

The Necco lawyer writes back from Boston—I guess one has to go to a special law school to do this—and says: The differences between your client's candy bar and my client's candy bar are not the kinds of differences that dispel confusion. "They are both candy bars," he says. Where do they train lawyers like this? Where on Earth could such lawyers come from?

He says, "We seek an arrangement." We know what that means. They seek some money. Then at the end, of course, they demand that the registration for the Lewis and Clark bar be withdrawn and "assigned to us," and so on.

Now, the corporation that owns this confectionary company—Necco—is actually the United Industrial Syndicate. They do mill works. They make automobile parts, truck parts. And yes, they make candy bars, including the Clark bar. That candy bar was named after a Mr. Clark who lived in the 1880s in Pittsburgh and started the company that made the bar.

The United Industrial Syndicate bought this company at a bankruptcy sale in 1999. It has nothing to do with Lewis & Clark. But here is a Boston lawyer, working on behalf of this company, this corporate conglomerate, who thinks the name Lewis & Clark apparently belongs to them. Sorry, it doesn't.

Debbie and her husband weren't looking for a fight. They don't have the money to spend on a battery of lawyers. They are a small business trying to make a living.

What is happening here is wrong, but it happens all the time. It is a form of corporate bullying. It is throwing your weight around, if you are big enough to do it.

My message for Necco is: Pick on somebody your own size. I am one of your customers. I can't walk past a candy counter without stopping, if they have those little wafers. I like the all chocolate ones. I buy them all the time. Is that a vice? I suppose. But I do it because they are awfully good.

I am one of their customers, and I say to Necco: Lay off small businesses. Don't hire blind lawyers. If you can't tell the difference between their Clark bar wrapper and the wrapper for the Lewis and Clark bar, then get a new lawyer, and do something worthwhile for a change.

Thomas Jefferson always said that the long-term success of this country would be our ability to sustain broad-based economic ownership. Of course, he was talking about a network of family farms and small businesses. That is what refreshes democracy, broad-based economic ownership. He always insisted that you can't maintain political freedoms unless you maintain economic freedom, and economic freedom comes from broad-based economic ownership. Therefore, this freedom is root-

ed in the economic health of men and women in this country who run America's small businesses on main streets. We need to be concerned about that.

How often do you hear Members come to the floor of the Senate and worry about the number of lawsuits in this country? They worry about the lawsuits filed by customers against big corporations. What about this use of lawyers by a big company trying to put a small company out of business? What about that kind of corporate bullying? It is time to stop it.

The men and women who risk their all and work hard to run small businesses in this country don't deserve to have to defend themselves against a battery of lawyers hired by big corporations. I hope the company that produces a product that I purchase—a company I don't know very well—will decide that they ought to cease and desist.

I hope they will decide they have better things to do. I hope they will decide they don't own the name "Lewis & Clark." I hope they will decide that there is no threat to the economic well-being of their company by the existence of a small business on the main street of Mandan, North Dakota that makes candy bars and hand-dipped candy. I hope they will find lawyers who can understand the difference between these two wrappers.

There must be better things for this company and for its lawyers to do. I hope to report to my colleagues one day that this company has decided to take a more constructive approach. I also hope that the many others around the country who suffer the same sort of difficulty—who are being bullied and muscled by some of the larger corporate enterprises that worry about the existence of competition—I hope these small business people will decide that the solution is not to cave in. The solution is to fight. Don't give up.

I know that this subject is radically different from the issue of nuclear waste. But it has a lot to do with what goes on in this country, the kinds of business we pursue and the kind of economy we will have in the future. If those who are big enough can always gain the upper hand then those who are small will never be able to defend themselves.

We must from time to time be the defenders of those in this country who aspire to do good work and aspire to run a small business and create something of value on the main streets of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. FITZGERALD. Mr. President, I ask unanimous consent that I be permitted to speak for up to 10 minutes as in morning business and that the time be charged to the bill.

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

#### THE DEATH OF BOB COLLINS

Mr. FITZGERALD. Mr. President, later this afternoon a resolution sponsored by Senator DURBIN and I will be sent to the desk. That resolution expresses the sense of the Senate regarding its sorrow upon the passing yesterday of one of the Nation's leading radio personalities, Bob Collins from WGN Radio in Chicago.

Yesterday afternoon, Bob Collins, who was one of the Nation's leading radio personalities, who had a listening audience of over 600,000 people, after finishing his radio program, drove to his home in Lake County, IL, and decided to go out and fly his airplane. He apparently had a friend with him in that airplane. While that airplane was attempting to land at Waukegan Airport in Waukegan, IL, another small aircraft hit it. Ultimately, it drove Mr. Collins' plane into a building. It later was confirmed that he died as a result of the accident. It was a horrible tragedy.

In the last 24 hours, all of Chicago and many people throughout the Midwest have been mourning the death of Bob Collins.

Mr. Collins was a personal friend of mine, somebody I thought very highly of. It is with particular sadness that I rise upon this occasion of his untimely death.

Bob Collins was known affectionately to his Chicago audience as Uncle Bob. He had the main drive time-radio program at WGN Radio since 1986. He had by far the largest audience. In fact, his rating points for the last 10 years showed that his audience was twice the size of his next closest competitor. He was very much loved all around Chicago by people who for the past 13 or more years, every morning when they awoke, heard on the radio the voice of Bob Collins.

His show ran from 5 a.m. until 9 a.m., and so hundreds of thousands of Chicagoans, as they were driving to work in the morning on congested expressways, would be listening to him day in and day out.

Some have described Bob Collins as the narrator of events in Chicago and in the Midwest over the past decade or more. He talked about everything from the local and national news to current political topics. In fact, he was a very devoted Republican in a very Democratic city. But notwithstanding his political views, he still had wide popularity. He had guests from all walks of life on his radio show every day. Senator DURBIN and I on at least one occasion were guests of Bob Collins on his radio show.

Bob did everything during his radio show. He would announce the weather. He would talk the whole 4 hours. He even read his own commercials. And being on from 5 in the morning until 9 in the morning and thinking about how you hold that audience's attention for

that long of a time when you are talking is very difficult. It is even tougher to do it and remain interesting. But Bob was always interesting. Yet he didn't grate on people, and he retained and built his audience over the years. He really had a gift of talking. People enjoyed what he was saying and found him entertaining.

He never stooped to the methods we are seeing increasingly with the shock jocks, the rude and obnoxious talk radio we so often hear.

He never resorted to cheap tricks to maintain the interest of his audience. I think that is the reason people never tired of him and that he went on for years as a popular radio guy.

Bob was very folksy and unpretentious. In fact, he was the exact same person on the radio as he was off the radio. I saw him many times in relaxed, amicable circumstances, and he was just the same regular old Bob Collins who grew up in Lakeland, FL, who liked to ride motorcycles and fly airplanes, with a very sunny and cheerful personality at all times. He had a zest for life and always had a sunny disposition. On his show, he was always very polite and agreeable. Even when he disagreed with his guests, he was always very affable.

I want to read from a column that appeared this morning in the Chicago Tribune by Mary Schmich. She wrote about Mr. Collins' life. It is a wonderful article. I will read a couple of paragraphs about how she described Mr. Collins:

As a radio guy, he was both a master and a freak. In the age of screechers and squawkers and shock jocks, in a time that has elevated the obscenity to art and rewarded it with megabucks, Bob stayed Bob.

He earned his big bucks the old-fashioned way and still seemed as down-to-earth as the guy one row behind you in the bleachers. He was blunt but never crude, amusing but rarely rude, opinionated but not obnoxious. It was a formula that made him the most popular morning radio guy in one of the world's most cutthroat radio towns. He walloped the competition as easily as if he were sunbathing.

That's the mark of an artist—he makes the difficult look easy.

Uncle Bob, who for so many years in Chicago, to so many thousands of listeners around the Midwest, always made the difficult look easy, I am going to miss you; we are all going to miss you. Thank you for all you have done for Chicago and for our community. May God comfort your wife Christine and your mother and father, and may God rest and keep your soul.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

#### NUCLEAR WASTE POLICY AMENDMENTS ACT OF 1999—Continued

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

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

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that during the Senate's consideration today the following amendments, following a brief debate, be agreed to, and the motions to reconsider be laid upon the table. The amendments are the Conrad amendment No. 2819 and the Murkowski amendment No. 2813.

I further ask unanimous consent that the time between now and 11 a.m. on Thursday be equally divided between the two managers, or their designees, and at 11 a.m. on Thursday the pending substitute amendment be agreed to, the bill be advanced to third reading, and passage occur, all without any intervening action or debate.

I further ask unanimous consent that the time between 10 a.m. and 11 a.m. on Thursday be under the control of Senators MURKOWSKI and BINGAMAN, or their designees.

Finally, I ask unanimous consent that the cloture vote scheduled to occur on the bill be vitiated.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, it is my understanding that we will have two brief amendments, with voice votes, by Senators CONRAD and MURKOWSKI—the two amendments that have been given to the Chair in number—and after that there will be debate on the bill itself, with a half hour for each side in the morning, and there will be no other amendments considered on this legislation until final passage.

Mr. MURKOWSKI. Mr. President, that is my understanding.

The PRESIDING OFFICER. That is the understanding of the Chair.

Mr. BRYAN. Mr. President, might I further inquire?

The PRESIDING OFFICER. Yes.

Mr. BRYAN. I think that is consistent with the understanding we have. I presume that this afternoon it is in order for us to continue to debate the measure, subject to whatever accommodations both sides need to make to permit equal opportunities to be heard.

The PRESIDING OFFICER. Is there objection to the request?

Without objection, it is so ordered.

Mr. MURKOWSKI. Mr. President, in light of this agreement, I can announce that there will be no further votes today and final passage of the nuclear waste bill will occur tomorrow at 11 a.m.

Mr. REID. Mr. President, briefly interrupting the manager of the bill, I think it would be appropriate to ask for the yeas and nays on passage of the bill tomorrow, and I do so now.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

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

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

AMENDMENT NO. 2813 TO AMENDMENT NO. 2808

(Purpose: To provide a substitute amendment)

Mr. MURKOWSKI. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. MURKOWSKI] proposes an amendment numbered 2813.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

AMENDMENT NO. 2819 TO AMENDMENT NO. 2813

(Purpose: To include the States of North Dakota, South Dakota, Wisconsin, and Michigan in the study required by this act)

Mr. MURKOWSKI. Mr. President, I call up amendment No. 2819 in the second degree offered by Senator CONRAD.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alaska (Mr. MURKOWSKI), for Mr. CONRAD, proposes an amendment numbered 2819 to amendment No. 2813.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 26, line 20 of the amendment, strike "Minnesota" and insert "Minnesota, North Dakota, South Dakota, Wisconsin, and Michigan."

Mr. MURKOWSKI. Mr. President, I know of no further debate on either of the amendments and ask the Chair to put the question on the amendments.

The PRESIDING OFFICER. Without objection, the second-degree amendment is agreed to. Without objection, the first-degree amendment, as amended, is agreed to.

The amendments (Nos. 2819 and 2813, as amended) were agreed to.

Mr. MURKOWSKI. Mr. President, I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.