

as President of the Tuscaloosa Bar Association. His family worshiped at United Methodist Church in Alberta.

We have in recent years heard reference to "the Greatest Generation." Many of us have friends and relatives who have served our country and earned the right to wear that mantle. However, I know of few men who lived every day of their lives with the valor, courage, and love of country with which Jim Turner lived his entire life.

Our country has lost a good man and great lawyer, a devoted husband and father, a proud Marine and a loyal American. Words cannot express the respect I have for Jim Turner, nor can they express the sorrow my family and our community feels since this loss.●

TRIBUTE TO MORTIMER CAPLIN

● Mr. WARNER. Mr. President, I rise today to honor a man whose lifetime record of achievement and service is the embodiment of the best of America. My friend, Mortimer Caplin, has for 6½ decades honorably served his Nation, his community, and our beloved University of Virginia, amassing an exemplary record of accomplishment of the highest order. I ask unanimous consent that the following remarks made by Robert E. Scott, Dean of the University of Virginia Law School, be printed in the RECORD. These remarks are part of a speech Dean Scott made during the presentation to Mr. Caplin of The Thomas Jefferson Foundation Medal in Law, the University of Virginia's highest honor.

REMARKS OF DEAN ROBERT E. SCOTT UPON THE PRESENTATION OF THE THOMAS JEFFERSON FOUNDATION MEDAL IN LAW TO MORTIMER M. CAPLIN, APRIL 12, 2001

MR. PRESIDENT, MR. RECTOR, AND DISTINGUISHED GUESTS: Today is the 10th, and last time I will stand in this glorious space and introduce a recipient of the Jefferson Medal in Law. None of the prior occasions have given me as much joy and pleasure as the duty I discharge today. It is my great honor to present Mortimer M. Caplin, the 2001 recipient of the Thomas Jefferson Foundation Medal in Law. Mortimer Caplin represents the very best of the University's aspirations for its own. Some people gain distinction by happenstance, by being in the right place and the right time and then rising to the occasion. Mortimer Caplin's reputation rests on a lifetime of achievement. Throughout the nearly seven decades that he has been associated with the University, he has exemplified a singular constancy of excellence. At every step of the way he has shown how talent, courage, persistence and a commitment to service can combine to inspire and transform us. These are exactly the qualities that Mr. Jefferson exemplified in his own life and wanted his University to embody.

Mortimer Caplin was born in New York in 1916. He came to Charlottesville in 1933, graduating from the college in 1937 and the Law School in 1940. As an undergraduate, he not only earned the highest academic honors but excelled at what the University then regarded as the most estimable athletic endeavor its students could undertake, intercollegiate boxing. At the Law School, he displayed the same pattern of remarkable success. He was elected editor-in-chief of the

Law Review and went on to serve as law clerk for Judge Armistead Dobie, a former Dean of the Law School who by tradition chose the most outstanding graduate of each class as his assistant.

Mort had barely begun his career as a New York lawyer when World War II broke out. In anticipation of the conflict, he already had enlisted in the Navy and took up his commission shortly after Pearl Harbor. Eager for active duty, he requested a transfer out of the stateside intelligence work that was his first assignment. The Navy responded by making him a beachmaster on Omaha Beach during the Normandy invasion. Facing enemy fire, Mort had to make hard choices quickly to ensure that supplies and reinforcements kept coming. When the occasion required it, he used creativity and imagination to cut through bureaucratic impediments to achieving his essential mission. Thus, when a ship's captain refused to beach his vessel at a time when the ammunition it carried was in short supply along the front and no other method of delivering its cargo presented itself, Mort invented a two-star general whose imaginary order got the job done.

Mort Caplin returned from the war to New York, but not many years later heard the University's call and answered, joining the Law faculty in 1950. For over a decade he taught federal taxation and constitutional law. During this time he produced important scholarship and excelled in the classroom. Perhaps equally important was the leadership role Mortimer Caplin played at the University and in the Charlottesville community. In 1950 Mort led the Law faculty in its unanimous decision to admit Gregory Swanson to the Law School, the first African-American to enroll at the University. Subsequently, Mort was a central figure in organizing the efforts of the Charlottesville community to circumvent the "massive resistance" campaign that Virginia's political leaders had launched at the Supreme Court's desegregation mandate. Mort, along with other law faculty and their spouses worked unceasingly to ensure that neither children nor civil rights suffered during this dark time in Virginia's history.

A brilliant and popular professor, Mort Caplin dazzled his students. One who was especially impressed was Robert F. Kennedy, the younger brother of a rising star in the Democratic Party. Several years later, after that rising star had become the President of the United States, John F. Kennedy appointed his brother's former tax professor as United States Commissioner of Internal Revenue. Mort accepted this challenge with his characteristic energy and good judgment. He led that critically important, at times unpopular agency for three years, at a time of significant changes in the United States economy and the tax system. At the end of his term, the Treasury Department granted him the Alexander Hamilton award, the highest possible honor that institution can bestow.

Having traveled to Washington, Mort chose to stay. He recognized the need for a first-rate law firm specializing in tax practice and, with Douglas Drysdale, another Virginia alumnus, founded Caplin & Drysdale.

Shortly after establishing his law firm, Mort resumed his teaching at the Law School. For more than twenty years he taught advanced courses emphasizing the interplay of tax law and practice. For many students at Virginia, tax law with Mortimer Caplin became a springboard for a career both as public servants and as practitioners in the nation's elite law firms. Mort consistently emphasized the importance of a lawyer's independence and judgment, and preached the central obligation of advancing

the public interest while serving one's clients. He sought to lead his students to a life in law that would ennoble and dignify the person living it.

During this time of building a prestigious law firm and extending a teaching career, Mort Caplin still found time for significant service to the bar and the general public. He served as President of the Indigent Civil Litigation Fund and on the executive committee of the Washington Lawyers Committee for Civil Rights under Law, on numerous significant committees of the American Bar Association, and various charitable organizations. His service as a trustee of the Law School foundation in particular provided great vision and support during a period of change and growth. In recognition of this service, Mort collected a remarkable number of awards and distinctions, honorary degrees and other testimonials to his generosity and accomplishments.

In 1988, at the age of 72, Mort Caplin became a Professor Emeritus of the University. This simply opened a new phase in his astonishing career of service and dedication to this University and to the profession. Still to come was a five-year term on the University's Board of Visitors and exemplary service to the Law School as chair of the executive committee of our recently concluded capital campaign. When we began the Law School campaign in July 1992, the first person I went to see was Mortimer Caplin. When I asked whether he would lead what would become an eight-year fundraising effort, Mort replied simply, "I'll do it." True to his word, he did. By dint of his example and leadership, the Law School recently concluded the most successful campaign in the history of American legal education.

Mort Caplin remains to this day a central figure in the governance of the Law School and its guidance into the twenty-first century. He has been a driving force behind the Law School's commitment to a broad public vision, as reflected in our decision to dedicate our Public Service Center in his honor. He, in turn, has honored, elevated, and enriched us along every possible dimension.

Mr. President, Mortimer Caplin comes to us today as the embodiment of what Mr. Jefferson envisioned as the best that we Americans have within us. He has lived a life in law as a high calling, one dedicated to advancement of knowledge, service to the nation, husbanding the great resources with which we have been endowed and ensuring that all Americans can take part in our great national banquet and enjoy the opportunities that life in America presents. On behalf of the School of Law and the selection committee, it is my privilege to introduce Mortimer M. Caplin as the 2001 recipient of the Thomas Jefferson Foundation Medal in Law.●

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2802. A communication from the Director of the Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Disclosure and Amendment of Records Pertaining to Individuals Under the Privacy Act" received on June 26, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2803. A communication from the Director of the Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the