

SENATE—Monday, January 24, 2005

The Senate met at 2:01 p.m. and was called to order by the Honorable LAMAR ALEXANDER, a Senator from the State of Tennessee.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord, You have been our dwelling place in all generations. You laid the Earth's foundation on the seas and built it on the ocean depths. Each day we receive the showers of Your blessings.

Thank You for listening to our prayers and for keeping us safe. Thank You for giving us hope, even when life seems covered by shadows. From our earliest moments, we have been blessed by Your marvelous deeds. So we celebrate Your goodness.

Continue to sustain our legislators. Give them wisdom and courage to do their duty. Keep their hands and hearts pure. Teach them to do the right thing, to be honest and fair. Keep them humble and help them to trust You completely now and always.

Lord, continue to protect our Nation's military. We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable LAMAR ALEXANDER 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. STEVENS).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 24, 2005.

To the Senate:

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

TED STEVENS,
President pro tempore.

Mr. ALEXANDER thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. ROBERTS). The distinguished majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this afternoon, we will be in a period for morning business so Senators may introduce legislation and make statements. Following that 1 hour period, the Senate will proceed to executive session for the consideration of the nomination of Carlos Gutierrez to be Secretary of Commerce. Chairman STEVENS will be here to manage the hour of debate on this side of the aisle, and I understand Senator DORGAN will control the remaining 1 hour. We do not have a request for a rollcall vote on the nomination. Therefore, we will proceed to a voice vote at the expiration of that time. Consequently, we will not have any rollcall votes today.

I do want to take this opportunity to remind my colleagues that we will begin debate on the nomination of Condoleezza Rice during tomorrow's session. The order from last week provides for debate on Tuesday with closing remarks on Wednesday and a vote on that nomination on Wednesday morning.

There are several other Cabinet-level nominations that may be ready for floor action this week, including the nominations of the Secretary of Energy, the Secretary of Health and Human Services, and the Attorney General. I will be talking with the Democratic leader about the full Senate consideration of those Cabinet positions as they become available.

RELATING TO THE DEATH OF HOWARD S. LIEBENGOOD

Mr. FRIST. Mr. President, I am now turning to a resolution for a very close friend, and then I will take a few moments to comment on this resolution, really the man behind this resolution.

I send a resolution to the desk and ask for its immediate consideration.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 7) relating to the death of Howard S. Liebengood, former Sergeant at Arms of the Senate.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed

to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 7) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 7

Whereas Howard S. Liebengood served as a captain in the United States Army Military Police Corps in Vietnam from 1968 to 1970, receiving the Bronze Star and the Army Commendation Medal for his exemplary service;

Whereas Howard S. Liebengood began his service to the Senate in 1973 as minority counsel to the Senate Watergate Committee;

Whereas Howard S. Liebengood served as an aide to the Senate Church Committee in 1975, as the minority staff director of the Senate Select Committee on Intelligence in 1976, and as legislative counsel to Senate Majority Leader Howard H. Baker, Jr., in 1980;

Whereas Howard S. Liebengood served as Sergeant at Arms of the Senate from 1981 to 1983;

Whereas Howard S. Liebengood served as chief of staff to Senator Fred Thompson from 2001 to 2003, and as chief of staff to Senate Majority Leader William H. Frist, M.D., from 2003 until his death in January, 2005;

Whereas Howard S. Liebengood was a caring and devoted husband, father, and colleague who served with the utmost humility and distinction and was admired and respected by all as a teacher, adviser, and friend; and

Whereas Howard S. Liebengood inspired others through his personal leadership, generosity, and great love for the United States: Now, therefore, be it

Resolved, That—

(1) the Senate has heard with profound sorrow and deep regret the announcement of the death of Howard S. Liebengood; and

(2) the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy of these resolutions to the family of Howard S. Liebengood.

Mr. FRIST. Mr. President, Howard Liebengood loved the Senate. He loved the purpose of this institution; he loved its tradition; and, above all, he loved its people. The Senate was his extended family, and we all are going to miss him very much.

Howard Schuler Liebengood passed away on Thursday, January 13, at his home in Vienna, VA. He was just 2 weeks shy of his retirement. He had planned to travel and cook and devote himself to his wife Dee and their three grown children, Howie, John, and Anne.

We talked in detail at breakfast about a month ago, in late December, about his excitement of being able to retire and spend time with the family.

He also told me he planned on going to the track. One of his closest friends