that. They were truly wonderful, and their families, of course, we all got to know after this tragedy. They are fantastic people.

I echo the comments of the Senators from Maryland in making sure we watch out for them.

Mr. DASCHLE. I thank the Senator from Vermont.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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 (Mr. JOHNSON). Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. REID. I ask unanimous consent that the Senate extend the period of morning business until 5 o’clock, with Senators allowed to speak for up to 10 minutes each.

Mr. McCAIN. I object. I would like to speak on the bill.

The PRESIDING OFFICER. The objection is heard.

Mr. McCAIN. I withdraw my objection.

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

The Senator from Maryland.

Mr. SARBANES. Mr. President, I rise today to pay tribute to a wonderful American, an absolute giant in the field of journalism, and someone who broke through barriers for women all across this country, Washington Post publisher Katharine Meyer Graham.

There is little that has not been said over the last few days about Kay Graham and the remarkable life she led as a citizen of the Nation’s Capital and the world. Although she was born into a well-off family and attended exclusive schools, Kay Graham did not retreat into a world of privilege and leisure. After graduating from the University of Chicago in 1938, she worked for long, she returned the University of Chicago in 1938, she worked for long, she returned the News. Not able to stay away from exclusive schools, Kay Graham did not retreat into a world of privilege and leisure.

And throughout her life, she maintained a grace and sense of humor that were truly wonderful, and her many devoted colleagues at the Washington Post.

Mr. President, I have an editorial which appeared in the Baltimore Sun about Kay Graham entitled “Industry titan: Publisher’s courage and judgment made one newspaper great, others stronger.” It is a wonderful tribute, as is from a peer. I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered. (See exhibit 1.)

Mr. SARBANES. Mr. President, I close with this thought. It is indicative of her wonderful accomplishments with respect to the Washington Post that one can say, as I say now with confidence, that the Post will continue to be a great newspaper. Kay Graham institutionalized the Washington Post as a great organ for truth and for responsible journalism. As one thinks back on her legacy, perhaps one of its most significant aspects is that we can look forward in the expectation that the newspaper she built will continue to be one of the world’s great newspapers because of the standards she established and the legacy she has left.

I yield the floor.

EXHIBIT 1
[From the Baltimore Sun, July 18, 2001]

KATHARINE M. GRAHAM

Industry titan: Publisher’s courage and judgment made one newspaper great, others stronger.

U.S. newspapers are better and stronger because of what Katharine M. Graham did at the Washington Post. Her death at 84 deprivesthe industry of a great leader.

The core of her achievement was in three gut-wrenching, high-risk decisions made from 1971 to 1973.

In the first, she agreed over legal advice that the Post would print the Pentagon Papers, prepared from government documents detailing U.S. involvement in the Vietnam War for the New York Times. She was enjoined from doing so. Other papers followed, and the precedent of prior censorship was undone.

In 1991, she stepped down as chief executive of the Washington Post, and in 1993 resigned her position as chair. Yet she remained an active member of the Post’s board of directors, chairing its executive committee and maintaining an office at the Washington Post until her death last week.

The achievements of Kay Graham were tremendous and her dedicated service to the Washington Post, to our Capital City, and to our Nation, are great indeed. She will be sorely missed by all of us. She kept us informed, led our community, shared her wisdom, and was our friend.

I offer my deepest sympathies to her family and her many devoted colleagues at the Washington Post.

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I yield the floor.
as it turned out, during the 1972 election campaign. Watergate courts and Congress learned forced Mr. Nixon's resignation. The third, in 1975, was to respond to sabotage of presses by striking pressmen with a determination to publish with nonunion pressmen and to save their jobs. The decision was connected. Without the first, she might not have stuck with the second, or without that triumph, the third.

Mrs. Graham was a power in Washington, and a force in publishing—positive in both spheres—until her death following a fall in Sun Valley, Idaho. Her good works survive her.

The PRESIDING OFFICER. The Senator from Arizona?

Mr. MCCAIN. Mr. President, I intend to speak on the pending Murray amendment. I ask unanimous consent to take as much time as I might consume.

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

DEPARTMENT OF TRANSPORTATION APPROPRIATIONS

Mr. MCCAIN. Mr. President, we just concluded with several Members who were involved in this matter, including the distinguished minority whip, Senator REID. I thank Senator SHELBY, who was responsible for this meeting. I think it was helpful. Representatives of the administration were there. I think at least we were able to establish lines of communication and dialogue on this important issue.

Before I discuss the proposed McCain-Gramm substitute that we may be proposing, depending on the status of negotiations, I wish to emphasize the importance of this issue. Here we are on an appropriations bill—an appropriations bill—of legislation that profoundly affects, in my view and perhaps far more important the view of the administration, profoundly affects a solemn trade agreement entered into between three nations: United States, Mexico, and Canada. Here we are debating a provision on an appropriations bill that is supposed to pay for the transportation needs of this country.

I say again to my colleagues, this is the wrong way to do business. So, therefore, because of the deep concerns that I, Senator GRAMM, Senator BOND, Senator DOMENICI, and many others have, we have to do what we can to see that this appropriations bill does not have language in it which, I say, in my view and that of the administration and objective observers, is in violation of the North American Free Trade Agreement. That is why we have been tied up now for a couple of days and will continue to be so, unless we can come to some agreement that will satisfy the concerns we have that we would be violating the trade agreement.

I remind my colleagues again, a panel already has declared the United States is in violation of NAFTA because of our failure to allow carrier crossings. The area of disagreement is not that great, but they are significant.

There are 22 provisions in this legislation which cumulatively would ensure that it would be impossible to implement the carrier truck crossings for 2 or maybe as much as 3 years. I hope we can get this worked out. As I say, our differences are not that great.

Unlike the House provisions, this legislation provides significant funding to enable the Department of Transportation to hire and train more safety inspectors and to build more inspection facilities at the southern border. I strongly commend the committee for this action.

However, as I previously explained, I have concerns over a number of requirements included in the bill that if enacted without modifications, could effectively prevent the opening of the border indefinitely. My concerns are shared by other colleagues and the administration.

The administration estimates the Senate provisions under section 343 would result in a further delay in opening the border for another 2 years or more, a violation of act of Congress of NAFTA. It effectively provides a blanket prohibition from allowing any Mexican motor carrier from operating in the United States. It is conducted when a carrier's performance indicates a problem—that it is at risk. As a technical matter, a full fledged compliance review of a Mexican carrier would be meaningless since that carrier won't have been operating in this country and won't have the type of performance data that is audited during a compliance review. If DOT is forced to conduct what would largely be a meaningless compliance review, every carrier will receive a satisfactory rating because there will be no records or data from which to find violations of the Federal Motor Carrier Safety Regulations.

Further, DOT estimates it would cost $40 million if it is required to perform a compliance review of every carrier seeking operating authority and another $10 million to perform such a review onsite. Therefore, the Senate bill

I recognize that at first glance, many of the requirements in section 343 appear reasonable. However, I am informed that DOT officials that it simply cannot fulfill all 22 requirements imposed by section 343 in the near term. To quote from the Statement of Administration Policy, transmitted to the Senate last Thursday:

"The Senate Committee has adopted provisions that could cause the United States to violate our commitments under NAFTA. Unless changes are made to the Senate bill, the President's senior advisors recommend that the President veto the bill."

There may be debate back and forth as to whether these provisions in section 343 of the bill are in compliance with NAFTA. The fact is that the senior advisors to the President of the United States have determined that it places us out of compliance. Therefore, that discussion becomes somewhat academic, if the President is going to veto the bill.

I would like to discuss the provisions of the House, and explain our amendment proposes to address those concerns while seeking to retain the underlying intent of the provisions, at least in the context of safety. It is very important to point out that like the committee's approach, our amendment goes much further than the DOT had planned to go based on its May 2001, Federal Register notice of proposed rulemaking on how it would address cross border safety. Our approach would not prevent the border opening indefinitely.

First, section 343 requires the Federal Motor Carrier Safety Administration to conduct a full safety compliance review before granting conditional operating authority and again before granting permanent authority and to assign a safety rating to the carrier. The reviews must be conducted onsite in Mexico.

The problem with that requirement is that a compliance review assesses carrier performance while operating in the United States. It is conducted when a carrier's performance indicates a problem—that it is at risk. As a technical matter, a full fledged compliance review of a Mexican carrier would be meaningless since that carrier won't have been operating in this country and won't have the type of performance data that is audited during a compliance review. If DOT is forced to conduct what would largely be a meaningless compliance review, every carrier will receive a satisfactory rating because there will be no records or data from which to find violations of the Federal Motor Carrier Safety Regulations.

Further, DOT estimates it would cost $40 million if it is required to perform a compliance review of every carrier seeking operating authority and another $10 million to perform such a review onsite. Therefore, the Senate bill