

there was an arrangement made to create a separate mechanism, a collusive arbitration arrangement, whereby Mark Murr would receive up to \$520 million out of the recovery of the State of Texas.

As it turned out, during my investigation as attorney general, we determined that the contract upon which Mr. Murr claimed a right to be paid had been falsified, backdated, and literally been cut and pasted to make it look as if he had done some work on the case and had been involved in the case much earlier than he really had. In truth, and in fact, I believe he did not do any work to justify that fee.

During the 4 years that I was attorney general of the State of Texas, we conducted an investigation into that matter, were successful in preventing Mr. Murr from making the claim for that money against the treasury of the State of Texas, and ultimately, I believe, provided the factual basis under which the U.S. attorney was able to present that case to the grand jury, and ultimately resulting in the indictment of the former attorney general of the State of Texas.

I say that with no pleasure at all. It is a tragedy, a terrible tragedy. But it is a story of how a steward of the public trust has violated that trust and now must be held accountable for violating that trust. But in the process,

and what this amendment addresses specifically, is the manner in which five private lawyers enrich themselves at the expense of the State of Texas and how other lawyers across the country, during the course of this tobacco litigation, enrich themselves at the expense of their State clients in breach of their fiduciary duties.

The Internal Revenue Code provides a mechanism where those who breach fiduciary duties—whether they be a trustee or, in this case, a lawyer representing a client—can be taxed. It provides another mechanism, a nonlitigation mechanism, to enforce that fiduciary duty that is owed by the fiduciary to the client. In this case, I believe it is an opportunity for this body to find funds—if, in fact, it is the will of the majority of this body—and to see Federal dollars, or money that otherwise is paid by Federal taxpayers, go to State taxpayers. It provides another opportunity to provide up to \$9 billion of additional funds by simply enforcing the fiduciary duty owed by these lawyers to their clients, the various States.

So I am pleased to join Senator KYL and Senator ALEXANDER in cosponsoring this amendment that would, if adopted by this body, provide an additional \$9 billion in State aid, in a way that I believe ultimately does justice,

by enforcing this fiduciary duty owed by the lawyers to the client.

Let me just say, Mr. President, in closing, that I support the Jobs and Economic Growth Act of 2003. Even though I think it will undergo a number of amendments and will ultimately not be exactly what any of us would like, I believe it provides a necessary prescription for what ails the economy and will provide a necessary jump-start to allow taxpayers, the ones who earn the money, to keep more of that money and spend it as they see fit, and to allow small businesses that earn the money to reinvest in their businesses and create new jobs in a way that will ultimately help us grow our way out of our current economic doldrums.

So I am happy to support this important legislation and happy to add my voice to hopefully putting America back to work.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent that all pending amendments be temporarily set aside so the Senator from Louisiana can offer an amendment.

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

The Senator from Louisiana.

NOTICE

Incomplete record of Senate proceedings. Except for concluding business which follows, today's Senate proceedings will be continued in the next issue of the Record.

ORDERS FOR THURSDAY, MAY 15,
2003

Mr. GRASSLEY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:15 a.m., Thursday, May 15. I further ask that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time of the two leaders be reserved for their use later in the day, and that the Senate then resume consideration of Calendar No. 97, S. 1054, the jobs and economic growth bill, as provided under the previous order; provided further that no second-degree amendments be in order to the amendments offered during Wednesday's session, prior to a vote in relationship to the amendment.

Finally, I ask unanimous consent that following the first vote, all succeeding votes in sequence be limited to 10 minutes each.

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

PROGRAM

Mr. GRASSLEY. For the information of all Senators, the Senate will resume consideration of the jobs and economic

growth bill and immediately begin a series of stacked votes on the remaining amendments to the bill. There are approximately 25 amendments that will need to be disposed of. Following the votes on the pending amendments, additional amendments are possible and therefore this is going to be a very lengthy voting sequence. All Members are urged to remain close to the Chamber during this so-called vote-arama in order to expedite passage of this bill.

I also ask that any Member who intends to offer an amendment during tomorrow's session contact the chairman and ranking member of the Finance Committee. We are not encouraging additional amendments. However, it would be helpful to know in advance the substance of the amendment to be offered. The majority leader has stated that we will finish the jobs and economic growth bill on Thursday.

Under a previous order, following passage of the jobs and economic growth bill, the Senate will begin consideration of H.R. 1298, the Global HIV/AIDS bill. The majority leader has also stated it is his intention to complete action on this vital legislation this week as well.

Finally, I say to my colleagues that tomorrow will be a very busy session,

with numerous rollcall votes. With the cooperation of all Members, we can finish our work on these two bills in an orderly way.

UNANIMOUS CONSENT AGREEMENT—CORRECTION ON VOTE SEQUENCE

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. There is a correction on the vote sequence. Landrieu amendment No. 579 in the consent request should be amendment No. 619. I ask unanimous consent that change be made.

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

Mr. BAUCUS. In addition, in the consent request there were two Burns amendments. I ask unanimous consent that be modified so there is only one Burns amendment, and that is amendment No. 593.

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

ADJOURNMENT UNTIL 9:15 A.M. TOMORROW

Mr. GRASSLEY. If there is no further business to come before the Senate, I ask unanimous consent that the