

JOINT COMMITTEE OF CONGRESS ON THE LIBRARY: Mr. Stevens, Mr. Lott, Mr. Cochran, Mr. Dodd, and Mr. Schumer.

### IMPROVED FIRE SAFETY IN NONRESIDENTIAL BUILDINGS

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 85, which is at the desk.

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

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 85) expressing the sense of the Congress with regard to the need for improved fire safety in nonresidential buildings in the aftermath of the tragic fire on February 20, 2003, at a nightclub in West Warwick, Rhode Island.

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

Mr. REED. Mr. President, yesterday the House passed H. Con. Res. 85, a resolution paying respect to the victims of the tragic nightclub fire on February 20, 2003 in West Warwick, RI, and expressing the sense of Congress regarding the need for improved fire safety in buildings used by the public. I thank my colleagues for expediting consideration of this important resolution in the Senate today.

The West Warwick fire is a devastating loss that has affected the lives of thousands of Rhode Islanders. Mr. President, 99 people have died, and nearly 190 people were injured, many of whom are still in hospitals in critical condition.

In the first minutes and hours of this tragedy, our firefighters, police, and emergency medical personnel performed heroically under horrific circumstances, as did many of the patrons who were at the scene and helped to save others.

I want to express my heartfelt condolences to the many families of those who perished in the West Warwick fire, and to let them know that our thoughts and prayers are with them and with the survivors who will struggle with the physical and mental toll of this horrible event for the rest of their lives.

This was a catastrophe brought on by a series of bad decisions. Fault will be sorted out in time, but there are already lessons learned.

State and local officials across the country are, and should be, reexamining their fire and building codes and stepping up enforcement of safety practices in public buildings to make sure that a tragedy like this does not happen again. Congress should do everything it can to support this effort and to encourage both state and local governments and federal agencies to adopt and strictly enforce the most current fire and building consensus codes.

In addition, as our nation continues to fight the war on terror, the response to the West Warwick fire provides a

good illustration of how far we've come—and how far we have to go—in improving our emergency management capabilities. Local first responders were on the scene within minutes to help rescue victims, treat the injured, and fight the tremendous blaze that consumed the Station nightclub. As casualties continued to mount, the Rhode Island Emergency Management Agency coordinated the massive rescue and recovery efforts by state and local agencies from Rhode Island, Massachusetts, and Connecticut. Several hospitals in Rhode Island and Massachusetts received scores of victims suffering from severe burns and smoke inhalation, many of whom remain in critical condition today.

There is no question that the response to the West Warwick fire was better than it would have been before September 11, 2001, thanks to our state's efforts over the past 18 months to strengthen emergency preparedness. Federal assistance in this regard has helped, including equipment and training grants from the Department of Justice's Office of Domestic Preparedness, FIRE Grants from the Federal Emergency Management Agency, and bioterror preparedness grants from the Department of Health and Human Services, which included funding to create regional hospital plans to respond to terrorism.

But we can do better. As tragic as the West Warwick fire was, it was a localized event involving deaths and injuries in the hundreds rather than thousands, yet it overwhelmed our state's emergency response systems and hospital emergency room capacity. Assistance from surrounding states and Federal agencies was required to manage the immense tasks of emergency response, medical care, and identifying scores of bodies.

Rhode Island and other states, with the support of the Federal Government, will continue our efforts to strengthen the security of our homeland, and we will apply the hard lessons learned in West Warwick about safety in public buildings.

Mr. President, I thank my colleagues for supporting this important resolution to urge state and local officials and owners of entertainment facilities to examine their safety practices, fire codes, and enforcement capabilities to ensure that such a tragedy never befalls any community again.

Mr. CHAFEE. Mr. President, 3 weeks ago—on a cold winter evening—several hundred people gathered at the Station nightclub, a popular venue for live bands in West Warwick, RI. They had come to spend time with friends and to listen to music. Too quickly, this festive occasion turned to horror.

A local television cameraman—who ironically was there to shoot footage for a news story on nightclub safety—captured the scene in an extraordinary piece of video that will haunt Rhode Islanders for many years. A pyrotechnic display on stage ignited nearby sound-

proofing material, and the flames spread through the nightclub with shocking speed. By most estimates, it took only 2 minutes—2 minutes—from the moment that soundproofing caught fire, until the building was engulfed in flames and filled with superheated, toxic, black smoke.

As this disaster unfolded, heroic emergency personnel rushed to the rescue, placing their own lives in jeopardy. Eyewitness accounts described amazing acts of bravery at the scene. Firefighters saved dozens of men and women, whom they pulled from the doorways and windows of the burning building. Meanwhile, EMTs did their best to stabilize those who were gravely injured and worked with the police to help bring order to the prevailing chaos.

Rhode Island is blessed with a network of fine hospitals, several of which have received national recognition for the quality of their care. On that night, medical teams provided the best treatment for the injured, many of whom have a long recovery ahead. At Rhode Island Hospital—which received 65 fire victims, nearly all at once—an entire floor was converted into a burn unit overnight. Surgeons, nurses, technicians and other support staff must have been overwhelmed by the trauma, but they persevered.

Rhode Island's new Governor, Don Carcieri has been brilliant in managing the State's response to this crisis. Less than 2 months after taking office, Governor Carcieri has demonstrated remarkable leadership abilities in the aftermath of the fire. His efforts came at a critical time and helped ensure that every public official delivered a consistent, productive message.

Whether speaking to all Rhode Islanders at a televised press conference or visiting quietly with grieving families, Governor Carcieri has emerged as a strong, reassuring presence during a very difficult time for Rhode Island. He has expressed our anger at what when wrong, and our compassion for the victims and their loved ones.

Federal agencies also responded immediately to this enormous tragedy. I am grateful for all of the assistance that Rhode Island has received thus far: from the Bureau of Alcohol, Tobacco, and Firearms, the Department of Health and Human Services, and the Small Business Administration.

My family and I extend our heartfelt sympathy to the families at this time of great sadness. I hope they will take some comfort in knowing that even with a population of more than 1 million people, Rhode Island is small enough that its citizens consider one another as neighbors. That sense of closeness—developed over decades of shared experiences, both joyful and sorrowful—binds us together and is part of what makes Rhode Island unique among the States.

Those connections are especially strongly felt in small towns and villages, such as Potowomut, where my

family has made its home for many years. Potowomut is a close-knit community, somewhat isolated from the rest of the city of Warwick and Rhode Island—on a peninsula that juts out into Narragansett Bay. Sadly, a fellow Potowomut resident, Tracy King, was among those who perished in the fire.

Tracy was working at the Station nightclub on the night of the fire, and as least initially, managed to escape the blaze. Once outside, however, he rushed back into the building to help others scramble to safety. Tracy was a tall, powerful man—always bursting with energy—and I am certain that he helped save some lives. I share in the heartbreak that all of Tracy's friends feel, knowing that he did not make it back out in time.

In recent years, Tracy had achieved a measure of fame in Rhode Island, as he had an unusual talent for balancing large, heavy objects on his chin—Christmas trees, ladders, desks—even a refrigerator—all balanced perfectly on his chin.

In 1993, he appeared on "The Late Show with David Letterman," and balanced a 17-foot canoe. Imagine that—a 17-foot canoe, straight up in the air! Tracy was a wonderful entertainer, and he especially enjoyed performing for groups of children. He generously shared his talent at local festivals, schools, and hospitals—everyone delighted in seeing him in action.

Tracy King leaves behind his wife, Evelyn, and three sons—Joshua, Jacob, and Jordan. I ask my colleagues to remember the King family in their prayers.

We also remember that there are many other families in Rhode Island, and across the State line in Massachusetts, that are still coping with this sudden, traumatic loss. In the days following the fire, survivors and family members of those who had died or been injured gathered together to mourn, to ask questions, and to share their stories. May they continue to draw strength from one another, and be sustained by the enduring support of their community.

The Senate is considering this concurrent resolution recently approved in the House, cosponsored by my colleagues in the Rhode Island delegation, expressing the importance of improved fire safety in nonresidential buildings in the aftermath of this tragic fire. I urge adoption of the resolution.

Mr. BENNETT. Mr. President, I ask unanimous consent that the concurrent resolution and preamble be agreed to en bloc, that the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to this measure be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 85) was agreed to.

The preamble was agreed to.

#### AUTHORIZING TESTIMONY AND LEGAL REPRESENTATION

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 86, which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 86) to authorize testimony and legal representation in *W. Curtis Shain v. G. Hunter Bates, et al.*

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

Mr. BENNETT. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to this matter be printed in the RECORD.

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

The resolution (S. Res. 86) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 86

Whereas, in the case of *W. Curtis Shain v. G. Hunter Bates, et al.*, No. 03-CI-00153, pending in Division II of the Oldham Circuit Court, Twelfth Judicial Circuit, Commonwealth of Kentucky, an affidavit has been requested from Senator Mitch McConnell;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent Members of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, by Rule VI of the Standing Rules of the Senate, no Senator shall absent himself from the service of the Senate without leave; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

*Resolved*, That Senator McConnell is authorized to provide testimony in the case of *W. Curtis Shain v. G. Hunter Bates, et al.*, except concerning matters for which a privilege should be asserted and when his attendance at the Senate is necessary for the performance of his legislative duties.

SEC. 2. The Senate Legal Counsel is authorized to represent Senator McConnell in connection with any testimony authorized in section one of this resolution.

#### CENTENNIAL ANNIVERSARY OF NATIONAL WILDLIFE REFUGE SYSTEM

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 87, introduced earlier today by Senator NELSON of Florida.

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

The legislative clerk read as follows:

A resolution (S. Res. 87) commemorating the Centennial Anniversary of the National Wildlife Refuge System.

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

Mr. GRAHAM of Florida. 100 years ago tomorrow, President Theodore Roosevelt ordered that a small island in Florida's Indian River be forever protected as a "preserve and breeding ground for native birds." With this simple promise of wildlife protection, the National Wildlife Refuge System was born. A century later, the refuge system has grown to include more than 530 refuges on more than 94 million acres with locations in every state.

Florida's National Wildlife Refuges have been fulfilling the promise of protecting wildlife for a full century. Pelican Island, the first refuge, is being restored to its original size so that birds may be able to find refuge there for the next hundred years. Archie Carr National Wildlife Refuge in Titusville protects endangered sea turtles so they have an undisturbed place to lay their eggs. And, Florida Panther National Wildlife Refuge in Naples is protecting our state animal, the Florida Panther, which is on the brink of extinction.

The National Wildlife Refuges in Florida have been protecting more than just animals. As part of the greater Everglades ecosystem, Ten Thousand Islands National Wildlife Refuge and the Arthur R. Marshall Loxahatchee National Wildlife Refuge are protecting both the wildlife and habitats that make up part of America's Everglades.

Florida is a destination for sportsmen and nature lovers throughout the world. Be they avid hunters or fishermen or tourists traveling to visit our unsurpassed beaches or the pristine beauty of Florida's interior, the National Wildlife Refuge System is part of the allure, with facilities and locations to cater to any person who wants to visit nature.

Nationwide, more than 35 million people visit national wildlife refuges to see some of the world's most amazing wildlife spectacles, or to fish, hunt, photograph nature, and learn about our natural and cultural history.

The centennial anniversary of the National Wildlife Refuge System is a time to celebrate these natural treasures and recognize their value to our society. Today there is a celebration of Pelican Island to commemorate this historic day. Throughout the year, there will be other celebrations in honor of 100 years of successful preservation. Because National Wildlife Refuges have been such an important part of the ecological preservation of our nation, I joined with my colleague from Florida, Senator NELSON, in sponsoring a resolution that would reaffirm the strong support that the National Wildlife Refuge System enjoys in this body.