "could have run for prime minister and won." Leaving public service, Senator Mansfield would still not retire and served as a senior advisor on East Asian affairs to Goldman, Sachs until his recent death. He remained active in policy matters and the Senate remained close to his heart as he attended the Senate's weekly prayer breakfasts on a regular basis.

Mike Mansfield brought to the United States Senate some of the best characteristics of Montanans, he addressed issues in a straight-forward, honest way, never forgot the people that put him in office, provided a calming influence in good times and bad. In a turbulent and uncertain time, Senator Mansfield was a beacon of dignity, common sense, intelligence, and above all, wisdom. I would like to offer my condolences to his daughter, Anne, his granddaughter, and his many friends and admirers here in Washington and in his beloved home State of Montana.

Mr. BINGAMAN. Madam President, I ask unanimous consent that I be allowed to proceed for 5 minutes as in morning business.

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

#### CONSIDERATION OF AN ENERGY BILL

Mr. BINGAMAN. Madam President, I want to just make a few brief points regarding an announcement I made last evening about how we would try to proceed through the remainder of the session to get consideration of an energy

bill. I indicated in that announcement that the majority leader had asked me to work with other Senators on the Energy Committee, as well as Senators on other committees, to put together a proposal that could be brought to the floor by the leadership for consideration, and that in light of that, we would not proceed to try to mark up a bill in the Energy Committee, as I expect probably there will not be mark-ups of other portions of a proposed energy bill in some of other committees that would have jurisdiction.

First, as I understand it, the majority leader's assignment was clear. He wants the Senate to be in a position to move to consideration of an energy bill in a timely fashion. And it was his view that this process of putting a bill together, and hopefully on a consensus basis, involving input from all Senators—Democrats and Republicans—was the best way to do that.

We will now have an opportunity to deal with some of the energy issues that cross committee jurisdictional lines; and there are many of those. I think it is clear to people that many of the energy issues also involved the Environment and Public Works Committee. There are clearly issues involving the Finance Committee regarding energy-related tax incentives or incentives for use of particular types of energy. All of that, of course, would be expected to be part of a larger piece of legislation with which the Senate would deal.

Second, I want to respond to a couple of the comments that were made earlier in this Chamber by some of my colleagues, particularly on the Republican side of the aisle, indicating that they believed this was partisan and this would make the consideration of energy in the Senate a partisan issue.

I see it as just the opposite. I am interested in the input from all Senators. I think those on the committee know I have invested a substantial amount of time, in the past several months, seeking and having individual meetings with Senators on both sides of the aisle to discuss some of these difficult issues.

My hope is that we can put together a piece of legislation that will reflect the provisions around which we can form a consensus; and some of those will come from the Republican side of the aisle and, certainly, some will come from the Democratic side of the aisle.

My colleagues on the committee are aware we have made that effort to work in a bipartisan way. I see no disadvantage to any member of the committee from the procedure the majority leader has proposed. If there are good ideas related to energy policy, of course, the first choice would be to try to have them included in the bill the majority leader brings up for consideration. If those ideas are not included in that package, for whatever reason, any Senator, whether Democrat or Republican, would be in a position to offer those as an amendment.

I don't see anyone being disadvantaged by the procedure the majority leader has proposed. I was disappointed to hear in one of the statements this morning a somewhat colorful account of how this decision was supposed to have been made. That purported account was not accurate in any respect, as far as I know. The decision was simply made by the majority leader that if we proceeded in this way, in his view, this process would hold out the best chance for us to get an energy bill considered by the Senate and passed in a timely fashion. On that basis, it is advisable for all Senators to support the decision of the majority leader to try to move ahead on a bipartisan basis. That will certainly be my best effort in the committee.

I look forward to working with all colleagues, both on the Energy Committee and with other committees that claim jurisdiction and have jurisdiction on different aspects of a comprehensive energy bill.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. TORRICELLI. Madam President, I ask unanimous consent to address the Senate for 10 minutes.

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

#### TRANSPORTATION SAFETY

Mr. TORRICELLI. Madam President, I am sensitive to the desire of Members of the Senate to avoid extraneous issues in this debate. The need for airline security is self-evident. The failure of confidence in our Nation's airlines is having a devastating economic impact on the country and its economy.

I am certain Members of the Senate will understand that to those I represent, indeed to millions of other Americans around the country, railroad or bus or other modes of transportation safety are not only not extraneous, they are central. Three hundred thousand residents of New York and New Jersey cross the Hudson and East Rivers every day to their homes and places of business. Indeed, a significant multiple of the number of people who fly on airplanes every day is on these commuter trains. I cannot suggest to them that somehow their lives or their fortunes are less important than those who are on airplanes.

It appears to me the debate in the Senate to concentrate exclusively on airplane safety is based on the assumption that terrorists will accommodate us by choosing the same means, employing the same strategy to strike our country that they used previously. Why is it that I doubt they will be so accommodating?

There is nothing about an airplane that somehow makes it more vulnerable than a bus or a train or, for that matter, a powerplant or a reservoir. But as this legislation is focused on transportation and the assurance of safety and security, it must, therefore,

by necessity, include other modes of transportation, particularly when those other modes are utilized by millions and millions of Americans and where the exposure to potential danger is so enormous.

I will use for illustration simply those that are utilized by my own State of New Jersey because I know them so well. I suspect the arguments I will share with the Senate could be made by the Senators from California or Massachusetts or Illinois or Florida, Missouri, or a host of other States that have large metropolitan areas.

In Penn Station in New York, through which hundreds, thousands of New Jersey residents travel every week, there are six tunnels that began construction in 1911. The four tunnels under the East River and those under the Hudson are 2½ miles long. As I suggested, they accommodate 300,000 people.

In August the State of New York, by a strange coincidence, issued a public report which concluded the tunnels are "woefully inadequate to deal with a major fire, accident, terrorist attack or other emergency situation."

The report went on to explain that the tunnels lack escape routes for the up to 2,000 people who can ride on a single commuter or Amtrak train. They are without anything but the most basic of ventilation and do not even have standing water pipes which today would be required in even the most modest of such facilities under current construction rules.

The chart on my left illustrates for a major tunnel that can accommodate up to 2 trains and can have 2,000 people on every train, the kind of ventilation that is used is small, singular fans. If there were for some reason a fire on this train because of a terrorist act, it would not begin to be adequate to help the escaping passengers.

The second chart illustrates something even more troublesome: For the 2½-mile tunnel under the Hudson River, accommodating tens of thousands of commuters every day, a single spiral staircase through which 2,000 people would have to climb 90 feet while firefighters were using it as the only entrance to get to a burning train. It would not happen. Indeed, they would be lost.

The greatest illustration of this is that the published plans of the fire department call for using a locomotive to tow the burning train out of the tunnels with passengers on board. It is assumed they could not exit.

I use New York and New Jersey as the illustration. Were I to speak about train access from southern New Jersey to Philadelphia, I could make the same arguments. There would be the same vulnerability; only the numbers would be lower. Indeed, I could also make the same arguments about the Baltimore tunnels, built in 1877, tunnels for which 150-mile-per-hour trains must now slow to 30 miles per hour to traverse.

I could be talking about Washington, DC, itself, where the tunnels along