

States Military Academy in the grade indicated under title 10 U.S.C. section 4333(b):

*To be colonel*

Eugene K. Ressler Jr., 0000

The following named Army National Guard of the United States officer for appointment to the grade indicated in the Reserve of the Army under title 10, U.S.C., sections 12203 and 12211:

*To be colonel*

Kenneth W. Smith, 0000

The following named Army National Guard of the United States officer for appointment to the grade indicated in the Reserve of the Army under title 10, U.S.C., sections 12203 and 12211:

*To be colonel*

Timothy I. Sullivan, 0000

Army nominations beginning Virginia G. Barham, and ending James C. Butt, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nominations beginning Felix T. Castagnola, and ending Aaron R. Kenneston, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nominations beginning William P. Blaich, and ending Ira K. Weil, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nominations beginning Gregory O. Block, and ending Robert D. Teetsel, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nominations beginning Moses N. Adiele, and ending Horace J. Young, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nominations beginning Norman F. Allen, and ending Daria P. Wollschlaeger, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nominations beginning Stephen C. Allison, and ending Stacy Young McCaughan, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

The following named Army National Guard of the United States officer for appointment to the grade indicated in the Reserve of the Army under title 10, U.S.C., section 12203 and 12211:

*To be colonel*

Robert M. Nagle, 0000

Army nominations beginning James M. Ivey, and ending Douglas C. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2001.

The following named officer for appointment to the grade indicated in the United States Army under title 10, U.S.C., section 624:

*To be lieutenant colonel*

Steven L. Powell, 0000

The following named officer for Regular appointment to the grade indicated in the United States Army Medical Corps under title 10, U.S.C., sections 531, 624 and 3064:

*To be lieutenant colonel*

Mark R. Withers, 0000 MC

Army nominations beginning Danny W. Agee, and ending Ronald K. Taylor, which nominations were received by the Senate and

appeared in the Congressional Record on February 13, 2001.

Army nominations beginning Arthur D. Bacon, and ending Richard T. Vann Jr., which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2001.

#### IN THE MARINE CORPS

Marine Corps nominations beginning Ronald S. Culp, and ending Christopher J. Loria, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Marine Corps nominations beginning Eduardo A. Abisellan, and ending Richard D. Zyla, which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2001.

#### IN THE NAVY

The following named officer for original Regular appointment as a permanent limited duty officer to the grade indicated in the United States Navy under title 10, U.S.C., sections 531 and 5589:

*To be lieutenant*

Kevin D. Sullivan, 0000

The following named officer for Regular appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 531:

*To be lieutenant commander*

Stephen L. Cooley, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

*To be lieutenant commander*

Brian J.C. Haley, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

*To be commander*

William J. Nault, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

*To be commander*

James P. Scanlan, 0000

Navy nominations beginning Douglas J. Adams, and ending Gregory J. Zacharski, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

*To be captain*

Mark R. Munson, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

*To be commander*

Thomas K. Kolon, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

*To be commander*

Bernadette M. Semple, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

*To be lieutenant commander*

John D. Carpenter, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

*To be lieutenant commander*

Darren S. Harvey, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

*To be lieutenant commander*

Travis C. Schweizer, 0000

Navy nominations beginning Frances R. Baccus, and ending Scott W. Stuart, which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2001.

Mr. LOTT. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of the nomination of BILL FRIST, and that the Senate immediately proceed to its consideration, the nomination be confirmed, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

Mr. LOTT. This is so Senator FRIST will be the representative of the United States to the 55th Session of the General Assembly of the U.N.

The nomination was considered and confirmed, as follows:

#### DEPARTMENT OF STATE

Bill Frist, of Tennessee, to be a Representative of the United States of America to the Fifty-fifth Session of the General Assembly of the United Nations.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

#### APPOINTMENT

The PRESIDING OFFICER. The Chair announces on behalf of the Committee on Finance, pursuant to section 8002 of title 26, U.S. Code, the designation of the following Senators as members of the Joint Committee on Taxation: The Senator from Iowa (Mr. GRASSLEY); the Senator from Utah (Mr. HATCH); the Senator from Alaska (Mr. MURKOWSKI); the Senator from Montana (Mr. BAUCUS); and the Senator from West Virginia (Mr. ROCKEFELLER).

#### UNANIMOUS CONSENT AGREEMENT—COMMITTEE BUDGETS AND RULES

Mr. LOTT. Mr. President, I ask unanimous consent that in accordance with the provisions of S. Res. 189 of the 106th Congress, there be authorized for the period of March 1, 2001, through March

10, 2001, funds for the expenses of each of the standing committees of the Senate, the Special Committee on Aging, the Select Committee on Intelligence, and the Committee on Indian Affairs, and such sums as may be necessary for agency contributions related to the compensation of the employees of such committees for the above described period, to be paid from the appropriations account for "Expenses of Inquiries and Investigations" of the Senate.

I further ask unanimous consent that such sums be  $\frac{1}{15}$  of the amount provided the committees under S. Res. 189 for the period of October 1, 2000, through February 28, 2001.

I further ask unanimous consent that notwithstanding the provisions of rule XXVI of the Standing Rules of the Senate, for the purposes of the 107th Congress, the publication date for committee rules shall not be later than March 10, 2001.

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

AUTHORITY FOR JUDICIARY COMMITTEE TO FILE  
BANKRUPTCY LEGISLATION

Mr. LOTT. Mr. President, I ask unanimous consent that notwithstanding the adjournment of the Senate, the Judiciary Committee have until 8 p.m. tonight to file the bankruptcy legislation.

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

HONORING DALE EARNHARDT

Mr. LOTT. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of S. Res. 29, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 29) honoring Dale Earnhardt and expressing condolences of the U.S. Senate to his family on his death.

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

Mr. SHELBY. Mr. President, last October, Dale Earnhardt drove his familiar black Goodwrench Chevrolet, with the silver No. 3 painted on each side, past a waving checkered flag to win the Winston 500 at Talladega Superspeedway. The victory was Earnhardt's tenth first place NASCAR Winston Cup race at Talladega, a feat no other driver has accomplished. It was the 76th win of his career; sadly, it was his last.

A week ago Sunday, Dale Earnhardt died in a tragic accident on the last turn of the last lap of one of the last great American traditions, the Daytona 500. NASCAR lost one of its greatest drivers who was in large part responsible for the tremendous growth of the sport from a regional pastime to an international success. Winston Cup

drivers lost a fierce competitor whose aggressive style set the standard for a generation. Millions of fans lost the "Intimidator," a hero admired as much for his charismatic demeanor as his talent as a driver and tenacity during a race. Whether you cheered for him or against him, you couldn't help but admire the passion with which he pursued the checkered flag.

There is a bittersweet irony in that Dale Earnhardt finished his career at Daytona. The track at Daytona defined Earnhardt as a racer. He won 34 races there, more than any other driver. This earned him the reputation as the best superspeedway racer of all time. The Intimidator, however, did not win the Daytona 500 until the 1998 season. It took 20 years, but he finally took the greatest of all superspeedway races.

No other measure of success was as elusive to Dale Earnhardt. In 1979, he beat Harry Gant, Terry Labonte, and Joe Milliken for the Rookie of the Year in one of the most competitive rookie battles ever. He joined Richard Petty as the only other driver to win the NASCAR Winston Cup Championship seven times. He was voted National Motorsports Press Association Driver of the Year five times. Dale Earnhardt was the only driver to win the Winston Cup title the year after winning the rookie title.

Although he did his best to live up to his nickname the "Intimidator" during a race, Dale Earnhardt was the first to extend a hand and offer congratulations after it was over. This is the mark of a true champion.

Dale Earnhardt often expressed frustration at the practice of NASCAR to require artificial devices to reduce speeds on some tracks and the type of racing it produced. Nevertheless, he excelled at these so-called restrictor-plate races. In fact, Dale Earnhardt mastered the draft so well at these races that the fellow racers he passed remarked, "it was like he can see air."

In Alabama, we look forward to seeing the black No. 3 car on the high banks at Talladega twice a year. No matter where he started at the beginning of the race, you could count on Dale Earnhardt to be near the front by the end. His victories at the world's biggest and fastest track include, as I mentioned earlier, ten NASCAR Winston Cup races, as well as one NASCAR Busch Grand national race and three IROC races where he bested the greatest drivers of his time.

Dale Earnhardt was intensely loyal to his family. He was a father whose pride in his children was greater than his desire in winning races. Our thoughts are with his wife Teresa, and his children: Kerry, Kelly, Dale, Jr. and Taylor Nicole. May God bless all of them and watch over them in this time of need.

Former driver and now television analyst Darrell Waltrip perhaps best cap-

tured the sentiment of drivers and fans alike when he said, "The scariest thing on the track used to be seeing Dale Earnhardt in your rear view mirror. Now the scariest thing is not seeing him there at all."

The world will miss Dale Earnhardt and his competitive spirit. We pray that his family and friends find some comfort in the way his fans admired this truly unique American sports icon.

Mr. CARPER. Mr. President, today we stand and honor the life and accomplishments of "The Man" Dale Earnhardt.

Millions of Americans will remember him as a NASCAR legend, perhaps the best that ever raced. But the people I've spoken with and read about who knew him well remember better a kind father, a loving husband, and a trusted friend.

For over 21 years, Dale Earnhardt delighted hundreds of thousands of people at the Dover Downs, International Speedway in my state of Delaware. Like most of the places Dale raced, at Dover Downs he won, and won big.

But the people of my State honor him for more than his wins at our NASCAR track, three first-place finishes, or the money he earned there, the most of any Winston Cup driver in history.

The reverence and respect from NASCAR fans stems from his constant pursuit of excellence and his refusal to give less than his all every time he took to the track.

They called him "The Intimidator," and on the track, that was true, but to the fans in Dover that he spent time with signing autographs, shaking hands, and in some cases sharing dinner at their kitchen table, Dale Earnhardt was known as "The Man."

Last Friday, Dover Downs opened up to those who needed a chance to say "good bye." Even though a blizzard had blown through our State the night before, over 5,000 people turned out to pay their respects. In a moving display of affection, families created in the winner's circle a shrine of flowers, posters, hats, pictures, and poems honoring their hero.

I was told once that the greatest measures of a man's life are the people he has touched, the difference he has made and the standards he has set for others to follow.

Despite his passing, Dale Earnhardt's legacy of excellence will forever influence his sport and its millions of fans. We honor him today for the lives he touched and the children he inspired.

Mr. LOTT. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

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