

Chafee, Mr. Cornyn, Ms. Murkowski, Mr. Thomas, and Mr. Allard.

Committee on Finance: Mr. Grassley (Chairman), Mr. Hatch, Mr. Nickles, Mr. Lott, Ms. Snowe, Mr. Kyl, Mr. Thomas, Mr. Santorum, Mr. Frist, Mr. Smith, and Mr. Bunning.

Committee on Foreign Relations: Mr. Lugar (Chairman), Mr. Hagel, Mr. Chafee, Mr. Allen, Mr. Brownback, Mr. Enzi, Mr. Voinovich, Mr. Alexander, Mr. Coleman, and Mr. Sununu.

Committee on Governmental Affairs: Ms. Collins (Chairman), Mr. Stevens, Mr. Voinovich, Mr. Coleman, Mr. Specter, Mr. Bennett, Mr. Fitzgerald, Mr. Sununu, and Mr. Shelby.

Committee on Health, Education, Labor and Pensions: Mr. Gregg (Chairman), Mr. Frist, Mr. Enzi, Mr. Alexander, Mr. Bond, Mr. DeWine, Mr. Roberts, Mr. Sessions, Mr. Ensign, Mr. Graham of South Carolina, and Mr. Warner.

Committee on the Judiciary: Mr. Hatch (Chairman), Mr. Grassley, Mr. Specter, Mr. Kyl, Mr. DeWine, Mr. Sessions, Mr. Graham of South Carolina, Mr. Craig, Mr. Chambliss, and Mr. Cornyn.

Committee on the Judiciary: Mr. Hatch (Chairman), Mr. Grassley, Mr. Specter, Mr. Kyl, Mr. DeWine, Mr. Sessions, Mr. Graham of South Carolina, Mr. Craig, Mr. Chambliss, and Mr. Cornyn.

Committee on Rules and Administration: Mr. Lott (Chairman), Mr. Stevens, Mr. McConnell, Mr. Cochran, Mr. Santorum, Mr. Nickles, Mrs. Hutchison, Mr. Frist, Mr. Smith, and Mr. Chambliss.

Committee on Small Business and Entrepreneurship: Ms. Snowe (Chairman), Mr. Bond, Mr. Burns, Mr. Bennett, Mr. Enzi, Mr. Fitzgerald, Mr. Crapo, Mr. Allen, Mr. Ensign, and Mr. Coleman.

Committee on Veterans' Affairs: Mr. Specter (Chairman), Mr. Campbell, Mr. Craig, Mrs. Hutchison, Mr. Bunning, Mr. Ensign, Mr. Graham of South Carolina, and Mr. Murkoswski.

Special Committee on Aging: Mr. Craig (Chairman), Mr. Shelby, Ms. Collins, Mr. Enzi, Mr. Smith, Mr. Talent, Mr. Fitzgerald, Mr. Hatch, Mrs. Dole, Mr. Stevens, and Mr. Santorum.

Committee on the Budget: Mr. Nickles (Chairman), Mr. Domenici, Mr. Grassley, Mr. Gregg, Mr. Allard, Mr. Burns, Mr. Enzi, Mr. Sessions, Mr. Bunning, Mr. Crapo, Mr. Ensign, and Mr. Cornyn.

Select Committee on Ethics: Mr. Voinovich (Chairman), Mr. Roberts, and Mr. Thomas.

Committee on Indian Affairs: Mr. Campbell (Chairman), Mr. McCain, Mr. Domenici, Mr. Thomas, Mr. Hatch, Mr. Inhofe, Mr. Smith, and Ms. Murkowski.

Select Committee on Intelligence: Mr. Roberts (Chairman), Mr. Hatch, Mr. DeWine, Mr. Bond, Mr. Lott, Ms. Snowe, Mr. Hagel, Mr. Chambliss, and Mr. Warner.

Joint Economic Committee: Mr. Bennett (Chairman), Mr. Brownback, Mr. Sessions, Mr. Sununu, Mr. Alexander, and Ms. Collins.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,  
Washington, DC

#### JOINT LEADERSHIP LETTER

We mutually commit to the following for only the 108th Congress:

The budgets of the Committees of the Senate, including Joint and Special Committees, and all other subgroups, shall be apportioned to reflect the ratio of the Senate as of this date, with up to an additional ten percent (10%) to be allocated to Chairmen for administrative expenses, to be determined by the Rules committee, with the total administra-

tive expenses allocation for all Committees not to exceed historic levels. The additional administrative expenses described above shall be available to be expended by a Committee Chairman, after consultation with the Ranking Member of the Committee. Funds for committee expenses shall be available to Chairmen consistent with Senate rules and practices of the 107th Congress. No committee budget shall be allocated to reduce the Democratic staff salary baseline from that of fiscal year 2002 (including COLA), as adjusted by approved COLAs for fiscal year 2003 and fiscal year 2004. The Chairman and Ranking Member of any committee may, by mutual agreement, modify the apportionment of Committee funding referenced in this letter. The division of Committee office space shall be commensurate with this funding agreement.

BILL FRIST,

*Majority Leader.*

TED STEVENS.

TRENT LOTT.

THOMAS A. DASCHLE,

*Democratic Leader.*

ROBERT C. BYRD.

CHRISTOPHER J. DODD.

Mr. FRIST. Mr. President, I understand the Democratic leader is prepared to offer his resolution at this time.

Mr. DASCHLE. Mr. President, I commend the distinguished majority leader, and let me just say how grateful I am for the work done by his primary staff person, Mitch Bainwol, and my staff person, Mark Childress. These two men have done a remarkable job. I don't know Mr. Bainwol, but I must say that Mark Childress deserves special commendation, as does Mitch Bainwol, for the work they have done in bringing us to this point, working in good faith to resolve these many questions. So I thank our staff.

I thank all of those Senators with whom we consulted throughout this process. I agree with what the majority leader has said; this is a fair resolution that accommodates the needs of both of our caucuses.

#### MAKING MINORITY PARTY ASSIGNMENTS

Mr. DASCHLE. Mr. President, I send S. Res. 20, the Democratic committee assignment resolution, to the desk and ask for its consideration.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 20) making minority party appointments to certain Senate committees for the 108th Congress.

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

Mr. DASCHLE. Mr. President, the resolution just sent to the desk is one that provides for the organization of the U.S. Senate in the 108th Congress.

In the last Congress, we saw unprecedented challenges in the Senate. A switch in power September 11, anthrax, and the loss of our friend and colleague, Paul Wellstone.

I believe, in working through those challenges—and, in many cases, our

own grief—we lived up to James Madison's expectation that the Senate would be the great "anchor" of the Government.

Now, in the Congress, we face new and growing challenges:

We need to do far more to tackle terrorism abroad, and make our country more secure at home.

We also need to recognize that national strength depends on economic strength, and work to get the economy growing—with new jobs and better incomes.

We need to deal with a growing deficit that poses a growing danger to Social Security and Medicare.

On these issues, and so many more, we have much to do. And that requires getting the Senate organized to do it.

By passing this resolution, our new colleagues and new chairmen can take their places on committees and committees can take action on legislation.

This resolution provides, consistent with Senate precedent, for a one-seat margin on Senate committees.

We have agreed that committee funds will be divided by a ratio of 51 percent to 49 percent.

As in the 107th Congress, we have also agreed to provide an additional 10 percent to be spent for administrative expenses.

We are also assuring a smooth transition period by guaranteeing that our new ranking members' salary budgets are maintained at the same level they received as chairmen in the last Congress.

Finally, the understanding entered into by myself, the distinguished majority leader, and the chairs and ranking members of the Rules and Appropriations Committees provides that the division of committee space will commensurate with this funding agreement.

The agreement we have reached today reflects the same arrangement we had in 107th Congress when Democrats were a 51–49 majority.

It is fair to both parties, it is equitable, and I hope that it is indicative of a spirit of fairness that will mark the way we work in this Congress.

This organizing resolution is the result of a series of conversations I had with Senator FRIST.

We all know that Senator FRIST took on a great deal of responsibility in a very short time I hope that our ability to work together on this agreement will pave the way for future agreements.

I also thank Senators LOTT, DODD, STEVENS and BYRD for their help in helping us reach this agreement.

I am confident that this resolution is the right way to keep the Senate working. I ask my colleagues to support it so that we can continue with the work of the Senate.

Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table, without any intervening action or debate.

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

The resolution (S. Res. 20) was agreed to, as follows:

S. RES. 20

*Resolved*, That notwithstanding the provisions of Rule XXV, the following shall constitute the minority party's membership on the following standing committees for the 108th Congress, or until their successors are chosen:

Committee on Agriculture Nutrition and Forestry: Mr. Harkin (Ranking Member), Mr. Leahy, Mr. Conrad, Mr. Daschle, Mr. Baucus, Mrs. Lincoln, Mr. Miller, Ms. Stabenow, Mr. Nelson of Nebraska, and Mr. Dayton.

Committee on Appropriations: Mr. Byrd (Ranking Member), Mr. Inouye, Mr. Hollings, Mr. Leahy, Mr. Harkin, Ms. Mikulski, Mr. Reid, Mr. Kohl, Mrs. Murray, Mr. Dorgan, Mrs. Feinstein, Mr. Durbin, Mr. Johnson, and Ms. Landrieu.

Committee on Armed Services: Mr. Levin (Ranking Member), Mr. Kennedy, Mr. Byrd, Mr. Lieberman, Mr. Reed, Mr. Akaka, Mr. Nelson of Florida, Mr. Nelson of Nebraska, Mr. Dayton, Mr. Bayh, Mrs. Clinton, and Mr. Pryor.

Committee Banking, Housing, and Urban Affairs: Mr. Sarbanes (Ranking Member), Mr. Dodd, Mr. Johnson, Mr. Reed, Mr. Schumer, Mr. Bayh, Mr. Miller, Mr. Carper, Ms. Stabenow, and Mr. Corzine.

Committee on Commerce, Science, and Transportation: Mr. Hollings (Ranking Member), Mr. Inouye, Mr. Rockefeller, Mr. Kerry, Mr. Breaux, Mr. Dorgan, Mr. Wyden, Mrs. Boxer, Mr. Nelson of Florida, Ms. Cantwell, and Mr. Lautenberg.

Committee on Energy and Natural Resources: Mr. Bingaman (Ranking Member), Mr. Akaka, Mr. Dorgan, Mr. Graham, Mr. Wyden, Mr. Johnson, Ms. Landrieu, Mr. Bayh, Mrs. Feinstein, Mr. Schumer, and Ms. Cantwell.

Committee on Environment and Public Works: Mr. Jeffords (Ranking Member), Mr. Baucus, Mr. Reid, Mr. Graham, Mr. Lieberman, Mrs. Boxer, Mr. Wyden, Mr. Carper and Mrs. Clinton.

Committee on Finance: Mr. Baucus (Ranking Member), Mr. Rockefeller, Mr. Daschle, Mr. Breaux, Mr. Conrad, Mr. Graham, Mr. Jeffords, Mr. Bingaman, Mr. Kerry, and Mrs. Lincoln.

Committee on Foreign Relations: Mr. Biden (Ranking Member), Mr. Sarbanes, Mr. Dodd, Mr. Kerry, Mr. Feingold, Mrs. Boxer, Mr. Nelson of Florida, Mr. Rockefeller, and Mr. Corzine.

Committee on Governmental Affairs: Mr. Lieberman (Ranking Member), Mr. Levin, Mr. Akaka, Mr. Durbin, Mr. Carper, Mr. Dayton, Mr. Lautenberg, and Mr. Pryor.

Committee on Health, Education, Labor and Pensions: Mr. Kennedy (Ranking Member), Mr. Dodd, Mr. Harkin, Ms. Mikulski, Mr. Jeffords, Mr. Bingaman, Mrs. Murray, Mr. Reed, Mr. Edwards, and Mrs. Clinton.

Committee on the Judiciary: Mr. Leahy (Ranking Member), Mr. Kennedy, Mr. Biden, Mr. Kohl, Mrs. Feinstein, Mr. Feingold, Mr. Schumer, Mr. Durbin, and Mr. Edwards.

Committee on Rules and Administration: Mr. Dodd (Ranking Member), Mr. Byrd, Mr. Inouye, Mrs. Feinstein, Mr. Schumer, Mr. Breaux, Mr. Daschle, Mr. Dayton, and Mr. Durbin.

Committee on Small Business and Entrepreneurship: Mr. Kerry (Ranking Member), Mr. Levin, Mr. Harkin, Mr. Lieberman, Ms. Landrieu, Mr. Edwards, Ms. Cantwell, Mr. Bayh, and Mr. Pryor.

Committee on Veterans' Affairs: Mr. Graham (Ranking Member), Mr. Rockefeller, Mr. Jeffords, Mr. Akaka, Mrs. Murray, Mr. Miller, and Mr. Nelson of Nebraska.

Special Committee on Aging: Mr. Breaux (Ranking Member), Mr. Reid, Mr. Kohl, Mr. Jeffords, Mr. Feingold, Mr. Wyden, Mrs. Lincoln, Mr. Bayh, Mr. Carper, and Ms. Stabenow.

Committee on the Budget: Mr. Conrad (Ranking Member), Mr. Hollings, Mr. Sarbanes, Mrs. Murray, Mr. Wyden, Mr. Feingold, Mr. Johnson, Mr. Byrd, Mr. Nelson of Florida, Ms. Stabenow, and Mr. Corzine.

Select Committee on Ethics: Mr. Reid (Vice Chairman), Mr. Akaka, and Mrs. Lincoln.

Committee on Indian Affairs: Mr. Inouye (Vice Chairman), Mr. Conrad, Mr. Reid, Mr. Akaka, Mr. Dorgan, Mr. Johnson, and Ms. Cantwell.

Select Committee on Intelligence: Mr. Rockefeller (Vice Chairman), Mr. Levin, Mrs. Feinstein, Mr. Wyden, Mr. Durbin, Mr. Bayh, Mr. Edwards and Ms Mikulski.

Joint Economic Committee: Mr. Reed (Vice Chairman), Mr. Kennedy, Mr. Sarbanes, and Mr. Bingaman.

SEC. \_\_\_\_\_. The salary allocation for each Senate committee and subgroup shall reflect the level set forth in the Senate Joint Leadership letter which shall be printed in the CONGRESSIONAL RECORD following the adoption of this resolution.

THANKS TO THE HONORABLE ROBERT C. BYRD AND HIS DESIGNATION AS PRESIDENT PRO TEMPORE EMERITUS

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 21 submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 21) expressing the thanks of the Senate to the Honorable Robert C. Byrd for his service as President pro tempore of the United States Senate and to designate Senator BYRD as President Pro Tempore Emeritus of the United States Senate.

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

Mr. DASCHLE. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table, without any intervening action or debate.

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

The resolution (S. Res. 21) was agreed to, as follows:

S. RES. 21

*Resolved*, That the United States Senate expresses its deepest gratitude to Senator Robert C. Byrd for his dedication and commitment during his service to the Senate as the President Pro Tempore.

Further, as a token of appreciation of the Senate for his long and faithful service, Senator Robert C. Byrd is hereby designated President Pro Tempore Emeritus of the United States Senate.

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. In the last Congress Senator KENNEDY and I introduced the Local Law Enforcement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred November 1, 2001 in Manassas, VA. Two men severely beat a Pakistani taxi driver. The attack took place after the two assailants, Stanley Elburn Smith III, 27, and James M. Terrell, 25, berated the victim because he looked to be of Middle-Eastern descent. The victim suffered a concussion and several other wounds during the attack.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

ILLINOIS GOVERNOR GEORGE RYAN'S CLEMENCY DECISION

Mr. FEINGOLD. Mr. President, I rise today to give my perspective on the recent decision by Illinois Governor George Ryan to pardon four death row inmates and to commute the death sentences of 167 other death row inmates. His action effectively clears Illinois' death row, the eighth largest death row in the Nation. It is the broadest clemency of death row inmates ever granted by a Governor.

I understand that there are some, particularly, State prosecutors and victims' families, who are unhappy with Governor Ryan's decision. I understand that victims' families who support capital punishment have, justifiably, very strong feelings.

But these 167 inmates are not walking free. They won't be executed, but almost all of them will spend the rest of their lives behind bars without the possibility of parole. But it also means that if, in fact, it is shown in the near future they did not commit murder, they still have the chance to be set free.

Many murderers do not receive the death penalty, even in Illinois. Indeed, the Illinois Governor's Commission on Capital Punishment found that decisions to put these particular individuals on death row, while sparing others, were not made by a system that meets basic standards of fairness and justice.