

SENATE—Wednesday, July 18, 2001

The Senate met at 9:30 a.m. and was called to order by the Presiding Officer, the Honorable EVAN BAYH, a Senator from the State of Indiana.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, we thank You for this new day in which we have the privilege to serve You. Our ultimate goal is to please You by seeking Your guidance, following it faithfully, and giving You all the glory. You have called us to be servant-leaders. And so we spread out before You the challenges and responsibilities of this day. We thank You for Your presence all through the day. Guide the Senators' thinking and speaking. May their convictions be based on undeniable truth You have defined in their minds and in the negotiations and debates. Bless the Senators as they work together to arrive at solutions so much greater than they could arrive at alone. Help them to draw on Your wisdom, Your penetrating discernment, and Your indomitable courage.

The life and dedication of Senator Paul Coverdell lives on as a stunning example of this quality of leadership. We remember the Senator with profound gratitude today on the anniversary of his graduation to heaven.

And thus, we reaffirm our own commitment: "One life to live, t'will soon be past; only what's done for Your glory will last." Amen.

PLEDGE OF ALLEGIANCE

The Honorable EVAN BAYH led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 18, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable EVAN BAYH, a Senator from the State of Indiana, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. BAYH thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, today the Senate will conduct 1 hour of morning business for the memorial on the 1-year anniversary of the death of our colleague, Senator Paul Coverdell. At 10:30, the Senate will resume consideration of the energy and water appropriations bill. Rollcall votes are expected throughout the day on amendments to energy and water. The Senate may also consider several Executive Calendar nominations after we finish energy and water.

We have had good bipartisan activity in the Senate in recent days. We have worked our way through some difficult bills. Senator STEVENS and Senator BYRD worked through the contentious supplemental appropriations bill, and Senator BURNS and Senator BYRD, again, worked through the Interior appropriations bill. We are now on the energy and water bill. Last week we cleared almost 60 nominations. When we finish the energy and water appropriations bill today, whatever time that might be, we are going to go to the nomination that has an assigned time, the nomination of John Graham. It is a contentious issue. When we finish that item, we will go to the Transportation appropriations bill.

I hope all Members work together. As Senator DASCHLE and I talked last night, these appropriations bills don't belong to the Democrats or the Republicans. They are ours. The President is leaving for Europe today for a very important set of meetings. He needs these appropriations bills as much as anybody in the country, if not more.

I hope we will have people offering amendments. Yesterday we had one amendment offered. That was accepted by the managers of the bill. We need to move forward. I hope we can do that today around 10:30.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there is

now a period for the transaction of morning business not to extend beyond the hour of 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each.

Also, under the previous order, the time until 10:30 a.m. shall be under the control of the Republican leader or his designee.

IN MEMORY OF SENATOR PAUL COVERDELLE

Mr. REID. Mr. President, I will take a few minutes to talk about Paul Coverdell. There were a number of occasions in Washington, and once at the Democratic National Convention in Chicago, that someone walked up to me and said: Senator Coverdell.

Now, I always pictured myself as more of a Robert Redford type—that is what I expect to see in the mirror, but it never turns out that way. Factually, I am not the Paul Coverdell type, not a real big bruiser of a person. I guess that is why, perhaps, Paul Coverdell and I got along so well. We were a lot alike. When we think of the great orators of the Senate, Daniel Webster and Everett Dirksen, we don't think of Paul Coverdell. But when we think of those Senators who were able to get things done, he was one of those. That is why when Senator LOTT had a difficult legislative and dangerous assignment on the Senate floor, we would see Paul Coverdell.

He was almost a shy man. He was not boisterous, loud, or aggressive in his actions, but he was effective in his actions. I spent lots of time on the Senate floor trying to work issues out with him. When we had the bankruptcy bill or the education bill, with scores of amendments, he and I would try to work through them, trying to move the legislation along.

Paul and I worked on many difficult pieces of legislation together. We spent a lot of time trying to hammer out differences on bills. We rarely had differences. We were not as much interested in the substance as procedure, moving things along. We began negotiations knowing we were confident we could help move things along.

Senator Coverdell believed we could civilly and respectfully discuss opposing points of view, which, after all, is what the Founding Fathers envisioned when they saw the Senate. Paul Coverdell was in the best tradition of the Senate, someone who believed in legislation, recognized that legislation was the art of compromise, legislation was consensus building. He was a very graceful man without being forceful.

He was confident and determined without being obnoxious and condescending. Maybe that is because he knew what it was like to be in the minority, having been the Republican leader in Georgia when the Senate Republicans numbered 5 and the Democrats numbered 51.

Senator Coverdell's evenhanded touch, no question, was the reason Senator LOTT and Republican leadership depended on him time and time again to help them work their way out of difficult situations. The Democrats who knew Paul Coverdell best had the highest regard for him. I spent a lot of time with him. That is why I was flattered and honored when I received a call from PHIL GRAMM asking if I would be one of the Democratic Senators—there are two of us, ZELL MILLER and me—to meet with PHIL GRAMM and Senator DEWINE to talk about things we could do to recognize the service of this very fine man.

I was flattered and have appreciated being involved in the group. We have done some things to recognize Paul Coverdell: the Peace Corps building, a facility in Georgia. But those Democrats who have worked with Paul Coverdell on the State and Federal level know what a good person he was. Senator ZELL MILLER had so much confidence in Paul Coverdell's judgment that Paul Coverdell's chief of staff is ZELL MILLER's chief of staff.

I miss Paul Coverdell. He wasn't somebody with whom I socialized. We didn't go out to ball games together or movies or dinner, but we spent a lot of time being Senators together. I will always remember the service of that shy, somewhat reserved man, the Senator from Georgia, Paul Coverdell.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LOTT. Mr. President, I rise today to honor and celebrate the life of a dear friend, the late, able Senator Paul Coverdell of Georgia. I am pleased to see in the Chamber this morning his successor, an outstanding Senator, ZELL MILLER. I appreciate the courtesy that he would allow me to speak first this morning as we remember this dear friend. I thank Senator MILLER and Senator REID, Senator GRAMM, and Senator DEWINE who have been involved in trying to find a fitting tribute to the memory of this outstanding public servant.

Just last night legislation was sent to the White House for the President's signature that will name the Peace

Corps Headquarters the Paul D. Coverdell Peace Corps Headquarters. I know this and other efforts are being made both here and in Georgia to appropriately recognize the service that Paul rendered to his State and to our country, and to do it in a way that does not involve a scattergun approach but accomplishes that which would really mean an awful lot to Paul if he were here.

The Senate still grieves and mourns the passing of one of its most talented Members. I certainly feel his absence every day. I think about him an awful lot. After decades in Washington, I know how rare it is to find a Senator or Congressman who works equally well with individuals on both sides of the aisle. In fact, in many ways he always reminded me of Senator REID of Nevada, and they worked together very closely: Somewhat reserved, understated, but tremendously effective—both of them—in the way they dealt with legislation, how hard they worked, and how they dealt with their fellow man and woman and how they dealt with their colleagues in the Senate.

Paul had a deep sense of humility, tireless spirit, and ready humor. In fact, whenever I think of him, I always smile, not only in appreciation for what he did but the meetings we had almost always ended with a laugh because I liked to pick at him, actually. As many people recall, I even had a nickname for him because as a Senator and as a member of our leadership—actually after only having been in the Senate for 4 years he was elected to the Republican leadership—we kind of had a rule that if there was a job to be done that no other leader wanted to do, we could always call on Paul. He reminded me of the commercial about the little boy named Mikey. The other kids wouldn't eat the cereal and they would shove it over to Mikey; and say, "Give it to Mikey, he'll try anything." Well, I called him Mikey because I knew he would try anything and he would do it with great spirit and enthusiasm. That is the kind of utility player he was. That is the kind of commitment, that is the kind of willingness to work and do the jobs that other Senators would not do that makes this place really function the way it should.

Paul was a Senator and legislator in Georgia, but he was from Missouri where he received a journalism degree. I guess that served him well. He joined the Army and left as a captain in the early 1960s. I never thought of Paul as being an infantryman, but maybe that is really what he was. He was on the line, doing the heavy duty every day. He helped run his family's small business when his father's health failed. He soon turned that small business into a very successful marketing firm, Coverdell & Co.

Paul was always compelled to want to serve others, going back to early ac-

tivity in government and activities in Georgia. He was elected to the Georgia State Senate as a Republican in 1970, at a time when most Georgians had not even seen a live Republican. But there he was, and he was in the legislature in the Senate. And his peers elected him the Senate minority leader, a position he held for the next 15 years. Of course, there were only three Republicans. So there was the leader, the whip, and the whipee, I guess. At least Paul was not the whipee. He got to be the leader. He did a lot to make the Republican Party credible in Georgia. But beyond that—I am sure Senator MILLER will remember this—he learned there to work across the aisle. When you are in those small numbers, you have to, to survive. But he became a major player in the legislature even in those limited numbers.

In 1989, he entered the national political stage when he became Director of the Peace Corps under President George H.W. Bush, where he worked for 2 years. I remember I used to harass him about that, too. He particularly worked with emerging democracies in Eastern Europe. But he had a vision for the Peace Corps, too.

That this small guy from a small town in Missouri, and a Georgian who served in the Army, then wound up with a world vision was quite an achievement.

Paul had fundamental beliefs in America, the great Republic. He believed in free trade, free markets, and freedom for all the citizens—not only for the people of his State but people around the world. He worked at making it available and accessible to everybody every day.

He spent a lot of time in the Senate working on education. He was innovative from the beginning. He was one of the early ones talking about the need for some flexibility in how funds are used in education. He worked across the aisle to help solve that problem.

He was really committed to allowing parents of children in elementary and secondary education to have some way to be able to help their children. That is what I like to call the Coverdell savings accounts. He had a broad base of support for that.

He was very aggressive in seeking safe and drug-free havens for learning in our schools.

I met him way back in the 1970s when I made trips into Georgia, and I always appreciated his tenacity and the work he did there. But I really will miss him the most in our leadership because I came to rely on him so much.

Some people have written about, yes, one of the majority leader's key players and that he misses him. I don't deny it for a minute. In life, you lose friends and you see good men and good women pass on. You mourn. You learn lessons from working with those people, and then you find others who try

to fill the void. But in some respects, you never fill the void left by a person such as Paul Coverdell. He was loyal. He was sensitive. He really cared. He made a difference in his State, in our party, in the Senate, and in our country.

So I think it is appropriate today that we honor his memory, after having lost him 1 year ago, and to celebrate the things he did to make it a better place for all of us to live and learn.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. DASCHLE. Mr. President, I compliment the distinguished Republican leader for his eloquence and for his heartfelt expressions of fond remembrances of a very special U.S. Senator. Those of us who watched the relationship flourish over the years as we served in the Senate are reminded again today of the friendship and joy Senator LOTT and Senator Coverdell had. It was a rare friendship, a special friendship, one that was evident to all of us as we watched and as they worked.

So it comes as no surprise that Senator LOTT would be the first on the floor today to talk about a man about whom he cared deeply. While we were not as close and did not enjoy that wonderful proximity in friendship, we certainly had a great deal of admiration for the Senator from Georgia. It was 1 year ago that we were stunned and saddened by the sudden death of our colleague. On that day, we lost not only a friend but, as Senator LOTT noted, a gifted leader.

A while back, I came across the story of a hot Saturday he spent at a county fair in north Georgia. Despite the casual setting, he was wearing a coat and tie. When a long-time aide asked him why, Senator Coverdell responded, "Well, I've noticed that if there's ever any kind of emergency and people are trying to figure out what to do, they always go to the guy with the tie on."

A year after his death, we still miss being able to go to Paul Coverdell.

Although Paul and I didn't see eye to eye on a lot of matters, I can't think of a single time that he was not fair, that he was not decent, that he was not honest. He was a reminder to all that we can disagree without being disagreeable.

While I may not have agreed with him on every detail, I never questioned his deep commitment to the people of Georgia and the principles that he and we hold dear.

One of the principles in which Paul Coverdell believed most deeply, of course, was the right of every child to go to a good school. So it is fitting that we are creating a living tribute to him by seeing to it that the educational accounts for which he fought so hard will now bear his name.

There is another way in which Paul Coverdell's spirit of kindness, fairness, and bipartisanship live on today in the Senate. That is the work of his fellow Georgians, ZELL MILLER and MAX CLELAND.

In the final years of his life, I am told that Senator Coverdell developed a passion for gardening as well. I think that is entirely fitting because so much of his work in public life was about nurturing and about helping things grow. That was evident in his leadership of the Peace Corps and in his commitment to educational opportunity. These educational savings accounts, which now will bear his name, will help ensure that the seeds he planted continue to take root and his work continues to blossom.

We miss him, and we thank him for his public service.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. LOTT. Mr. President, if I may ask the Senator from Georgia and others to allow 1 minute to follow up on what Senator DASCHLE mentioned, we have an agreement on this initiative. I thank Senator DASCHLE for his comments and for doing this. This is the kind of thing that brings us together in many possible ways.

COVERDELLE EDUCATION SAVINGS ACCOUNTS

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. 1190 introduced earlier today by myself.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1190) to amend the Internal Revenue Code of 1986 to rename the Educational Individual Retirement Accounts as the "Coverdell Education Savings Accounts".

There being no objection, the Senate proceeded to consider the bill.

Mr. DASCHLE. Mr. President, I ask the distinguished Republican leader if I may be added as a cosponsor.

Mr. LOTT. Mr. President, I would be honored. I should have suggested that in the first place. That certainly should be done. I support that.

Mr. DASCHLE. I thank the Republican leader.

Mr. LOTT. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be laid upon the table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (S. 1190) was read the third time and passed, as follows:

S. 1190

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RENAMING EDUCATION INDIVIDUAL RETIREMENT ACCOUNTS AS COVERDELLE EDUCATION SAVINGS ACCOUNTS.

(a) IN GENERAL.—

(1) Section 530 of the Internal Revenue Code of 1986 is amended by striking "an education individual retirement account" each place it appears and inserting "a Coverdell education savings account".

(2) Section 530(a) of such Code is amended—

(A) by striking "An education individual retirement account" and inserting "A Coverdell education savings account", and

(B) by striking "the education individual retirement account" and inserting "the Coverdell education savings account".

(3) Section 530(b)(1) of such Code is amended—

(A) by striking "education individual retirement account" in the text and inserting "Coverdell education savings account", and

(B) by striking "EDUCATION INDIVIDUAL RETIREMENT ACCOUNT" in the heading and inserting "COVERDELLE EDUCATION SAVINGS ACCOUNT".

(4) Sections 530(d)(5) and 530(e) of such Code are amended by striking "education individual retirement account" each place it appears and inserting "Coverdell education savings account".

(5) The heading for section 530 of such Code is amended to read as follows:

"SEC. 530. COVERDELLE EDUCATION SAVINGS ACCOUNTS."

(6) The item in the table of contents for part VII of subchapter F of chapter 1 of such Code relating to section 530 is amended to read as follows:

"Sec. 530. Coverdell education savings accounts."

(b) CONFORMING AMENDMENTS.—

(1) The following provisions of the Internal Revenue Code of 1986 are amended by striking "an education individual retirement" each place it appears and inserting "a Coverdell education savings":

(A) Section 72(e)(9).

(B) Section 135(c)(2)(C).

(C) Section 4973(a).

(D) Subsections (c) and (e) of section 4975.

(2) The following provisions of such Code are amended by striking "education individual retirement" each place it appears in the text and inserting "Coverdell education savings":

(A) Section 26(b)(2)(E).

(B) Section 4973(e).

(C) Section 6693(a)(2)(D).

(3) The headings for the following provisions of such Code are amended by striking "EDUCATION INDIVIDUAL RETIREMENT" each place it appears and inserting "COVERDELLE EDUCATION SAVINGS":

(A) Section 72(e)(9).

(B) Section 135(c)(2)(C).

(C) Section 529(c)(3)(B)(vi).

(D) Section 4975(c)(5).

(4) The heading for section 4973(e) of such Code is amended by striking "EDUCATION INDIVIDUAL RETIREMENT" and inserting "COVERDELLE EDUCATION SAVINGS".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

Mr. LOTT. Mr. President, again I thank Senator DASCHLE for allowing me to do this. I think this is the thing that would mean the most to Paul—Coverdell Education Savings Accounts.

Thank you, Mr. President.