

He was on that wheel the afternoon he was shot. He left, if I remember correctly, about 6:15 and he was shot about 6:30 or 6:45.

He later related, when I went to see him, he said:

You know, I'm lucky. These fellows told me they wanted money and I did not have any money. And I said, "Take my watch, anything else, my ring."

And they cursed him and just fired five shots into his middle, his stomach, pancreas, and lungs—his insides.

He walked up to his house and talked to Miss Coy, Mrs. Stennis, his wife. He said, "Call an ambulance and call Walter Reed."

The ambulance came. And as they lifted him up, he remembered well hearing the chief of police, who had reached the home at that time, saying, "All right, take him over to George Washington Hospital." He raised up on that stretcher—the last he ever remembered, he said, prior to coming to some 9 hours later—and said, "Take me to Walter Reed. They are waiting for me there."

He said that was the real fortunate part, because when he got to Walter Reed, they had two Army surgeons who had finished a 2-week lecture course to the Army surgeons around the country on bullet wounds and shrapnel wounds and battlefield surgery and that kind of thing, particularly with respect to the loss of blood.

His operation took 9 hours. I will never forget him saying that. He said, "Had they not had that hard experience of when to stop and replenish and when to move forward * * * They had to sew up all his innards or he would have been long since gone."

He came back and, as Senator NUNN points out, he did not slow down at all. Later, when the cancer got his legs, he did not.

As Senator COCHRAN pointed out—who sits at the Stennis desk—he believed in this institution. He attended regularly all the sessions. He attended these debates.

I think television has ruined us all. Perhaps some would listen back in their offices. But you do not have the open exchange in the most deliberative body. You are here and get quips that staff gives you. They have prepared remarks and they run out and the RECORD is full and it appears it is a deliberative effort. Not at all.

Senator Stennis did not like that, and he said so. He attended the debates. He attended all the votes and he kept going until the very, very end.

Unfortunately, he was not as conscious and alert as he could have been the last few years. I wanted to go to see him, but my staff who worked intimately with him on the Armed Services Committee and later on on the Appropriations Committee, said that, "Poor John would not recognize you right now."

So he has gone to his just reward after the most distinguished career in the U.S. Senate of over 41 years.

He was a Senator's Senator if there ever was one in this body. He was not only, as pointed out, an outstanding authority on military affairs, but he had that fundamental feel of paying the bills and being straightforward in his treatment here with all the Senators and setting the highest standard of ethical conduct that you could possibly imagine.

We need that inspiration today that, unfortunately, we do not have. We are all going to miss him very, very badly.

I am sorry tomorrow I cannot be at the session relative to the continued debate on product liability. I want to attend those services. But we will be back here at 4:45.

But it is good that we have those who have served with him and remember him so well that will be there and be with his family. His daughter retired first in Charleston, where her husband was the dean at the College of Charleston and later up in Greenville, SC. So I am looking forward to seeing that family.

But I will never forget the inspiration he has given for all of us who have served with him to continue to serve.

I yield the floor.

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

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

UNANIMOUS-CONSENT AGREEMENT

Mr. GORTON. Mr. President, I am going to submit a unanimous-consent which I believe has been cleared by both sides of the aisle.

I ask unanimous consent that there be 60 minutes of debate equally divided between Senators ABRAHAM and HOLLINGS, with debate to begin at 5 p.m. on Wednesday, April 26, on amendment No. 598, and that following the debate on the Hollings amendment the Senate proceed to a vote on or in relation to the Hollings amendment, to be followed immediately by a vote on or in relation to the Abraham amendment No. 597, as amended, if amended.

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

Mr. GORTON. I further ask unanimous consent that the pending Abraham amendment be laid aside in order that an amendment by Senator BROWN be offered, regarding rule 11.

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

Mr. GORTON. I further ask that following the two stacked votes, the Senate then resume consideration of the Brown amendment, and that following the disposition of the Brown amendment, Senator DOLE be recognized to offer his amendment on the subject of punitive damages.

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

ORDER OF PROCEDURE

Mr. GORTON. Mr. President, for the information of all Senators, Members should be aware that there will be two rollcall votes at approximately 6 p.m. on Wednesday. Senators interested in speaking on any of these issues or other issues related to product liability or legal reform should be prepared to speak throughout the day on Wednesday.

AMENDMENT NO. 599 TO AMENDMENT NO. 596

(Purpose: To restore to rule 11 of the Federal Rules of Civil Procedure the restrictions on frivolous legal actions that existed prior to 1994)

Mr. GORTON. Mr. President, I send the Brown amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Washington [Mr. GORTON], for Mr. BROWN, proposes an amendment numbered 599 to amendment No. 596.

Mr. GORTON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following new section:

SEC. . REPRESENTATIONS AND SANCTIONS UNDER RULE 11 FEDERAL RULES OF CIVIL PROCEDURE.

(a) IN GENERAL.—Rule 11 of the Federal Rules of Civil Procedure is amended—

(1) in subsection (b)(3) by striking out "or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery" and inserting in lieu thereof "or are well grounded in fact"; and

(2) in subsection (c)—

(A) in the first sentence by striking out "may, subject to the conditions stated below," and inserting in lieu thereof "shall";

(B) in paragraph (2) by striking out the first and second sentences and inserting in lieu thereof the following: "A sanction imposed for violation of this rule may consist of reasonable attorneys' fees and other expenses incurred as a result of the violation, directives of a nonmonetary nature, or an order to pay penalty into court or to a party."; and

(C) in paragraph (2)(A) by inserting before the period " , although such sanctions may be awarded against a party's attorneys' ."

(b) EFFECTIVE DATE.—The provisions of this section shall take effect 30 days after the date of the enactment of this Act.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, 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