

was able to work. We had no partisan votes, as I recall, on the DOD authorization bill, a very important bill for our national security and important for us. So now we can go on and finish the DOD appropriations bill, a very critical bill as well.

Again, my compliments to Chairman LEVIN and Senator WARNER for their leadership, and for all Senators working together to get this bill passed as expeditiously as we did.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

#### VIETNAM TRADE ACT—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to calendar No. 154, H.J. Res. 51, the Vietnam trade bill.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 51), approving the extension of nondiscriminatory treatment with respect to the products of the Socialist Republic of Vietnam.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

#### MORNING BUSINESS

Mr. REID. I ask unanimous consent the Senate now proceed to a period of morning business, with Senators allowed to speak for a period not to exceed 10 minutes.

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

#### INTERNET TAXING

Mr. McCAIN. Mr. President, the Senator from Oregon and I, along with the Senator from North Dakota, Mr. DORGAN, and the Senator from Massachusetts, Mr. KERRY, and others have been working for years on the issue of Internet tax. We still have not reached an agreement. The moratorium expires very soon.

We will be introducing legislation today for another 2-year extension of the Internet tax moratorium. I hope we can get agreement on that, and in calmer and quieter times, we will be able to address and debate the issue of international taxation, which is a very difficult, very complicated, and an increasingly important issue to Governors, legislators, mayors, and city council members.

At this point in our American history, we need an extension of a couple

years so in calmer and quieter times we can come to some agreement on this very important issue. That does not mean the Senator from Oregon and I are opposed to Internet taxes per se, but we have a long way to go before we are in agreement, so we will be introducing legislation today. I hope we can get unanimous agreement on it and move forward.

I yield to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon.

#### LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of this year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred January 17, 2001 in Helena, MT. An openly gay student at Carroll College withdrew from school 14 days after being knocked unconscious and beaten in his dorm room. The victim did not initially report the incident due to fear of further retribution. Someone struck the student in the head with a bottle as he returned to his room from the dorm showers early in the morning and then beat him while he was unconscious. The attacker also wrote "Die Fag" on his body with an ink marker.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

#### ADDITIONAL STATEMENTS

##### HONORING DEAN DORT, CHARLES ORLEBEKE, AND DAVID WILLIAMS

• Mr. LEVIN. Mr. President, I want to commend the services of three midwesterners who are ending their terms on the Northeast-Midwest Institute's Board of Directors.

Dean Dort, Charles Orlebeke, and David Williams have provided stable leadership, offered a wealth of ideas, and advanced the Institute's credibility. Dean Dort is vice president of international affairs for Deere & Company, which is headquartered in Moline, IL. He has been a criminal trial lawyer, a Federal Criminal Court Judge, the representative of the Secretary of the Army to the United States Congress, and Washington counsel for Deere & Company.

Charles Orlebeke is a professor of urban planning and public affairs at

the University of Illinois at Chicago. He previously served as executive assistant to Michigan Governor George Romney, founding dean of the urban planning and policy program at the University of Illinois at Chicago, and assistant under secretary and assistant secretary for policy development at the U.S. Department of Housing and Urban Development.

David Williams is vice president of Earth Tech, an engineering firm based in Chicago. He has served as commissioner of public works for the City of Chicago; a member of the Illinois Public Utilities Commission; and city manager of Inkster, Michigan. The Northeast-Midwest Institute provides policy research for the bipartisan Northeast-Midwest Senate Coalition and its Great Lakes Task Force, which I co-chair with Senator MIKE DEWINE of Ohio. I again want to commend Dean Dort, Charles Orlebeke, and David Williams for their service on the board of the Northeast-Midwest Institute. They have provided valued counsel and helped increase that organization's reputation and effectiveness.●

##### TRIBUTE TO DANE GRAY BALES, A KANSAS LEGACY

• Mr. ROBERTS. Mr. Chairman, I rise today to call attention to the death, August 26, 2001, of a good friend and distinguished Kansan, Dane Gray Bales of Logan, KS.

Mr. Bales was born in 1918 to a pioneer Kansas family. He served in the Army Air Corps in WWII and returned home to Kansas to work for the Hansen Oil Company.

Throughout his life he was a community builder and civic leader known across the State. Fort Hays State University gave him its Distinguished Service Award in 1985.

Mr. Bales is best known for his untiring support for higher education in Kansas. With his wife, Polly, he was life member of the University of Kansas Chancellor's Club, the School of Business Dean's Club, the School of Fine Arts Dean's Club, the Williams Fund, Jayhawks for higher education, the Mt. Oread Fund and other organizations.

They were major contributors for the Dane and Polly Bales Organ Recital Hall and the Wolff Organ and they established the first organ professorship at the University of Kansas.

I submit for the record a recent article from the Hays Daily News that comments on Mr. Bales' outstanding life of service to Kansas and the eulogy delivered by Kenneth Tidball, superintendent of schools in Logan.

I ask that the article and eulogy be printed in the RECORD.

The material follows:

[From the Hays Daily News, Sept. 2, 2001]

##### LOGAN LEGACY

Flags flew at half-staff. Downtown businesses closed early. For at least an hour on

Wednesday afternoon, this small Phillips County community closed up shop to pay its respect to a man who was more than just a lifelong resident.

Dane Bales embodied the tradition of small-town Kansas. While he carried the portfolio of an accomplished businessman, political activist and world traveler, Bales' appreciation and love for his hometown was one of his greatest attributes.

It was something he had learned at an early age.

His uncle, Dane G. Hansen, the namesake of a multimillion-dollar trust fund and not-for-profit foundation in downtown Logan, exemplified the same characteristics.

Hansen never married, and at the time of his death in 1965, his estate, valued at between \$9 million and \$16 million, was left to a foundation bearing his name. Those funds were to be used explicitly for the betterment of area residents.

That money had grown first from a simple general store, handed down to Hansen by his parents, Danish immigrants who were part of Logan's original settlement in the late 19th century. His business dealings later developed into a lumberyard, then road construction and finally the oil business. Ultimately, Hansen's success developed into exactly what he wanted, innumerable opportunities for Kansas residents.

For 36 years, it all overseen by his nephew, the lone descendant of the Hansen family.

At the time of Hansen's death, Bales was named to head the family trust and also was one of seven men handpicked by his uncle to head the Hansen Foundation. Now, Bales' widow, Polly, said the family legacy will continue, just without a family patriarch heading the board.

The couple's only son, Dane G. Bales Jr., died of leukemia in May 1998. His widow, Carol, now of Atchison, still serves as a trustee for the trust and foundation.

Polly Bales said legal documents stipulate that the trust will continue for 20 years after the death of the Hansen family's final descendant. That now ensures it will continue through 2021.

Although his life was surrounded by great experiences and people of all walks of life, this week Bales was remembered as a man who loved a few simple things.

The Rev. Ron Lowry told the hundreds of people who packed into the Logan United Methodist Church for Bales' funeral that he frequently tries to "find the unique" things in a person. That was a simple task this week, he said. "There were so many unique things about Dane."

Neighbor Kenneth Tidball talked about Bales' passion for golf. And while he loved Kansas football and basketball, golf had been his game for a number of years. He played his last round of 18 holes less than a month ago.

Following a lifelong admiration for airplanes, at age 46 he learned to fly and bought his first plane. Also an accomplished ham radio operator, Lowry said he shared that hobby with Bales. As he talked to Polly Bales about it, she joked with Lowry that if he's ever able to send a message to Bales' signal, he was to notify Bales that she also expected to hear from him.

"I appreciated the kind of love they had for each other," Lowry said. "They were such a complement to each other."

The two met while students at the University of Kansas. Polly Bales said her husband of nearly 60 years was dating her roommate while they were in school.

"I was trying to get the two of them together," she recalled.

Then one night, Bales called and asked if she wanted to go to Kansas City to attend an Ella Fitzgerald concert.

"I said, 'Oh I sure did.' That's how it started. We dated for at least a year and a half. I wasn't trying to get him. I didn't really notice him, but that's how it worked out," she said.

Their love of the Jayhawks was a shared passion. They were members of countless school-related organizations and activities, all dedicated to the promotion of higher education.

For 21 years they have hosted the area KU Honors Program, and in recent years have welcomed KU Chancellor Robert Hemenway's Wheat State Whirlwind Tour to the Dane G. Hansen Memorial Museum and Hansen Plaza. They were among the first to tour with the KU Flying Jayhawks and traveled with the group on 30 international trips.

They were major contributors for the Dane and Polly Bales Organ Recital Hall, adjacent to KU's performing arts center in Lawrence, and the couple since have established the university's first organ professorship.

Although Polly Bales said at first they "protested a little bit" the name of the recital hall, school officials told them that the Board of Regents already had decided on its name.

"So much of what we have is because of the Hansens. We thought that would be the name attached to it, but they said it was done. That was what they had decided," said Polly Bales, a former organ student at KU. "What an honor."

In 1985, the couple were awarded the Fort Hays State University Distinguished Service Award. Two years later, they were included in the KU Gallery of Outstanding Kansans, and both have received the Fred Ellsworth Medallion from the university.

"We were in pretty heady company," Polly Bales said with a smile.

Earlier this year, the couple received the Volunteers of the Year award from a 10-state district of the Council for Advancement and Support of Education.

All of those recognitions, which Polly Bales said they both cherished, hang in the hallway of the couple's home, built on the same stretch of land where Bales was born and where he died, and just across the street from Hansen Plaza.

"I always told him he didn't go too far," Polly Bales said of her husband, joking that he was born, worked and even died in an area equivalent to the size of a couple of city blocks.

His steadfast commitment to his hometown has not gone unnoticed. His death in fact brought an end to a long-standing record in Logan, 130 continuous years of business by a member of the Hansen family.

This week's issue of the Logan Republican, the weekly newspaper, refers to Bales on its front page as "a legend."

"The love he had for our community was extraordinary. He could have chosen to make his home anywhere in the world but he chose to stay in Logan, Kansas, where his family roots had long been a part of our community. The recognition and prestige he gave our little town will forever be remembered."

Even among all of their success and fortune, Polly Bales said she knows her husband would be floored by all the attention showered on him this week. Floral shops delivered more than 80 arrangements in his name, and just one day's mail, full of sympathy cards and condolences, filled a couple of shoeboxes.

"He would be so thankful. I know he would," she said as tears filled the corners of

her eyes. "I'm so lucky that I fell into this family. They're so loving, and they've always taken care of me. But I'm going to miss him."

#### EULOGY FOR DANE GRAY BALES

(By Kenneth Tidball, Superintendent of Schools, Logan, KS, August 29, 2001)

A reporter from a big city newspaper called me Monday at my office to ask me why I was doing the eulogy for Dane Gray Bales. He said why isn't the governor or the chancellor of KU or Congressman Moran doing it. I told him I didn't know why, but I could tell him this, no one could be more honored, no one could feel more privileged than I did to talk about what a wonderful, kind, loving man Dane was.

I told that reporter that I felt so inadequate to do justice to the man we've come to honor today. There are so many of you gathered here that have had a much longer relationship with Dane that I have; some of you did business with Dane; some of you played golf with Dane; some of you flew, or skied, or traveled or went to ballgames or supported KU or loved chocolate or did several of those things that made up such a large part of Dane's life; I didn't have those special opportunities.

My special opportunity was that Dane was my neighbor. When we moved back to Logan, God saw to it that we had the special privilege of moving next door to the Bales. There I learned to respect and admire a descendent of true pioneer stock, a man with more determination and tenacity than most of us have bones in our body, a man who could do hand-to-hand combat with his fountain in the yard, or underground sprinkler and make them work again. He could also talk about world affairs, the stock market, education and consumer prices.

But a special delight was I always knew things were right with the world when I would look out my east window and see Dane up on his roof with his leaf blower, or getting ready to go play golf; wrestling with his fountain or getting ready to play golf; filling his bird feeder, putting ears of corn out for the squirrels, or getting ready to go play golf. There's no doubt about it, Dane loved to play golf.

Some of his golfing buddies have told me stories about Dane's game. Rich Wallgren says his special putting technique, the jump-putt, should be adopted by the PGA tour.

Jerry Patterson gave me the following observation from which I now quote:

"I have played a lot of golf with Dane, all over the state of Kansas and in a few other states as well. Dane was a very honest person in all that he was involved in. At the age of 83 his golf game wasn't as good as it might have once been and after tallying up, say an 8 on a hole, the scorekeeper, which was usually Rich or I, would try to make it a little easier on him. We'd ask Dane, 'You had a 7 didn't you?' He would answer back 'No, I had a dag-blasted 8.' If you are a golfer you know when someone offers to give you one less stroke on a hole, it tests your honesty. Dane always declined.

Dane loved the game of golf and when we had finished for the day, he would often ask, 'Where are we going tomorrow?' The answer from the rest of us usually was, 'I don't care, wherever you guys want to.'

Dane played 18 holes less than a month ago.

As dedicated as he was to his golf, he was even more dedicated to the responsibility of his office. Less than three weeks ago, Dane came back from KU medical center to work

in his office for two hours because the trustee meeting was the following day. Dane faithfully felt the responsibility and the importance of carrying out the wishes of his Uncle Dane and rarely missed a meeting of either the Foundation or the Trust. As they traveled around the world, to 60 different countries, I always knew they would be home for the third Friday of the month.

There is no doubt that Dane was respected by important people and men of position. He was invited by then Secretary of Defense Dick Cheney to become a member of the Joint Civilian Orientation Committee and later the Defense Orientation Conference Association. With these organizations, Dane visited U.S. military installations in the U.S. and abroad.

Dane was among the first six men inducted into the Kansas Oil Pioneer Hall of Fame.

He and Polly were awarded the Fred Ellsworth Medallion for unique and significant service to KU and the Distinguished Service Award from Fort Hays State University. He and Polly received the Volunteer Award for District 6 for the Advancement and Support of Education.

He was a member of the Chancellor's Club, School of Business Dean's Club, Williams Fund, School of Fine Arts Dean's Club, Friends of the Lied Center, Friends of KU Libraries, Friends of Spencer Museum of Art.

Dane and Polly were honored by the KU Gallery of Outstanding Kansans in 1987.

There is no doubt about it, Dane has made his mark on the face of this earth. In the oil industry, in defense, in education, in the world of music with his role in the construction of the Bales Recital Hall at KU, and in cancer research.

A few years ago, I wrote Dane a short letter congratulating him for some recent honor bestowed upon him. I'm going to share with you the gist of that letter. "In 1964 my father met D.G. Hansen. When he came back from that meeting he told me he had just met the smartest man he'd ever met. I would say the smartest man I ever met was Dane Bales."

You know something, Dane would not like for us to make over him this way, he would be uncomfortable and embarrassed.

But I can't help it. I admired him so, I respected him so, and I, like the rest of you, will miss him so.

Dane was not a demonstrative person, but his love for Polly was legendary, and although they won't get to celebrate their 60th wedding anniversary this November, the last sentence that Dane said to Polly was "I love you." What a beautiful memory.

I'm going to close with a quotation from a letter written by a grand-nephew of Dane's just last week. "A man who spends his life doing God's work and helping others, is a man that will be remembered forever in the hearts of loved ones and all who have known him. I feel my life has been enriched having been able to say that Dane is my uncle. I know in the Bible that a 'proud person' is a sinner, but I will be forever 'honored' for what my Uncle Dane stands for and believes in. With all my love, Michael."

My life has been enriched having been able to say that Dane was my neighbor.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WYDEN (for himself, Mr. MCCAIN, and Mr. LEAHY):

S. 1481. A bill to extend the moratorium enacted by the Internet Tax Freedom Act for 2 years, and encourage States to simplify their sales and use taxes; to the Committee on Commerce, Science, and Transportation.

By Mr. HARKIN (for himself, Mr. LUGAR, Mr. HATCH, Mr. DAYTON, Mr. AKAKA, Mr. JOHNSON, Mr. ALLARD, Mr. CRAPO, Mr. CRAIG, Mrs. LINCOLN, Mr. HELMS, and Mr. NELSON of Florida):

S. 1482. A bill to consolidate and revise the authority of the Secretary of Agriculture relating to protection of animal health; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. WELLSTONE (for himself and Mrs. MURRAY):

S. 1483. A bill to amend Family Violence Prevention and Services Act to reduce the impact of domestic violence, sexual assault, and stalking on the lives of youth and children and provide appropriate services for children and youth experiencing or exposed to domestic violence, sexual assault, or stalking; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MCCONNELL:

S. 1484. A bill to prevent fraud in the solicitation of charitable contributions, and for other purposes; to the Committee on the Judiciary.

By Mrs. CARNAHAN:

S. 1485. A bill to amend the Poison Prevention Packaging Act to authorize the Consumer Product Safety Commission to require child-proof caps for portable gasoline containers; to the Committee on Commerce, Science, and Transportation.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ROBERTS:

S. Res. 165. A resolution establishing a Select Committee on Homeland Security and Terrorism; to the Committee on Rules and Administration.

By Mr. DURBIN (for himself, Mr. SPENCER, Mr. LEAHY, Mr. DEWINE, Mr. KENNEDY, Mr. BROWNBACK, Mr. BIDEN, Mr. FITZGERALD, Mrs. FEINSTEIN, Mr. ALLEN, Mr. FEINGOLD, Mr. BENNETT, Mr. SCHUMER, Mr. JEFFORDS, Ms. CANTWELL, Mr. EDWARDS, Mrs. CLINTON, Mr. BINGAMAN, Mr. KERRY, Mrs. MURRAY, Mr. CORZINE, Mrs. BOXER,

Ms. LANDRIEU, Ms. MIKULSKI, Mr. CLELAND, Mr. LIEBERMAN, Mr. CARPER, Mr. TORRICELLI, Mr. SARBANES, Mr. LEVIN, Mr. INOUE, Mr. JOHNSON, and Mr. REID):

S. Con. Res. 74. A concurrent resolution condemning bigotry and violence against Sikh-Americans in the wake of terrorist attacks in New York City and Washington, D.C. on September 11, 2001; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 70

At the request of Mr. INOUE, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Arkansas (Mr. HUTCHINSON) were added as cosponsors of S. 70, a bill to amend the Public Health Service Act to provide for the establishment of a National Center for Social Work Research.

S. 96

At the request of Mr. KOHL, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 96, a bill to ensure that employees of traveling sales crews are protected under there Fair Labor Standards Act of 1938 and under other provisions of law.

S. 721

At the request of Mr. HUTCHINSON, the names of the Senator from Kentucky (Mr. MCCONNELL) and the Senator from New Hampshire (Mr. GREGG) were added as cosponsors of S. 721, a bill to amend the Public Health Service Act to establish a Nurse Corps and recruitment and retention strategies to address the nursing shortage, and for other purposes.

S. 836

At the request of Mr. CRAIG, the name of the Senator from Nebraska (Mr. NELSON of Nebraska) was added as a cosponsor of S. 836, a bill to amend part C of title XI of the Social Security Act to provide for coordination of implementation of administrative simplification standards for health care information.

S. 1140

At the request of Mr. HATCH, the names of the Senator from South Carolina (Mr. HOLLINGS), the Senator from Hawaii (Mr. AKAKA), and the Senator from Nevada (Mr. ENSIGN) were added as cosponsors of S. 1140, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1147

At the request of Mr. NICKLES, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1147, a bill to amend title X and title XI of the Energy Policy Act of 1992.

S. 1169

At the request of Mr. FEINGOLD, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 1169, a bill to streamline the regulatory processes applicable to home health agencies under the medicare program under title XVIII of the Social Security Act and the medicaid