

obfuscate that truth. I wish it weren't so, but that is what appears to be.

So now when we get through this process—it took several years to finally get this information that we now have—we have Members of the other party wanting to come in here and attack the man who ultimately produced what appears to be the truth. At least I have not heard it substantially disputed. And he submitted a report. They said, "Oh, well." Judge Sirica, he said, wanted to review the grand jury testimony. That was before the independent counsel law. That was an unprecedented thing, I suppose, for Judge Sirica to report grand jury testimony. There was no law.

But now, under the independent counsel law, the independent counsel is required to submit the information that he finds to the Congress, to the House of Representatives. That is what his duty was—to find out the truth and to submit it. And it was not easy to find the truth. It often is not. It was particularly difficult with the clever people he was dealing with in this instance.

So it just disturbs me, I must say. And if it is true, if he has so violated his oath, the Attorney General can remove him from office. If she has a basis for it, she ought to do it. And she will not be criticized by this Senator.

So they say, "Well, his duty is to prosecute fairly." Well, you don't prosecute until you get the truth. You don't prosecute until you get the facts. And his responsibility was to find those facts.

They say graphic details were not necessary. Well, I am glad that we have some fastidious concern. I think we do have too much unhealthy sex and stuff in this country today. But we have a denial. We had a suggestion that, "What I did was not really sex."

So I suppose the details of what the President may have done are relevant to whether or not he had sex or not, and I am certain that is why the independent counsel felt it was his obligation to do so. And his goal is to report that information.

They say, "Well, he shouldn't have suggested in his report that the President lied under oath." That is one of the words that was said he used. But he was required to report on matters that may lead to impeachment charges.

So by nature his summary report was his opinion as to whether or not there was evidence accumulated sufficient to lead to impeachment. He is required to give his opinion and his summary of the evidence as to whether or not it required impeachment, and he concluded, based on all the studies, that the President lied under oath, apparently, and he put that in his report.

I submit he was required to do so.

Oh, they say, you didn't get all the exculpatory evidence, that that didn't all come out, and that she said, Miss Lewinsky said, "No one ever asked me to lie." Well, I am not sure and therefore—but from what I read in the re-

port, it would suggest to me that the Starr report didn't say anybody ever said she was asked to lie. The Starr report simply said that there were circumstances that led to that, apparently. But it did not use those words and he would not have been required to put forth her statement in that regard.

So Judge Sirica's circumstances are not quite the same, is all I am saying. And I respect the distinguished Senator and his comments and his concern, and we ought to hold every public official accountable. We ought to scrutinize all of our behavior here and we ought to be prepared to stand the heat. I am sure Mr. Starr has got to stand the heat like everybody else if he is going to be in the kitchen. If you recall, we have a word in the criminal lexicon today called "Sirica." And what happened was, if you will recall, some of those burglars who said, oh, this is just a two-bit burglary—do you remember that? Judge Sirica gave them the maximum sentence, the maximum "John," and that is when they testified.

So I am sure these things are tough for Miss Lewinsky or anyone else. She had a choice whether she was going to cooperate and tell the truth or continue to hold fast to her previous story, and it does appear that she did for a while adhere to one story and then changed it.

So I don't believe the independent counsel has placed himself above the law. I don't believe he has abused his office. And I don't believe most of the other complaints that have been made about the independent counsel, once the full facts are out, are going to suggest any problems. No doubt, there are so many complex rules over the period of an investigation, somebody will say you should have done this under this circumstance and you should not have done this under that circumstance.

Normally what happens is any evidence obtained from an improper source gets excluded from the trial and can't be used, but it doesn't undermine the overall integrity of the investigation if that was obtained properly.

So I don't know what the end of this will all be. It would please me if things get settled and that is the end of it and this body isn't involved. I don't think we need to be debating these issues on this floor, and the only reason I have spoken on this floor fundamentally is because others have made statements related to those issues, so I felt I ought to suggest there might be another interpretation that could be given to those issues.

So, to me, the issues are complex. The House is dealing with this matter. Let's let the House deal with it. Let's try to make sure we have a bipartisan effort, or a nonpartisan effort, that no partisanship should be involved in this. Let's let the process work its way. My understanding of the reputation of Judge Starr is it is very good, and it remains to be seen whether he committed any error. If he did, that will come

out. That does not undermine the basic facts we are dealing with here.

Mr. President, I thank this body for allowing me to make these comments. I have some other things I could say but I will not. I just believe that we need to be careful. Let's let the House do their business. They have had votes over there. It is their business, not our business. And I think we would be better off if we left it there. I thank you.

I yield the floor.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, what is the business before the Senate?

The PRESIDING OFFICER. The Senate is in morning business.

Mr. BYRD. I thank the Chair. Is there a limitation on time?

The PRESIDING OFFICER. There is not any limitation.

Mr. BYRD. I thank the Chair.

A HERO MOVES ON

Mr. BYRD. Mr. President, the Random House College Dictionary defines the term "hero" first as "a man of distinguished courage or ability, admired for his brave deeds and noble qualities," and second as "a small loaf of Italian bread."

There is, of course, a wide disparity in these two definitions. I think I shall appropriately use the initial definition to describe the hero of whom I am about to speak, Senator JOHN HERSCHEL GLENN, Jr. I have had the honor of serving with him in the Senate for the last 24 years.

He is a gentleman. He is a great public servant to all the Ohioans whose beliefs and values he has so ably represented in this body.

As Senator GLENN prepares to officially retire from the Senate and take up his wings of flight once again, I shall take a few minutes to thank this distinguished Senator from Ohio for all that he has done for our Republic as a United States Senator and as a hero.

I thank him for his achievements as a Senator. I thank him for his dedication to the Senate Governmental Affairs Committee, on which he has served since 1975.

Following his personal motto: "You Keep Climbing," Senator GLENN has moved up in the ranks.

From 1987 to 1995 he served as the chairman of the committee, and then as the ranking Democratic member until the present time.

As a member of the committee, Senator GLENN has worked to protect our Nation and its people, using his expert knowledge to combat the issue of nuclear proliferation, to protect our fellow Americans from all the environmental dangers that are associated with the byproducts of nuclear weapons, and is making the Government more accountable for waste and fraud.

As a member of the Senate Committee on Armed Services, on which I am pleased to serve with him, Senator

GLENN has worked to ensure that the United States military remained ready and strong in the perilous aftermath of the cold war.

He has shared a concern over the dangers of chemical weapons. He has joined with others of us in attempting to ensure that our military has absorbed the lessons of the gulf war and is prepared to protect our troops from low levels of chemical weapons.

On these two committees, Senator GLENN has served as a voice of reason and common sense.

Senator GLENN is a hero for all of us to emulate as a result of his honor and dedication to his country, his family, and his own high standards.

I have asked this question in the Senate before: "Where have all the heroes gone?"

To this question I have no definitive answer, but I do know where this hero is going to go . . . again.

Senator JOHN GLENN is a steam engine in britches; he is atomic energy in the flesh.

The senior Senator from Ohio has been a daredevil virtually all of his life.

Not one to know when to slow down, Senator GLENN has risked life and limb, both on the Earth's surface and in the vastness of space which encompasses it, for one thing, and one thing only—the United States of America.

JOHN GLENN has been uniquely blessed to have had the opportunity to soar above this Earth of ours, soar like an eagle, surveying the beauty of creation that is God's Green Earth.

To quote William Shakespeare in "twelfth night,"

Some are born great, some achieve greatness, and some have greatness thrust upon them.

Senator GLENN is one who has achieved greatness through his service to his country; he is truly a great American hero.

Not only a veteran of World War II, having served in combat in the South Pacific after he was commissioned in the Marine Corps in 1943, JOHN GLENN is also a veteran of the Korean war.

Having survived 149 combat missions as a marine, our hero—our hero, my hero, your hero—our hero wanted to move on to a more challenging career as a test pilot of fighter and attack aircraft for the Navy and Marine Corps. And then, looking for new and extreme ways to test his mortality, on February 20, 1962, Astronaut JOHN GLENN gently squeezed his body into the *Friendship 7* rocket and became the first American to orbit the Earth at almost 18,000 miles per hour.

Think of that. When I was young, I read a book by Jules Verne titled, "Around the World in 80 Days." JOHN GLENN went around the world in 89 minutes.

This may well have been the pinnacle of JOHN GLENN's life and career.

On that fateful Tuesday in 1962, not only was America waiting with nervously clenched fists for news on Lt.

Col. JOHN GLENN's condition after his return to Earth, but the whole world was watching.

People from all nations prayed for the safe return of this brave man.

Mr. President, I quote from an article entitled "Man's 'Finest Hour.'" I have been saying this article, now, for almost 37 years—"Man's 'Finest Hour,'" by the late David Lawrence, which was originally published in the March 5, 1962, edition of U.S. News & World Report:

Miracles do happen when the world shows its humility in prayer.

The voices that besought Almighty God to save the life of Colonel Glenn can speak again, as even more of us petition him to save humanity from nuclear war.

For those prolonged minutes of prayer on Tuesday, Feb. 20, constituted man's "finest hour".

Now, if the Good Lord is willing, on October 29, our friend and colleague—and hero—JOHN GLENN, still brimming with vital energy, will be leaving the relative comfort of Mother Earth far behind.

It is always a melancholy time when the institution of the United States Senate has one of its finest Members move on. But it is a glad time when one of its Members moves on to something greater.

"Excelsior, ever upward." That is the motto of JOHN GLENN. He has bigger fish to fry, so he is ready to get away from Washington, DC—far, far away.

Senator GLENN's return to space aboard shuttle *Discovery* will add another significant page to the annals of history.

The capacity in which Senator GLENN will be operating on the *Discovery* is representative of the way in which he had lived the last three decades of his life, despite his global fame—modestly and without great fanfare.

I am certain that he will perform his mission on *Discovery* with the same diligence and sense of duty that he has shown in serving his great State of Ohio in the United States Senate.

The world in 1998 is a lot different from that world of 1962, when JOHN GLENN was first catapulted into space. Similarly, the space shuttle *Discovery* is about as close in design to the *Friendship 7* rocket as an old Oliver typewriter—I was trying to remember the name of an old typewriter I had around the house when I was a boy—about as close in design to the *Friendship 7* rocket as an old Oliver typewriter is to a home computer.

The one thing that shall remain constant in this most recent launch is that the world will once again be watching, gripping chairs, biting fingernails, and saying its prayers for the Glenn family. For JOHN GLENN, and for all the crew members of *Discovery*, and for Annie, that sweet little wife of JOHNS.

It is hard to relate, to those Americans who were not yet born in 1962, the thoughts and emotions of the world on Tuesday, February 20, of that year.

Technology has become so advanced that flights into space are routine.

Men and women are able to live for months at a time in floating space stations.

America tends to take for granted the risks that our Nation's astronauts take to perform scientific experiments, carefully placing communications satellites into orbit, and repairing important instruments of observation—all of which make life on Earth much more enjoyable.

In 1962, the risks were greater and there were many unknown factors that experience has now brought to light and revealed and smoothed over.

Senator GLENN's return to space brings that all back, and reminds us of the tremendous changes wrought by Americans within the career of one man.

So, this evening I take this opportunity to wish the best of luck to JOHN GLENN and to Annie and to others of his family.

I anxiously anticipate *Discovery's* safe return to Earth, and I extend my best wishes, and those of my wife Erma, to Senator GLENN and to Annie for many years of health and happiness after he returns to Earth and leaves the Halls of the Capitol behind.

Thank you, thank you, thank you, Senator GLENN.

Mr. President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SESSIONS). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ABRAHAM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

TRIBUTE TO SENATOR DIRK KEMPTHORNE

Mr. NICKLES. Mr. President, it is almost kind of sad in a way to think that DIRK KEMPTHORNE will be leaving the Senate after only one term in the U.S. Senate. It has been a pleasure to work with DIRK, to be with him, to get to know him, to get to know his family, his wife Pat. But I will just say DIRK KEMPTHORNE is a Senator's Senator. He is a person who comes from the great State of Idaho.

He brought a great deal of, I must say, refreshing energy to the Senate. He served as mayor of Boise City for 7 years. He was elected to the U.S. Senate in 1992 and proved something unconventional: He could get a lot done in his first term in the Senate. Most people have the idea you have to be in the Senate a long time before you can get anything accomplished, but he proved quite the opposite.

He proved to be a very effective legislator. He proved to be a person who could work on both sides of the aisle, that he could work with Democrats and Republicans and make things happen.

He was the principal sponsor of a bill that most of us have claimed some part to, the unfunded mandates bill that President Clinton signed and it became