opponent of international agricultural sanctions and a strong supporter of vigorous foreign trade. He supported IMF funding, trade with China and review of the U.S.-Cuba relationship.

He joined the bipartisan effort to enact strong brownfields cleanup legislation. ROD GRAMS earned a reputation as a strong supporter of tax relief, favoring elimination of the marriage penalty and other tax cut proposals.

While ROD GRAMS and I have disagreed on a number of issues, I respect the commitment which he has brought to policy debate. Where we disagreed, I found ROD GRAMS to be a straight-talking and agreeable adversary. I wish him and his family well in the future.

Mr. CONRAD. Mr. President, for the past six years, I have had the privilege of serving in the Senate with ROD GRAMS, a colleague who has distinguished himself on a number of important issues including budget, tax policy, and agriculture. He has served Minnesota with distinction as a member of the Senate Foreign Relations Committee, the Senate Committee on Banking, Housing, and Urban Affairs, the Senate Budget committee, and the Joint Economic Committee.

On a national level, Senator GRAMS is perhaps best known for his ''Families First'' plan, first discussed as part of the 1994 Republican budget alternative. This plan included a $500 per-child tax credit, a recommendation that eventually became part of the 1997 Balanced Budget Act.

On a more parochial level, I have worked closely with Senator GRAMS on issues affecting our farm communities, and in 1997 to help our states recover from the disastrous floods along the Red River Valley. Communities along the Red River were devastated by this 500 year flood which disrupted business and forced thousands of families from their homes.

Senator GRAMS worked closely with delegations from North Dakota and South Dakota to make certain that the urgent needs of so many families and communities were met. He played an important role in ensuring bipartisan support and passage of the disaster relief legislation that was so critical for our states at that time. I know that many North Dakota families and businesses are very grateful for his support.

I extend my best wishes to Senator GRAMS, and his family, and my appreciation for his support on critical agricultural, budget, and disaster issues that we have worked together on in committee and on the Senator floor together.

TRIBUTE TO SENATOR SPENCER ABRAHAM

Mr. CONRAD. Mr. President, I rise today to pay tribute and recognize the accomplishments of a colleague, Senator SPENCER ABRAHAM of Michigan. Since joining the Senate in 1995, he has served with honesty, dedication, and integrity.

As members of the Budget Committee, I had the opportunity to work with Senator ABRAHAM on a number of important issues. A fiscal conservative, Senator ABRAHAM work to balance the federal budget and cut government waste. He has also been a champion of keeping our Social Security dollars locked away. This is an interest in which Senator ABRAHAM and I share a keen interest.

Most recently, Senator ABRAHAM was the lead sponsor of the American Competitiveness in the 21st Century Act, legislation that will help ensure our nation's continued growth and leadership in information technology (IT). The bill authorized visas for 195,000 high-tech professionals to work in the U.S. to meet the growing demand for skilled IT workers throughout our economy. During consideration of the bill, I was pleased to work with Senator ABRAHAM and his staff to include in the legislation long-term initiatives to ensure that Americans of all ages are trained to fill critical IT positions in our Information Age economy.

During his time in the Senate, Senator ABRAHAM also worked to curb unfunded mandates, stiffen sentences for cocaine dealers, and advocated stronger privacy protections for consumers on the Internet. His work has been thoughtful and our nation is a better place because of his efforts.

Mr. President, it has been a pleasure to serve in the Senate with SPENCE. I have the utmost respect for my friend and colleague from Michigan, and appreciate all of his contributions to the United States Senate and our nation. I would like to join with my colleagues in wishing the Senator and his family the best in the future.

Mr. WARNER. Mr. President, I rise today to recognize the accomplishments of my colleague and friend, Senator SPENCER ABRAHAM from Michigan.

Senator ABRAHAM began his service in government in Washington, DC in 1990, when he had the honor of serving in President Bush's Administration as Deputy Chief to Vice President Dan Quayle. In 1993, SPENCER ABRAHAM returned to Michigan to run for the United States Senate seat vacated by Senator Don Riegle who was retiring. Senator ABRAHAM won that Senate seat in 1994 and became the first Michigan Republican elected to the United States Senate in 22 years.

I have had the pleasure of working with Senator ABRAHAM on a number of issues including high technology and immigration over the last six years. Not only is Senator ABRAHAM a colleague of mine, SPENCE and his family are friends as well.

SPENCE ABRAHAM is a dedicated public servant, and he has represented the state of Michigan well in the United States Senate. During the past six years, Senator ABRAHAM took the lead in the Senate on high tech issues and immigration. He has been a strong supporter of tax cuts. Senator ABRAHAM has also played a prominent role in trying to protect our Social Security Trust Fund—having fought hard for a Social Security Lock Box.

The Senate is going to miss SPENCER ABRAHAM's leadership. And, those of us who know him well are going to miss his friendship in the Senate.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND ENGINEERING ESTABLISHMENT ACT

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to H.R. 1795, which is at the desk, having been received from the House.

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

The legislative clerk read as follows:

A bill (H.R. 1795) to amend the Public Health Service Act to establish the National Institute of Biomedical Imaging and Bioengineering.

There being no objection, the Senate proceeded to consider the bill.

Mr. KENNEDY. Mr. President, many of us have worked throughout this Congress to bring greater fairness to our immigration laws. The Legal Immigration Family Equity Act and its amendments are a constructive compromise worked out between members of both parties to address a number of the injustices in current law that have harshly affected many immigrant families. Included in the final legislative package are three provisions that will provide long overdue relief to valued members of our communities and their families.

First, the legislation includes the partial restoration of section 245(i) for individuals who are physically present in the U.S. by the date the legislation is enacted into law. Spouses, children, parents and siblings of permanent residents or U.S. citizens will now be able to adjust their status in the U.S. and avoid needless separation from their loved ones. Similarly, persons who benefit from employer-based petitions will also be helped by the restoration of section 245(i).

Second, this legislation will benefit many of the ''late amnesty'' class members who have been in legal limbo for close to 15 years. Their spouses and children will be able to remain in the United States until they become eligible for permanent residence.

Finally, this legislation provides desperately needed technical corrections that will benefit persons eligible for relief under the Nicaraguan Adjustment and Central American Relief Act and the Haitian Refugee Immigrant Fairness Act.

Because these provisions were developed outside the usual committee process, they are not accompanied by committee reports on the background and purpose of the provisions. Therefore, as the chairman and the ranking member of the Subcommittee on Immigration, Senator ABRAHAM and I are submitting a detailed memorandum explaining the provisions, which I ask unanimous consent be printed in the RECORD at the closing of my remarks.

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

[See Exhibit 2.]

Mr. KENNEDY. Our action today is a significant step in the right direction, but this legislation is far from perfect. Critical pieces are missing.

We must continue to work for full parity for Central Americans, Haitians, and Liberians. It is unjust to treat refugees fleeing repression by left-wing dictators better than those fleeing repression by right-wing dictators. Congress must create a fair, uniform set of procedures for all of these refugees.

We also must continue to work for relief for permanent residents unfairly affected by the 1996 immigration law. The 1996 law contains some of the harshest provisions that Congress has enacted in many years. Their scope is sweeping. They hurt thousands of immigrants. They have taken immigrants away from their U.S. citizen families, without giving them even an opportunity to have their day in court. Next year, Congress must pass new legislation to correct the harsh provisions of these unfair laws.

It is also unfortunate that the legislation does not include far-reaching agreement on agricultural farmworkers. Senator GRAHAM, Congressman BERMAN, and many others worked skillfully to achieve this agreement. They proposed an excellent compromise that would have benefitted both the agricultural workers and the farm owners.

These further reforms deserve high priority by the next Congress, and I look forward to working with my colleagues and with the administration of President-elect Bush to enact them into law.

EXHIBIT 1

JOINT MEMORANDUM CONCERNING THE LEGAL IMMIGRATION FAMILY EQUITY ACT OF 2000 AND THE LIFE ACT AMENDMENTS OF 2000.

The pending legislation contains certain immigration provisions worked out between members of both parties to further address certain issues addressed in the first instance in the Legal Immigration Family Equity Act of 2000, or LIFE Act, which is contained in the Commerce Justice State Appropriations bill being transmitted to the President. Because both the original LIFE ACT and this legislation were developed outside the ordinary Committee process, they were not accompanied by the usual reports elaborating on the background and purpose of their provisions. This memorandum is accordingly submitted on behalf of the Chairman and Ranking Member of the Subcommittee on Immigration of the Senate Committee on the Judiciary to provide such elaboration in somewhat abbreviated form.

The original LIFE Act sought to address two problems. First, it sought to provide a new mechanism to address the problem created by the long backlog of immigrant visa applications for spouses and minor children of lawful permanent residents, who are currently having to wait many years for a visa to become available to them. Right now, many of these individuals are even precluded from visiting their spouse or parent in the United States on account of an administrative interpretation that the filing of their petition cases doubt on the bona fides of their applications for visitors visas, indicating that instead they are intending immigrants.

The LIFE Act creates a new temporary ''V'' visa under which these spouses (and their children) can come to the United States and wait for their visa here, if their immigrant visa petitions have been pending for more than three years. It also expands the criteria for ''K'' visas to include spouses and minor children of U.S. citizens. The purpose of the ''V'' and ''K'' visas is to provide a speedy mechanism by which family members may be reunited. We expect the Department of State and the INS to work together to create a process in keeping with the temporary nature of the visa that does not require potential beneficiaries to wait for months before their visas are approved. Like the existing Finance visa, the new ''K'' visa is not intended to be a prerequisite for the admission of citizen spouses, but a speedy mechanism for the spouses and minor children of U.S. citizens to obtain their immigrant visas in the U.S., rather than wait for long periods of time outside the U.S.

Second, the LIFE Act sought to correct past administrative mistakes that resulted in the wrongful denial of adjustment of status to hundreds of thousands of persons who should have qualified for permanent residence under the Immigration Reform and Control Act of 1986. It directs the Immigration and Naturalization Service (INS) to adjudicate the applications of individuals in two class action lawsuits on the merits, rather than continuing to litigate whether they were timely filed.

The LIFE Act Amendments make three significant additions to the provisions in the LIFE Act. First, they delete the LIFE Act's special mechanism for ''V'' and ''K'' visa holders to adjust to lawful permanent residence, and instead add a new provision modifying section 245(i), a mechanism by which anyone eligible for an immigrant visa and for whom a visa is currently available can adjust his or her status to that of lawful permanent residence in the U.S., rather than have to return abroad for consular processing. That mechanism was reauthorized in 1996, but only for individuals who were beneficiaries of immigrant visa petitions or labor certification applications filed by January 14, 1998. The LIFE amendments move the date by which such petitions or applications must be filed forward in time to April 30, 2001.

They also add a new requirement that for all beneficiaries whose application was filed after January 14, 1998, the principal beneficiary must have been physically present in the U.S. on the date of enactment of the LIFE Act Amendments of 2000. The function of this last requirement is to make sure that the renewed availability of section 245(i) does not operate to encourage anyone to violate our immigration laws. Accordingly, it should be interpreted with common sense.

It may be difficult for an individual physically present on the day of enactment to establish his or her presence on that precise date to qualify for 245(i). The Immigration and Naturalization Service (INS) should therefore be flexible in the types of evidence it will accept to establish physical presence on the day of enactment. For example, the kind of evidence of physical presence INS ordinarily accepts demonstrating that the applicant has been physically present during a reasonable period preceding that date, accompanied by an affidavit or declaration that the person was present on the date itself, should ordinarily suffice. We also note that this new requirement is applicable only to principal applicants for 245(i), and not to derivatives, who continue to be allowed to ''follow to join'' if they otherwise qualify.

In order to ensure that persons who may benefit from this provision are aware of this legislation, we strongly encourage the INS to conduct a broad outreach program within the immigrant communities. Additionally, to ensure that all potentially eligible persons have an opportunity to qualify for 245(i), if necessary the INS should accept petitions and applications before the April 30, 2001 sunset date that do not contain all necessary supporting documents, and allow additional documents to be filed after the deadline.

Second, the legislation adds the members of a third class action law suit, Zambrano v. INS, to those covered by the LIFE Act's provisions concerning adjustment of status under the Immigration Reform and Control Act of 1986 (IRCA). We note that persons eligible for adjustment pursuant to the combined LIFE provisions include everyone who has ''filed with the Attorney General a written claim of class membership'', that is all registered class members, not only those who have been issued employment authorization pursuant to a screening that did not reliably distinguish between potentially meritorious and non-meritorious applications.

We understand that several other class action lawsuits are still pending in the federal courts challenging other INS interpretations of the 1986 adjustment provisions. The precise posture of one of these cases, Perales v. Thornburgh, came to our attention after the legislation had been finalized. We understand that a class of about 200 identified plaintiffs in Perales challenged the same regulation whose illegality the INS has conceded in Zambrano. We would encourage the Attorney General to provide a just resolution for the Perales class members in light of the legislation enacted today.

Other cases that have come to our attention, such as Proyecto San Pablo v. INS, and Immigrant Assistance Project v. INS, are in a different posture from those addressed by the LIFE Act and these amendments, in that they do not involve regulations that INS has conceded were illegal. At the same time, however, it is now almost 2001, that is, almost 15 years after the enactment of IRCA, and these cases remain unresolved. We encourage the plaintiffs and the Attorney General to explore the possibility of settling these cases and bringing to an end the years of bitter and costly litigation. Nothing in this legislation is intended to preclude this option, or to preclude the Attorney General from resolving any other IRCA adjustment applications on the merits.

In that connection, we also note that when the 1986 legalization program was enacted, the Attorney General, pursuant to section 245A of the INA, was authorized to work in conjunction with voluntary organizations and other qualified State, local and community organizations to broadly disseminate information about the legalization program. The INS helped provide funding to these organizations to assist with the outreach effort, as well as with the preparation and submission of the applications for adjustment of status. A similar outreach campaign should be conducted to disseminate information about the opportunity to apply for adjustment of status under this Act. As noted above, almost 15 years have elapsed since the original legalization program was enacted, therefore the need to publicize the resolution of these issues reached by the LIFE Act and amendments thereto is critical to ensure that eligible persons are notified and have an opportunity to obtain the benefits of this Act. Moreover, nothing in the Act should be construed to preclude the Attorney General from providing funding to organizations qualified and experienced in the preparation and submission of adjustment applications.

Third, the amendments clarify that the spouses and unmarried children of the beneficiaries of Section 1104 of the LIFE Act are eligible for the Family Unity provisions of the Immigration Act of 1990. By enacting this provision, our objective is to ensure that these family members are treated in the same manner as the family members of those who adjusted their status under IRCA.

In addition, the amendments address two, more technical issues. Section 1104 LIFE Act applicants, as well as beneficiaries under the Nicaraguan Adjustment and Central American Relief Act (NACARA) and the Haitian Refugee Immigrant Fairness Act (HRIFA) are made eligible for certain waivers of grounds of inadmissibility. These waivers are ordinarily available only to persons who are outside the U.S. The amendments to the LIFE Act allow the covered individuals to apply for these waivers in the U.S.

Finally, the LIFE amendments clarify that section 241(a)(5) of the INA which bars anyone who has been ordered removed and who subsequently reenters the U.S. from obtaining any relief under the INA. Because adjustment under section 245A, NACARA, and HRIFA is not ''relief under'' the Act, LIFE amendments specify that this bar does not apply to LIFE section 1104 beneficiaries, or NACARA or HRIFA applicants.

Mr. LOTT. Mr. President, I ask unanimous consent that the bill be advanced to third reading and passed and the motion to reconsider be laid upon the table, all without intervening action, motion, or debate.

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

The bill (H.R. 1795) was read the third time and passed.

Mr. LOTT. Mr. President, I yield the floor and 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. Without objection, it is so ordered.

Mr. LOTT. Mr. President, Senator DASCHLE is here. We have a few resolutions we can offer at this point.

THANKING THE PRESIDENT PRO TEMPORE

Mr. LOTT. Mr. President, I send a resolution to the desk on behalf of myself and Senator DASCHLE and ask for its immediate consideration.

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

The legislative clerk read as follows:

A resolution (S. Res. 388) tendering the thanks of the Senate to the President pro tempore for the courteous, dignified, and impartial manner in which he has presided over the deliberations of the Senate.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, I ask unanimous consent that the resolution 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. 388) was agreed to, as follows:

S. RES. 388

Resolved, That the thanks of the Senate are hereby tendered to the Honorable Strom Thurmond, President pro tempore of the Senate, for the courteous, dignified, and impartial manner in which he has presided over its deliberations during the second session of the One Hundred Sixth Congress.

Mr. LOTT. Let me note, Mr. President, that the distinguished Senator from South Carolina, Senator STROM THURMOND, has been very diligent in his duties over the past 2 years. No matter what hour of the day the Senate came in, Senator THURMOND was in the chair and recognized the Chaplain and called on a Senator to lead the Pledge of Allegiance. On a few occasions, I even suggested a substitute could fill in, but on rare occasions did that ever happen.

He has set a tremendous example for all of us in the Senate. He continues the tradition that Senator BYRD of West Virginia also exhibited when he was President pro tempore. So I am sincere when I say we extend our appreciation to Senator THURMOND for his diligence as our President pro tempore.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Mr. President, I associate myself with the remarks of the distinguished majority leader.

I have admired the distinguished President pro tempore for a lot of reasons. But his diligence in opening the session every day, and his willingness to be as prompt as he always is, is something admired on both sides of the aisle.

So for all of his effort, for all of his service, for his willingness to serve as he has, we thank him.

I thank the majority leader for yielding.

THANKING THE VICE PRESIDENT

Mr. LOTT. Mr. President, I send a resolution to the desk on behalf of myself and Senator DASCHLE and ask for its immediate consideration.

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

The legislative clerk read as follows:

A resolution (S. Res. 389) tendering the thanks of the Senate to the Vice President for the courteous, dignified, and impartial manner in which he has presided over the deliberations of the Senate.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, I ask unanimous consent that the resolution 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. 389) was agreed to, as follows:

S. RES. 389

Resolved, That the thanks of the Senate are hereby tendered to the Honorable Al Gore, Vice President of the United States and President of the Senate, for the courteous, dignified, and impartial manner in which he has presided over its deliberations during the second session of the One Hundred Sixth Congress.

Mr. LOTT. Mr. President, let me note that the Vice President, AL GORE, a former Member of this body, served the Senate. I served with him here. I served with him in the House. He has served his country so well for a long time. He, probably more than most Vice Presidents, did spend time up here. On a few occasions, he did have to come and break ties. Generally, I did not like that, but he was prepared to do that.

He served his country so well, and a simple resolution of this nature is not adequate to express the appreciation of the Senate and of our Nation.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. I will have more to say about that matter at another time. But let me also, again, associate myself with the remarks of the majority leader, except to say I was delighted he was there in the chair to break those tie votes on occasion.

He has served his country well in so many roles over the years, including his years in the Senate, both as a Senator and as the President of the Senate. We congratulate him and thank him for his work, as well.

COMMENDING THE EXEMPLARY LEADERSHIP OF THE DEMOCRATIC LEADER

Mr. LOTT. Mr. President, 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 legislative clerk read as follows:

A resolution (S. Res. 390) to commend the exemplary leadership of the Democratic Leader.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, I ask unanimous consent that the resolution 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. 390) was agreed to, as follows:

S. RES. 390

Resolved, That the thanks of the Senate are hereby tendered to the distinguished Democratic Leader, the Senator from South Dakota, the Honorable Thomas A. Daschle, for his exemplary leadership and the cooperative and dedicated manner in which he has performed his leadership responsibilities in the conduct of Senate business during the second session of the 106th Congress.

Mr. LOTT. Mr. President, I could go on for quite some time about my colleague from South Dakota. He does a magnificent job as the Democratic leader. He is thoughtful. He is accessible. He is tenacious. He is committed. He is courteous. And while, as leaders