

Even the filibuster of one nominee is unacceptable because that means you are not allowing the President to have an up-or-down vote if somebody is brought to the floor of the Senate.

I am concerned that we will soon see the number of judges who are denied an up-or-down vote escalate from two to three to four to five to six, maybe more. Is that an acceptable number of judges who do not deserve an up-or-down vote? Of course not. Not one should be denied an up-or-down vote, once they are brought to the floor of the Senate. I believe that is true.

#### MORNING BUSINESS

Mr. HATCH. Madam President, I ask unanimous consent that the Senate proceed to a period for morning business.

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

#### TEACHING FROM SPACE PROGRAM

Mr. STEVENS. Mr. President, April 10, 2003, brought a new educational milestone to my State.

On that date, Alaska students from one of the most rural school districts in our Nation were the first Alaskans to take part in a live hook-up with astronauts in space.

Using distance learning technology, youngsters from my States Southwest Region School District spoke to the three-member crew of the International Space Station as astronauts orbited the Earth.

These students were participating in NASA's Teaching From Space Program, which includes science, math, and geography instruction, and features a live video question-and-answer session with the astronauts aboard the space station.

This session complemented a 6 week educational program, developed by our Challenger Learning Center in Kenai, which was included in the curriculum of the Southwest Region School District.

While the Teaching From Space Program has provided unique and motivating educational experiences to students across our country for many years, only recently were Alaska schools able to take advantage of the NASA program.

Until a few short months ago, no schools in rural Alaska had technology to allow teachers and students to communicate via video with others outside their villages.

Now that is changing, as some schools use distance learning technology to virtually bring new teachers and subjects into their classrooms.

The Southwest Region School District, one of the first in Alaska to install distance learning technology, is located on the southern coast of the Bering Sea, 350 miles southwest of Anchorage.

Eight villages are served by this school district, only one of which is ac-

cessible by road. The others are up to 120 miles from the school district's headquarters in Dillingham and may only be reached by air in winter. Some are accessible by river during summer months when, of course, our schools are closed.

The 779 students in the school district are primarily Yu'pik Eskimos. Most non-Native villagers in this region are employed as teachers.

During their 20-minute conversation with the International Space Station crew, students at Manokotak school asked questions about geography and space on behalf of their fellow students throughout the district. They watched as U.S. astronauts Ken Bowersox and Don Pettit and Russian cosmonaut Nikolai Budarin, floating inside the space station, answered their questions.

There was a special surprise, when the students learned that Alaska's own NASA astronaut, Bill Oefelein, who hails from Anchorage, flew from Houston to Manokotak to be with the students on their special day.

Many individuals and organizations contributed to the success of this educational achievement. This was a collaborative effort achievement. This was a collaborative effort of NASA, the Southwest Region School District, the Challenger Learning Center, and GCI.

Mr. President, I ask unanimous consent that all the individuals names be printed in the RECORD following my remarks.

Sean O'Keefe, NASA Administrator.  
Lieutenant William Oefelein, USN, NASA astronaut: flew to Manokotak to be on-site with the students.

Gwendolyn Brown, NASA: coordinated public affairs for the event.

Cindy McArthur, NASA: guided Manokotak teachers through the Teaching from Space program.

Kelly McCormick, NASA: guided Manokotak teachers through the Teaching from Space program.

Scott Anderson, NASA: guided Manokotak teachers through the Teaching from Space program.

Robin Hart, NASA: guided Manokotak teachers through the Teaching from Space program.

Randy Cash, NASA: managed the audio portion of the program.

Glenn Peterson, NASA: Mission Control Specialist.

Superintendent Mark Hiratsuka, Southwest Region School District: secured approvals for the program.

Tim Whaling, Southwest Region School District: coordinated the educational curriculum for the program.

Karen Swenson, Southwest Region School District: secured approvals for the program.

Steve Noonkesser, Southwest Region School District: managed the school district's technology and coordination with GCI.

David Piazza, Southwest Region School District: managed the school district's technology.

Principal David Legg, Manokotak School: secured facilities and staff for the program.

Kirk Kofford, Manokotak School: prepared students for the NASA link up and taught the NASA distance learning curriculum.

Dana Bartman, Manokotak School: prepared students for the link-up.

Nate Preston, Manokotak School: coordinated photography and publishing for the program.

Steve Horn, Challenger Learning Center of Alaska: secured educational curriculum for the school district.

Jamie Meyers, Challenger Learning Center of Alaska: coordinated curriculum between the center and the school district.

Martin Cary, GCI: secured telecommunications resources and personnel to link NASA and the school district.

Greg Dutton, GCI-SchoolAccess: managed GCI's participation.

David Morris, GCI: managed public affairs for the program.

Anna Sattler, GCI: coordinated communication between participants.

Tom Elmore, GCI: coordinated the video teleconference connection with school district sites.

Chad Parker, GCI: coordinated technology needs.

Brian Lichner, GCI: managed the NASA TV downlink in Anchorage.

Rob Knorr, GCI: managed the NASA TV downlink in Juneau.

Greg Farmer, GCI: managed the NASA TV feed in Juneau.

Doug Keil, GCI: connected the NASA TV feed in Anchorage to GCI-SchoolAccess.

Mark Dinneen, GCI: managed government relations for the program.

John Raffetto, Infotech Strategies: managed communication between all participants.

Nicole Angarella, Infotech Strategies: coordinated logistics and on-site materials.

Tracy Krughoff, Infotech Strategies: assisted school district with applications.

Angela Mathwig, Infotech Strategies: coordinated logistics and on-site materials.

Christopher Capps: coordinated astronaut participation.

Mike Donovan Hausler: managed design and production of graphic art.

#### DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS BILL

Mr. FEINGOLD. Mr. President, I want to add my thoughts to the debate on the Department of Homeland Security appropriations bill for fiscal year 2004.

First, I want to take this opportunity to thank the distinguished chairman and distinguished ranking member of the Appropriations Subcommittee on Homeland Security for working so diligently on this bill before us. These leaders had the difficult job of allocating a very limited amount of money for one of the Nation's most pressing needs and they have done an admirable job.

I also thank this Nation's first responders. They are the ones who are on the front lines of this fight against terrorism. They are the ones who will be the first to react to any future attack upon our Nation. These brave men and women must, at a moment's notice, be ready to respond to a host of possible horrifying scenarios, including those involving nuclear, radiological, biological, and chemical devices.

Congress has been working hard to support our first responders, including providing almost \$3.9 billion in this appropriations bill. I am particularly pleased that the committee chose to maintain the successful firefighter assistance grants and fund them at \$750

million rather than the President's requested \$500 million. I thank the committee for their wisdom in this matter.

Although this bill does a lot to help our first responders, it does not do enough. As my colleagues know, the Council on Foreign Relations recently released the report of an independent task force chaired by former Senator Warren B. Rudman. The title of this report says it all: "Emergency Responders: Drastically Underfunded, Dangerously Unprepared." I supported Senator BYRD and others in trying to address the drastic underfunding of our first responders pointed out in the Rudman Report and am disappointed that we in the Senate were unable to do more.

I point out to my colleagues that I do not take lightly my decision to vote in favor of spending more money. Fiscal responsibility is one of my highest priorities and I constantly look for ways to limit government spending. I am honored that the Concord Coalition and others have recognized me for my efforts in this regard. Although fiscal responsibility remains one of my highest priorities, the fight against terrorism is also a high priority. I regret that the Republican budget resolution did not provide adequate funding for homeland security, choosing instead to place tax cuts as its highest priority. I agree with the distinguished Senators from Connecticut and Michigan that we ought to pay for increased funding in this bill by reviewing tax breaks for those making over a million dollars. This is a reasonable way to approach the current underfunding of this top priority.

I would like to draw attention to the fact that local first responders, emergency preparedness professional associations, and others have responded to the tragic events of 9/11 by re-examining emergency response procedures, compiling lessons learned, and developing new and innovative practices to best deal with possible terrorist attacks. Unfortunately, the Rudman Report found that "(T)he task Force found insufficient national coordination of efforts to systematically capture and disseminate best practices for emergency responders." First responders in Wisconsin back up this finding.

The Department of Homeland Security is supposed to be gathering and disseminating first responder best practices to all relevant parties. I am concerned that they are not adequately fulfilling their responsibility in this area. I understand that the newly formed Department of Homeland Security has many important responsibilities and is being pulled in many different directions. I am concerned, however, that the Department is wasting an important opportunity to increase the efficiency of our first responders. The Rudman Report recommends establishing a national institute to collect and disseminate best practices for first responders. This would "allow all emergency responders to learn from

past experiences and improve the quality of their efforts, thereby assuring taxpayers the maximum return on their investment in homeland security."

I offered an amendment directing the Department to report on its efforts to assess and disseminate best practices and its plans for improving the coordination and sharing of such information. This amendment was designed to prompt the Department into action so that all of us can reap the benefits of shared best practices. I am pleased that the Senate adopted this amendment.

I am also concerned that in our hasty efforts to protect the homeland we may be sacrificing some of our civil liberties. One item of particular concern to me is the use of data-mining by the Department of Homeland Security. Such programs give the Government the ability to peer into virtually every facet of an individual's life, including credit card use, bank statements, health records, and on and on. Congress must make sure that civil liberties are being protected and so must carefully monitor Government entities that may try to use data-mining technology. I am pleased that the Senate adopted my amendment requiring the Comptroller General to conduct a review and report to Congress on the development and use of data-mining by the Department of Homeland Security.

I will vote for this bill. This legislation includes many good elements, such as the funds available for first responders. However, I must also express my disappointment that funding for homeland security, one of our highest priorities, is being forced to play second fiddle to tax cuts. This is unacceptable and I hope we in Congress will soon rectify this situation.

#### HONORING CLAY SELL

Mr. DOMENICI. Mr. President, I rise to honor a remarkable and talented young man who will be sorely missed as he moves to the administration to become the special assistant on energy to the President of the United States. Clay Sell has been working for me as chief clerk for the Senate Appropriations Subcommittee on Energy and Water Development for the past 4 years and while I am extremely proud of his accomplishments, I am sad to see him go.

When Clay first came to the Senate, he impressed us all with his quick uptake of his new position and we were pleasantly surprised with his negotiation skills. It has been said of Clay that even when he negotiated a victory for his position, all parties involved left the negotiation table happy. His keen understanding of people and his genuine attitude are just a few of the great personality traits that Clay possesses.

Clay's hard work and dedication began at an early age. Growing up in greater West Texas, he learned the value of hard work and perseverance.

The Sell family settled in Petersburg, TX in the early 1900's, a small farming community that has changed very little over the past century. Clay's father George grew up to become the first person in the family to receive a college degree. The hard work that drove George to succeed was prevalent in his son Clay.

Clay graduated from Tascosa High in Amarillo, TX where after he went on to receive his undergraduate degree in finance from Texas Tech University at Lubbock. Immediately following his graduation from college, Clay moved to Austin to attend the University of Texas Law School where he met and married his lovely wife Alisa.

After a short stint in Amarillo, Clay and Alisa moved to Washington, DC, where Clay began his political career working as a legislative assistant for a newly elected Representative from Texas, MAC THORNBERRY. While working in the House of Representatives, Clay spent a great deal of time working with energy policy. He worked in all aspects of energy legislation and played a key role in formulating and drafting the legislation which set up the National Nuclear Security Agency, NNSA. This experience made Clay a prime candidate for the position he would eventually assume upon his move to the Senate. Clay's work in the House of Representatives prepared him a great deal for his new job, but his new position required a greater understanding of national energy policy.

Over the past 4 years, I have gotten to know Clay and his wonderful family very well. Alisa and their two sons, Jack and Robert, have been Clay's stabilizing force. With another child on the way, that force will no doubt grow even stronger.

It has been my privilege to know and work with Mr. Clay Sell, but my words today are bittersweet. I do not feel that words alone can properly show my admiration for all that Clay has done for me, but I am confident that he understands how greatly he will be missed.

#### VOTE EXPLANATION

Mr. DAYTON. Mr. President, yesterday, I was absent from the Senate, attending the funeral of Kenneth N. Dayton, my uncle. If I had been present, I would have voted "aye" on the motion to waive the Budget Act for Senator DODD's amendment No. 1363, rollcall vote No. 299. I also would have voted "aye" on the motion to waive the Budget Act for Senator SPECTER's amendment No. 1368, rollcall vote No. 301.

#### MARTIN BAILEY PIERCE

Mr. SESSIONS. Mr. President, it is with a tremendous amount of pride that I take to the floor today to discuss the accomplishments of one of Alabama's native sons, 2LT Martin Bailey Pierce. This remarkable young