

In the US, around the same time, I was the Trade Subcommittee Chairman. So I was making a lot of the demands. And I had the opposite complaint—I felt Japan only said “no.”

But I have come to believe neither of us was quite right. Like the blind sages in the Japanese folk tale, we were trying to describe an elephant by examining bits of it. And the past ten years of Japanese history have revealed to us, if not the whole beast, then at least a more complete animal.

If we look at Japan's response to its bank failures; reform of the Finance Ministry; or the Asian financial crisis, we see a Japan that, to exaggerate only a little, cannot say “yes,” cannot say “no,” and simply waits for problems to go away. And the reason is obviously not that Japanese cannot understand issues or make decisions. It is the nature of governance in Japan.

Bureaucrats have too much power and too little accountability to politicians or courts. Ministers appoint virtually no senior ministry officials and have little power over their subordinates. Thus Prime Ministers have few means to make ministries work together. Governments have too little power to set policy. And citizens have too little control over the whole system.

As a result, regulatory, trade and financial policies set decades ago, for a nation recovering from war and only beginning to develop civilian industry, continue to guide Japan today. They no longer work and they will not work. And this is the root of all the problems I cited earlier, from failure to stimulate the economy, to the slow pace of banking reform and the lackluster response to the Asian financial crisis.

#### POLITICAL REFORM

And thus, Japan must go beyond deregulation and fiscal policy. It needs thorough political reform. A system that can make a decision and make it stick.

It must give more power to ministers at the expense of their bureaucrats; elected politicians at the expense of ministries; towns and prefectures at the expense of Tokyo; citizens at the expense of the state.

That will take enormous willpower and vision. But I am totally convinced that Japan can do it. Recall the explosive reforms and industrial growth of the Meiji era, and the rebuilding after World War II. Remember that in the right circumstances, Japan's people are among the most creative, energetic and hard-working in the world. And look ahead to a brilliant future.

If Japan can make this leap, our relationship will reach its full potential—as a creator of wealth for our countries and our neighbors, a source of ideas, invention and science that will astonish the world, and the world's strongest guarantee of peace.

And if that sounds like a daydream, remember how far we have come, from the end of the Second World War to this era of peace in the Pacific. Set

aside Health Ministry regulations, fiscal policy, Defense Guidelines and every thing else, and reflect on the amazing fact that today, more than at any time in human history, ordinary people can live a decent, safe, secure life.

Our alliance for Japan helped make it happen. And Mike Mansfield, on his 95th birthday, deserves as much credit for this as anyone alive.

It is quite a legacy. The best possible tribute to it would be that, in the next century, we complete the work he has begun so well.

#### PRIVILEGE OF THE FLOOR

Mr. BAUCUS. Mr. President, I ask unanimous consent to allow Angela Marshall of my staff to be on the Senate floor during the introduction of the Emergency Marketing Assistance Act.

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

(The remarks of Mr. BAUCUS pertaining to the introduction of S. 1762 are located in today's RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

Mr. BAUCUS. Mr. President, I yield the floor and 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. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BYRD. Mr. President, what is the state of business at the moment?

The PRESIDING OFFICER. We are in morning business until 12 noon.

Mr. BYRD. Mr. President, I ask unanimous consent that I may speak for not to exceed 15 minutes and that the stated order for the Senate at 12 noon be delayed until I complete my remarks, which will not be longer than 15 minutes at most.

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

#### SENATOR MOYNIHAN'S BIRTHDAY

Mr. BYRD. Mr. President, today, March 16th, marks the birthday of a man whom Shakespeare could have been describing when he said in “Henry VII,” “He was a scholar, and a ripe and good one, exceeding wise, fair-spoken, and persuading.” The man whom that description fits like a glove is the respected senior Senator from New York, Senator DANIEL PATRICK MOYNIHAN, who today celebrates his seventy-first birthday. O, to be 71 again. O, to be 71 again. I have to rejoice in Senator MOYNIHAN being only 71 today. I am pleased to offer Senator MOYNIHAN my best wishes for a very happy birthday, and my thanks for the intellectual vigor, the stubborn veracity, the scrupulous accuracy and the wise counsel that Senator MOYNIHAN has brought to the Senate.

Senator MOYNIHAN's curriculum vitae is as widely known as it is broadly based—his humble beginnings, his climb up the academic ladder which, despite being interrupted by World War II, culminated in a doctorate from the Fletcher School of Law and Diplomacy; a period of teaching economics—wouldn't I like to have sat in his class—a period of teaching economics, sociology and urban studies at Harvard and at the Joint Center for Urban Studies; and a distinguished series of positions in the Kennedy, Johnson and Nixon administrations before winning election to the Senate for the first time in 1976. Few Senators come to this body with so much academic and practical experience. No one who observes Senator MOYNIHAN on the Senate floor would guess that as a young man, he once arrived at a test with a dockworker's loading hook tucked in his back pocket.

William Shakespeare has also said in “Twelfth Night,” “But to be said an honest man . . . goes as fairly as to say a careful man and a great scholar.” And that description also reflects the character of Senator MOYNIHAN, a lifelong scholar who has never shirked from the sometimes unpleasant duty of informing the Senate and the nation and Presidents of the hard facts of this or that issue. His carefully studied analysis and his insight into complex issues ranging from poverty in America to the future of social security keep Senators on the floor and staff glued to C-Span, because we have all come to rely on the fact that when Senator MOYNIHAN speaks, we all will learn something of importance, something that may fundamentally shift our thinking. His skill with words is equally finely honed, imbuing every thoughtfully parsed sentence with meaning and wit. He is, to hearken back to Shakespeare's description, “fair spoken, and persuading,” in speech and in the many books he has authored.

In an age of ten second campaign slogans, bumper sticker rhetoric, and simplistic, feel-good legislation, Senator MOYNIHAN is an anachronism, a throwback to the days of thoughtful consideration of complex issues and reasoned debate on the merits of different possible solutions. He thinks on a grander, a grander scale than do most people and, as a consequence, he is able to foresee problems long before they become costly, messy, politically dangerous quagmires that few people have the courage to tackle, let alone solve. When I have doubts about some new program being proposed, or some radical change being suggested without the benefit of hearings or committee consideration, and Senator MOYNIHAN also voices concern, or briefly sketches possible unpredicted outcomes arising from the proposal, then I know that my hesitation is vindicated.

In another sense, too, Senator MOYNIHAN is a figure from a different, more polite age, for he is a gentleman. Edmund Burke has observed that “A king

may make a nobleman, but he cannot make a gentleman." "A king may make a nobleman, but he cannot make a gentleman." The same can be said for politicians—elections can make a Senator—not always a good one—but they can never make a gentleman. In this age of negative campaigns, of road rage, of obscenities masquerading as popular music, and of television that makes one blush while changing channels, there are few gentlemen to point to, but Senator MOYNIHAN is surely one of those few. He listens carefully, respectful of the viewpoint of the speaker—which is in itself an increasingly lost art, it seems. I have never heard him raise his voice in anger, or comment rudely about another Member, and though his criticisms can be as witty and tart as an Empire apple—the Empire apple is something like the McIntosh apple, very flavorful, tart. I saw some up at Martin's store in Charlestown yesterday, some Empire apples. Despite the standing that he enjoys, he remains an approachable figure, unaffected by the grandeur of his surroundings in this majestic building. Were he to stop and look back at the Capitol, I suspect that he would be enjoying the simple pleasure of tulips and daffodils, nodding, tossing their heads in the sunshine, and not so much savoring the symbol of legislative power embodied in this marble and sandstone edifice.

In the twenty-two years that Senator MOYNIHAN has graced the Senate with his presence, he has brought to the Senate an intellectual puissance and an exalted level of scholarship that have raised the mental caliber of every one around him. He has been more than a Senator from New York, though he certainly has been a good representative of the people of that great State. He has also been an intellectual leader, a sage, and a prophet for the Senate and for the Nation. He has lifted us all up on his broad wings of scholarship.

He is the possessor, the last time I looked at the Congressional Directory some few months ago, he is the possessor of 60 honorary degrees—60. I don't think anyone else in this body, probably in the other body, can equal that achievement.

So he has lifted us all up on the broad wings of his scholarship, his experience and his wisdom, so painstakingly acquired only to be so freely and generously given away.

Herman Melville observed in *Moby Dick* that "... there is a Catskill eagle in some souls that can alike dive down into the blackest gorges, and soar out of them again and become invisible in the sunny spaces. And even if he ever flies within the gorge, that gorge is in the mountains; so that even in his lowest stoop the mountain eagle is still higher than other birds upon the plain, even though they soar." The distinguished Senator from New York is just such a soul, a Catskill eagle, inspiring other birds of the sunlit Senate plain, including this BYRD.

Mr. President, Erma and I offer our best wishes to Senator DANIEL PATRICK MOYNIHAN as he celebrates his birthday with his lovely wife Liz and his family. May he enjoy many, many, many more happy birthdays, and may we, his colleagues, have the high privilege of sharing in those birthdays with him over a period of many, many years away.

Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ROBERTS). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRAMS. 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—NOMINATION OF FREDERICA A. MASSIAH-JACKSON

Mr. GRAMS. Mr. President, as in executive session, I ask unanimous consent that the debate relative to the nomination of Frederica Massiah-Jackson be postponed to occur at a time to be determined by the majority leader. It is my understanding that the White House intends to withdraw this nomination by 1 p.m. today. If that does not occur, then it would be the majority leader's intention to begin the scheduled debate at 1 p.m.

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

Mr. GRAMS. Thank you very much, Mr. President.

#### EXTENSION OF MORNING BUSINESS

Mr. GRAMS. Mr. President, I also ask unanimous consent that there now be a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

Mr. GRAMS. Thank you very much, Mr. President.

#### 95TH BIRTHDAY TRIBUTE TO MIKE MANSFIELD

Mr. DASCHLE. Mr. President, I would like to join my colleague from Montana, Senator BAUCUS, in wishing a happy 95th birthday to former Senator and Ambassador Mike Mansfield. If historians were to accept nominations for individuals who are living embodiments of 20th century history, I would nominate Mike Mansfield to be our Democratic representative.

Ambassador Mansfield's life has framed some of the great events of this century, from his service as a 14-year-old sailor in the U.S. Navy in World War I, to his role as an architect of modern American policy toward Japan as long-time U.S. Ambassador. Along the way, Mike Mansfield shaped his-

tory in both ordinary and extraordinary ways: as a miner and mining engineer, as a professor of history and political science, and as a member of the U.S. House of Representatives and Senate from Montana, including a remarkable 16-year tenure as Senate Majority Leader.

As you know, Mr. President, Mike Mansfield's majestic portrait now presides over a room that bears his name just off the Senate floor. To Senators, staff, and visitors, it is a reminder of a Senate giant who was a quiet rock of integrity and perseverance. I am honored and grateful that we have the opportunity today to thank this living reminder of America's greatness and its goodness. Happy birthday, Ambassador Mansfield, and best wishes for many more years of good health and happiness.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. KYL). Without objection, it is so ordered.

#### ORDER OF PROCEDURE

Mr. LOTT. Mr. President, for the information of all Senators, I would like to officially notify the Presiding Officer on a change in the status of the nomination that was to have been debated today, that being the nomination of Frederica Massiah-Jackson. The nominee has written the President of the United States asking her nomination be withdrawn.

It is my understanding the President has withdrawn her nomination and, therefore, the Senate will not be conducting a rollcall vote relative to her nomination tomorrow at 2:15 p.m.

Again, it is my hope the Senate can consider today the resolution relative to human rights in Kosovo and conduct a vote regarding that resolution at 5:30 p.m. I understand there may be some objection to bringing up that resolution, but I cannot understand why any Senator would object to a timely consideration of the human rights considerations with regard to what has been happening in Kosovo. At the appropriate time, when we can get an agreement on the wording of the resolution, it will be my intent to bring it to the floor. If some Senator objects, he or she will have to appear and do so.

If not, the Senate should be prepared to consider the nomination of Susan Graber to be a circuit judge, with that vote occurring at 5:30 p.m. today. Susan Graber is a nominee from the State of Oregon to be on the circuit court in that region.