

Process was not served on Randy Weaver, and the process server thought they had given him notice of the trial. But that led to the issuance of a warrant of arrest, and Randy Weaver resisted on the mountaintop. That led the Bureau of Alcohol, Tobacco and Firearms unit to come to try to compel the arrest. A fire fight ensued, where Deputy Marshal Degan was killed; where Sammy Weaver, age 14, was killed in an incident involving Sammy Weaver's dog, a very tragic setting. Then the FBI came in with their hostage rescue team and Randy Weaver's wife was killed.

The case went to trial in the Federal court against Randy Weaver, which found him guilty on lesser charges but concluded that Randy Weaver had, in fact, been entrapped.

During the course of the extensive hearings before the Judiciary subcommittee, it was developed that while Randy Weaver was certainly at fault in providing these two sawed-off shotguns, that he had in fact been entrapped and that it was totally inappropriate conduct by the Bureau of Alcohol, Tobacco and Firearms in mounting this assault on Randy Weaver and his family.

During the course of these hearings, FBI Director Louis Freeh conceded that the FBI had violated Weaver's constitutional rights in their use of deadly force, and the FBI changed those practices. John Magaw, who was the Director of the Bureau of Alcohol, Tobacco and Firearms, steadfastly defended the propriety of what BATF had done in the face of what the subcommittee found to be overwhelming evidence of impropriety on the part of the BATF.

Recently President Bush nominated Mr. Magaw to be an under secretary for the Department of Transportation for airport security.

And that led Senator CRAIG, who sat with the subcommittee—although not a member of the subcommittee—and myself to have a meeting with Mr. Magaw to review his conduct and his attitude on BATF at Ruby Ridge. During the course of those discussions, we went into the matter in some detail. When Mr. Magaw had his hearing on December 20, I questioned him at length before the Commerce subcommittee. Although not a member, I received the acquiescence of the Commerce Committee and the subcommittee to question Mr. Magaw. We went through the facts.

Mr. Magaw said at that hearing that if he had it all to do over again, he would, in effect, concede that the BATF unit had made serious mistakes in their conduct there. Notwithstanding some reservations that I personally had about Mr. Magaw's judgment, even in the face of this concession, it seemed to me that when we have the major problems of airport security in the United States today, and the President wanted Mr. Magaw, had personally interviewed him, and I discussed the matter at length with Secretary of Transportation, Norman Mi-

neta, who wanted Mr. Magaw confirmed. That was the last day of the session. I decided not to put a hold on Mr. Magaw. I thought, in fact, he would be confirmed in what we call wrap-up. But somebody else put a hold on, not me. He was not confirmed.

The President made an interim appointment. After we reconvened in January, Mr. Magaw has been confirmed by the Senate. I have taken these few minutes to put on the record what I think is a very important concession from the then-Director of the Bureau of Alcohol, Tobacco and Firearms, that his unit did not act properly.

We have to recognize, in my opinion, that when congressional oversight finds serious errors and serious problems with the administrative branches, that there be a sincere effort to correct them, and to the credit of the FBI and Louis Freeh, that concession was made. They changed their policy on the use of deadly force. Now we have on the record at these hearings in the Commerce Committee that then-Director Magaw conceded the errors and elaborated on changes which he had made in BATF procedures.

I yield the floor.

#### CONGRATULATIONS TO HIGHMORE, SD GRAND OPENING OF THE NEW HIGHMORE HIGH SCHOOL

Mr. DASCHLE. Mr. President, I would like to take this opportunity to congratulate the community of Highmore, SD, and the Highmore School District as they celebrate the grand opening of their new high school.

Helping each child obtain the best possible education is more important than ever. While some of our Nation's schools are providing instruction at an exceptional level, others are simply not making the grade. Poor infrastructure and inadequate facilities can have an effect on student learning. When a school has a leaky roof, or holes in the walls, or other unsafe conditions, it sends a message to the students who attend that school that education is not really a high priority.

Highmore is sending a different message to its children. Highmore's commitment to give its students a safe learning environment will have tremendous effects on this community for years to come. This community should be commended for its efforts to ensure every child in the district has access to a quality education, starting with a great school building.

I am especially impressed by the determination of the school district and Superintendent Larry Gauer to see this project to completion. School Board President Julie Gutzmer, Vice Chairman Leroy Scott, board members Jim Frost, Ed Westcott, Jerry Dittman, Rod Kusser and Peggy Kroeplin, and the outstanding faculty and staff are all to be commended for their vision and dedication to this project.

It is true that our Nation's future security depends on the soundness of its foundation. Our future will be strong

and bright only if we help all of our children grow up to be well-educated, healthy, contributing citizens. I view public education as an investment in our national security, and I will continue my efforts to see that all students have access to a healthy, positive school environment that encourages them to learn and grow.

But the Federal Government can only be a partner in this important effort. The efforts of dedicated people in communities like Highmore working together is what will make the difference for the youth of South Dakota and across the Nation. It is wonderful to see that the people of Highmore are making education a priority. I salute them for their foresight.

#### ADDITIONAL STATEMENTS

##### MINNESOTAN TO LEAD THE NATION INTO THE WINTER OLYMPICS

• Mr. DAYTON. Mr. President, as we all know, the 2002 Winter Olympics begin tonight in Salt Lake City. These games have taken on a special importance in our country this year in the wake of the September 11 terrorist attacks, and will be an important part of our Nation's healing process.

That is why I am so proud that Minnesotan Stacey Liapis will help carry the flag that once flew at the World Trade Center into the Opening Ceremony of the Olympics.

Stacey Liapis is a curling team member from Bemidji, who at the age of 27, is competing for the first time in the Winter Olympics. Before making it to Salt Lake City, Liapis finished eighth at the 1998 World Championships and came in fifth in 2001.

Stacey took up curling in 1987 and has played most of her career with older sister Kari Erickson, the skip for the U.S. team. They were inspired by their parents, both of whom were recreational curlers.

In honor of Stacey's many accomplishments and to mark her being chosen as one of the eight Olympic athletes to carry the ground zero flag into the Opening Ceremony of the Winter Olympics, I am having a U.S. flag flown over our Nation's Capitol. The chosen athletes, one from each of the eight Winter Olympic sports, were selected by their teammates. I congratulate Stacey on being recognized by her teammates with this honor.

Thank you, Stacey for your participation in this historic event. Tonight, you will make all Minnesotans and the entire Nation proud. •

##### THE PIPELINE SAFETY IMPROVEMENT ACT OF 2001

• Mr. MCCAIN. Mr. President, one year ago today, the Senate passed S. 235, the Pipeline Safety Improvement Act of 2001. This bill, overwhelmingly approved by a vote of 98-0, is the product