internet. At the same time, I believe that the security concerns are such that most states, mine included, are not yet ready to provide this option to voters.

However, in the interests of looking to the future, I would like to seek clarification from the chairman of the Rules Committee about how this legislation would affect internet or other forms of remote electronic voting.

Ms. CANTWELL. Mr. President, is it the Chairman's understanding that the bill as it is currently written would not prevent States from offering voters the option of voting on by the Internet, so long as the State could show that the internet voting system complied with the security protocol standards written by the new Election Administration Commission, and that the voting system also complied with the requirements of the legislation on accessibility for the disabled, providing an audit trail of ballots, and by providing voters a means to make certain they had not made a mistake?

Mr. DODD. Senator CANTWELL, I agree with you that very serious concerns remain about voting by internet. As you know, this legislation specifically requests that the new organization, the Election Administration Commission, study internet voting. I am looking forward to seeing what it learns. However, I hope very much that states will think very carefully before moving to internet voting, and will make sure that the security concerns are fully addressed.

That said, the Senator is correct that nothing is this bill prohibits states from implementing voting on a remote electronic system like the internet, as long as the system is certified by the new Election Administration Commission, and complies with the other standards in the legislation.

I agree with the Senator that it is important to welcome the development of new election technologies and it was my intent, and my cosponsors' intent to provide the states as much flexibility as possible to accommodate innovation while still implementing necessary minimum standards that will ensure that all our citizens' right to vote is protected.

Ms. CANTWELL. I agree that it is very important that any voting system, particularly an electronic voting system have very good security. However, I believe that it is likely that in the near future we will in fact have the necessary security, the necessary assurances of secrecy, and of voter authentication, to make internet voting workable and I am pleased that this bill leaves the decision about moving forward with internet voting up to the individual States.

I appreciate all the Chairman's efforts on this legislation, and I agree that this bill is drafted in a manner that will not limit the development and implementation of new election technologies so long as the new technologies satisfy security protocols and meet the requirements of the minimum standards. I also hope that this legislation will in fact spur the development of new election technologies that are more voter friendly and more cost efficient.

Mr. DODD. Madam President, I thank my colleague from Kentucky. I thank his staff.

As I understand it, we will frame this with the two leaders' consent. We will have a period of maybe 20 or 30 minutes divided equally between my friend from Kentucky and I to make any final comments on the bill, and then there would be three votes: The amendment by Senator ROBERTS of Kansas, Senator CLINTON of New York, and final passage. All other amendments have been dealt with. We have accepted all of them here with the modifications that staffs have worked out this evening.

We can report to our leaders that we are down to two amendments and final passage, which is what we projected and promised would be the case if we could get the job done.

With that, I am unclear whether there is going to be a unanimous consent request on the time. In any event, we will take care of that.

I thank my friend from Kentucky and his staff. Of course, I thank my staff as well for working very hard tonight and the staffs of the respective Senators that worked out these agreements and made it possible to accept these remaining amendments. I look forward to final passage tomorrow.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Madam President, I echo the remarks of the Senator from Connecticut. We will save our pats on each other's backs for tomorrow. I thank him for his great work and we will see everyone in the morning.

I yield the floor.

Mr. DODD. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SCHUMER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period for morning business with Senators permitted to speak therein for up to 10 minutes each.

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

The Senator from Alabama is recognized.

TRIBUTE TO A GREAT TEACHER—DR. GORDON T. CHAPPELL

Mr. SESSIONS. Mr. President, there are persons of great importance in the lives of each of us. Outside our families, it is often teachers that have played key roles in our lives. One teacher of mine, Dr. Gordon T. Chappell was such a person. He awakened in his students a great love of history. He taught the importance of rigorous thought, and helped us understand our heritage. On February 6, 2002, Dr. Chappell passed away.

His death was a cause for sadness for the thousands who were his students at our alma mater, Huntingdon College. Although he had lived a rich, active and happy life, the recent years had not been easy. A year ago, Dr. Chappell was preceded in death by his beloved wife, Winn Chappell. The two of them lived in a modest home on the campus, and frequently invited students over for tea, discussion or work. Mrs. Chappell was a magnificent teacher in her own right, and was loved by her students as much as any teacher who ever served at Huntingdon. I took her British Literature course and it was a rich experience, indeed.

There can be little doubt that I would not be in the Senate today but for the inspiration of Dr. Chappell. In those days, the mid '60s, all freshman students were required to take Western Civilization. Dr. Chappell, though head of the History Department, always taught one freshman class and he hand picked his students. I was by chance, or perhaps as a result of having a historical sounding name, selected for the challenge and adventure that was his class. It was taught in the basement of the oldest building on campus, Flowers Hall. Ever since that experience, I have deeply understood that a great teacher in a poor room is far to be preferred to a lesser teacher in a room with the best of everything. With his small moustache, he was constantly thought to be the very image of Clark Gable playing Rhett Butler.

Dr. Chappell, first and foremost, knew his subject. Attaining his doctorate in history at Vanderbilt during some of that department's glory days, he was exceedingly well trained. Without, I am sure, one course in ''how to teach'', Dr. Chappell dominated his class, commanded respect, and imparted knowledge to students in an exceptional but not flamboyant way. This was primarily because he was prepared in subject matter and because he had great wisdom. He lectured, asked questions periodically, and insisted on attention and on timeliness. This was not a class that endeavored to teach self-esteem by being easy. His students developed self-esteem as a result of mastery of difficult subjects.

In addition to the substantial textbook, each student was required to read an additional five significant books each semester. The good news was that book reports were not required. The bad news was that upon completion of the book, the student was required to get an appointment with Dr. Chappell, in his basement office, laden with books and memorabilia, to discuss the reading. Make no

mistake, everyone knew he could tell instantly whether the student had read the book. He was held in such respect that no one made the appointment without trepidation. Many could not sleep for days in advance. It was a brilliant way for him to teach and to know his students.

As a result of this exceptional teaching, I became a history major. Being a history major opened a broad world to me, a world that was exciting and inspiring. It allowed an already existing interest in government and politics to grow.

Dr. Chappell's freshman class, his upper level courses, and his friendship and advice over the years have played an important role in my life and career. For thousands of his respectful students, his teaching was equally formative. Small liberal arts colleges, like Huntingdon, with an emphasis on classical learning, respect for faith and philosophy, liberal in concepts and disciplines, and with love of country and region, have shaped for the better the lives of millions. The death of Dr. Chappell not long after the death of Mrs. Chappell, drives that fact home to me in a forceful way. Their lives, committed to faith, humanity and learning bloomed like beautiful flowers and enriched the lives of many young people.

As United Methodist minister, Dr. Charles C. Hays, Jr., a Huntingdon history major who was also a student and long time friend of Dr. Chappell, stated in his eulogy:

> He was an architect of the psyche who, through the medium of history, shaped and molded the lives of countless hundreds of students.

Indeed he did. Though we have been sad, we should all remember that, at best, our lives are short—''like a vapor'', the scripture says. Dr. Chappell's life, along with his beloved partner, Winn, was rich, full and long. He spent it doing what he loved and wonderfully enriched the lives of all he touched. What more can one ask.

He is survived by two exceptional children, Rick and Wendy. May God's comfort and blessing be with them at this sad time. Let us, out of this sadness, lift our heads and celebrate Dr. Chappell's beautiful life so well lived.

THE 100TH DEATH ROW INMATE EXONERATION

Mr. FEINGOLD. Mr. President, this Monday, Mr. Ray Krone walked out of an Arizona state prison a free man. In doing so, he became the 100th innocent person to be released from death row in the modern death penalty—era that is, since the Supreme Court found the death penalty unconstitutional in 1972.

At about 5 pm on Monday, Krone ''traded his orange prison jumpsuit for blue jeans and a T-shirt,'' then walked away from a prison in Yuma, AZ, according to the Arizona Republic. Krone had spent the last 10 years of his life in prison for a crime it is now almost certain he did not commit.

In 1992, Krone was sentenced to death for the gruesome sexual assault and murder of Kim Acona, a cocktail waitress at a Phoenix lounge. After his conviction was overturned on a technicality, Krone received a re-trial but was convicted again in 1996 and, this time, sentenced to life in prison.

The key to his release was DNA testing that pointed not to Krone, but to Kenneth Phillips. It just so happens that Phillips is serving time in another Arizona prison for an unrelated sex crime. Prosecutors are now deciding whether to charge Phillips.

''There's tears in my eyes,'' Krone said upon his release. ''Your heart's beating. You can't hardly talk.''

At a press conference announcing that the prosecutor and Phoenix Police Chief would seek Krone's release, the prosecutor said, ''[Krone] deserves an apology from us, that's for sure.'' He continued, ''A mistake was made here. . . . what do you say to him? An injustice was done and we will try to do better. And we're sorry.''

But, there is more that the American people can say to Krone. We can do more than just talk or apologize. An apology is the first step. But we can also act. We can act to ensure that not another innocent person faces execution. We can do so by conducting a thorough review of the death penalty system. And while this review is taking place, we can and should suspend executions.

Congress has the opportunity to do just that. We can act by passing my bill, the National Death Penalty Moratorium Act. Together we can say enough is enough. Together we can say that one mistake too many has been made. Together we can say let us pause and have an independent, top-to-bottom review of the administration of the ultimate punishment our society can exact, the death penalty. This review should include the death penalty systems of Arizona and all states that authorize the use of the death penalty, as well as the use of the death penalty by our Federal Government.

An innocent man, who at one time faced certain death at the hands of his government, today walks free. If we can call that luck, how many others in Mr. Krone's shoes have not been and will not be so lucky?

How many innocent Americans today sit in their prison cells wrongly accused, counting down the days until there are no more?

There have now been 100 exonerations and 766 executions since the early 1970s. In other words, for every seven to eight death row inmates executed by the States or Federal government, one has been found innocent and released from death row. Now, this does not bode well for the fairness and effectiveness of a government program.

Some have said that exonerations are proof that the system is working. But how can they be proof that the system is working when, in at least some cases, it is not the lawyers or judges, but newspaper reporters and college students—people clearly outside the justice system—who have done the work of uncovering evidence of innocence? That is not proof the system is working. Quite the opposite. When the justice system must rely on outside actors, it is further, disturbing evidence that the system is broken.

I also fear that 100 exonerations is probably a conservative estimate. How many innocent people were not freed before being executed? How many mistakes did we miss? How many times were we too late to correct mistakes? I don't think anyone really has an answer to these questions. And that is precisely why we should have a pause and review. Before sending yet another person to the execution chamber, we should be sure that the system is fair, just and error-free.

The risk of errors is troubling to an increasing number of Americans. From Supreme Court Justice Sandra Day O'Connor, to Republican Illinois Governor George Ryan, to even Reverend Pat Robertson, a growing number of Americans are expressing grave concerns about the fairness of the administration of the death penalty.

And it is not just a question of access to modern DNA testing. A number of factors have resulted in unfair or even wrongful convictions. Incompetent counsel. Too many times, sleeping lawyers, drunk lawyers, or lawyers who are later suspended or disbarred are the lawyers representing people facing the death penalty. Sometimes there is prosecutorial or police misconduct—like failing to share evidence that might be helpful to the defendant's case or coerced confessions. These problems also plague the administration of the death penalty. We have also seen that testimony from jailhouse informants produce a high risk of unreliable convictions.

Now, Governor Ryan took a very important first step in 2000 when he had the courage to recognize these flaws, declared a moratorium on executions, and created a blue ribbon panel to review the fairness of the Illinois death penalty system. The results of the Illinois commission are set for release any day now.

If we are prepared to admit, as Illinois has, that there may be flaws with the death penalty system, it is then really unconscionable that we should continue with executions without a thorough, nationwide review.

Ray Krone's exoneration provides us all with another opportunity to take a moment and ask ourselves ''what if?'' What if we hadn't caught this mistake? What if an innocent man ate his final meal, took his last breath, said goodbye to his family and was put to death, alone, silenced by a failing system? The most important of these ''what ifs,'' however, is this: What if we don't ask ourselves these questions? What if we could have saved a life and we didn't? What if we acknowledged that the system is unfair, and yet we didn't do anything about it at all?