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## Senate

The Senate met at 12 noon and was called to order by the President pro tempore [Mr. THURMOND].

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Sovereign God, help us to see our work here in Government as our divine calling and mission. Whatever we are called to do today, we want to do our very best for Your glory. Our desire is not just to do different things, but to do the same old things differently: with freedom, joy, and excellence. Give us new delight for matters of drudgery, new patience for people who are difficult, new zest for unfinished details. Be our lifeline in the pressures of deadlines, our rejuvenation in routines, and our endurance whenever we feel enervated. May we spend more time talking to You about issues than we do talking to others about issues. So may our communion with You give us deep convictions and high courage to defend them. Spirit of the living God, fall afresh on us so we may serve with renewed dedication today.

Father, our hearts go out to those who are suffering as a result of the floods in Ohio and Kentucky and the tornadoes in Arkansas. Especially grant comfort and courage to those who are enduring grief over the loss of family and friends. In all our needs and crises, You are a very present help in trouble. Through our Lord and Savior. Amen.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader is recognized.

### SCHEDULE

Mr. BURNS. Mr. President, the Senate will be in session for a period of morning business, with no rollcall votes conducted during today's session.

Under a previous order, the Senate will resume consideration of Senate

Joint Resolution 1, the constitutional amendment for a balanced budget, tomorrow at 9:30 a.m. Following closing statements on the balanced budget amendment, a vote will occur on the passage of Senate Joint Resolution 1 at 5:15 p.m. tomorrow. I want my colleagues to be further advised that the time has not been moved. A vote will occur tomorrow at 5:15 p.m.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. SMITH of New Hampshire). Under a previous order, the leadership time is reserved.

### MORNING BUSINESS

The PRESIDING OFFICER. Under a previous order, there will now be a period for the transaction of morning business, with Senators permitted to speak therein for not to exceed 5 minutes each. The Senator from Texas, [Mrs. HUTCHISON], is recognized to speak for up to 15 minutes.

Mrs. HUTCHISON. Thank you, Mr. President, and I thank the distinguished Senator from Montana.

### PRAYERS OF TEXANS WITH ARKANSAS

Mrs. HUTCHISON. Mr. President, I appreciate being able to start the Senate this morning, because we had a very important anniversary yesterday in Texas that I want to talk about. But first, I want to say to my colleagues and friends from my neighboring State of Arkansas how sad we all are at the ravage that the State of Arkansas took yesterday from the weather, the storms and the floods. Lives were lost. I want Senators BUMPERS and HUTCHINSON to know that the prayers of Texans are with them in this time of healing for their State. We know that everything that can be done for the victims of that flood will be done.

### TEXAS INDEPENDENCE DAY REMEMBRANCE

Mrs. HUTCHISON. Mr. President, 161 years ago yesterday, 54 delegates of the Convention of 1836 signed the Texas declaration of independence at the village of Washington-on-the-Brazos, which is near Houston, TX. Each of the settlements of Texas were represented. Texas was, at the time, a territory of Mexico. The delegates hurriedly wrote and adopted the declaration of independence, prepared a constitution for the newly formed Republic of Texas and organized an interim government.

Mr. President, my great-great-grandfather was one of the signers of the Texas Declaration of Independence. His law partner, Thomas Jefferson Rusk, was also one of the heroes of Texas' quest for independence. Thomas Rusk also went on to serve as a Senator from Texas, and was the first Senator to hold my Senate seat.

So I have grown up knowing much about Texas history since its days as a territory of Mexico. In fact, my great-great-grandfather was the "alcalde," which was the mayor of the territory for the country of Mexico. Then, he, Thomas Rusk and Sam Houston, all hailing from Nacogdoches, TX, where my mother grew up, were leaders in the effort to wrest their independence from Mexico and for Texas to be able to set up its own government.

I am proud, Mr. President, that Texas is the only State in America that was once an independent nation and, in fact, we were a republic for 9 years before becoming a State. So we like to recall the history of our independence, just as we do our history of American independence, every year. Yesterday in Texas we celebrated our Texas Independence Day.

We commemorate the time that we became a nation, and we remember the brave and wonderful people, not only those who signed the declaration of independence that day, but those who were at the same time girding for war

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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at the Alamo several hundred miles away. Former Texas Senator John Tower began a tradition among Texas Senators. Senator Tower would read William Barret Travis' letter from the Alamo. As I alluded to a moment ago, as they were declaring independence at Washington-on-the-Brazos in 1836, 6,000 Mexican troops were marching to the Alamo. They were marching to the Alamo to take on soldiers who had come from many States—Kentucky, Tennessee, South Carolina, North Carolina, Georgia, and so on—to help defend Texas in its stand against the Mexican Army at the Alamo.

The declaration of independence said: . . . We, therefore . . . do hereby resolve and declare that our political connection with the Mexican Nation has forever ended, and that the people of Texas do now constitute a free, sovereign and independent republic . . .

Several days earlier, William Barret Travis had written from the Alamo his famous letter to the people of Texas and to all Americans. He knew that the Mexican Army was coming, and he knew that they had few people to help them defend the Alamo. Here is the letter by Colonel Travis:

Fellow citizens and compatriots: I am besieged, by a thousand or more of the Mexicans under Santa Anna—I have sustained a continual bombardment and cannonade for 24 hours and have not lost a man—the enemy has demanded a surrender at discretion, otherwise, the garrison are to be put to the sword, if the fort is taken—I have answered the demands with a cannon shot, and our flag still waves proudly from the wall—I shall never surrender or retreat. Then, I call on you in the name of liberty, or patriotism and of everything dear to the American character, to come to our aid, with all dispatch—The enemy is receiving reinforcements daily and will no doubt increase to three or four thousand in four or five days. If this call is neglected, I am determined to sustain myself as long as possible and die like a soldier who never forgets what is due to his own honor and that of his country—Victory or Death.

WILLIAM BARRET TRAVIS, LT. COL.,

*Commander.*

P.S. The Lord is on our side—when the enemy appeared in sight we had not three bushels of corn—we have since found in deserted houses 80 or 90 bushels and got into the walls 20 or 30 heads of beeves.

Despite that declaration, Mr. President, we did not win independence from Mexico at the Alamo. In the battle of the Alamo, known as the "13 Days of Glory," 184 brave men died fending off Santa Anna's huge army. But the Alamo was crucial. It gave time to Gen. Sam Houston, who was the commander in chief of our Armed Forces, to get more volunteers and to decide when to take on this vast Mexican Army again. And because those brave men at the Alamo held out for so long, Houston had time to muster his forces. Gen. Sam Houston was wounded in the battle, but was able to take the surrender of General Santa Anna. Texas won her freedom on April 21, 1836.

San Jacinto is near Houston, and home to the battle we commemorate as the "Great Battle of Freedom."

So, Mr. President, I like to recall this time because it is an important time in

the history of America as well as in the history of Texas. Our independent nation lasted for 9 years; for 9 years we brought our State together to prepare it for admission into the United States of America.

In fact, the debate recorded in the CONGRESSIONAL RECORD on whether Texas would become a State was very interesting.

Texas would join the Union if several conditions were met. Those conditions were outlined in a treaty. In the treaty, Texas was able to keep certain rights when she joined the Union—rights to her tidelands, rights to her public lands, which is why much of our public land is State owned rather than federally owned. This is why we have some different issues in Texas. We were able to control the tidelands because that was part of the treaty. We also had the right to turn into five States if the State of Texas decided to break away from the Union. Now, that causes a little concern here on Capitol Hill when they think of having the possibility of 10 Senators from Texas instead of 2. There are a few cold stares when that is brought up. But I must say that was all part of the treaty.

The treaty did not pass because supporters couldn't muster the two-thirds vote necessary to ratify it. So President John Tyler introduced a bill to annex Texas as a State. Texas became a State because of a bill, not a treaty. The interesting thing was that the bill passed by only one vote in each House of Congress. Any of those who think it might have been a mistake to annex Texas almost won a victory. We did have a long, hard-fought battle before we joined the Union. One of the annexation proposal's most vocal opponents at the time was President John Quincy Adams, who had returned to Congress by that time. He spoke every day on the floor against the annexation of Texas. The reason he was so far out on the limb against Texas is because he was afraid Texas would become another slave State. He did not want to disrupt the balance that existed in the United States of America at the time. Once we did become a State, I think we began a tradition of great contributions to the United States. And, of course, just recently we have become the second largest State in America—second to California, overtaking New York State.

So that is a little bit of Texas history, which I am always glad to recall on Texas Independence Day. I like to read the letter from William Barret Travis to remind you of the pride Texans share for their independence from Mexico and their membership today in the United States of America. We are proud that we were an independent nation for 9 years and then took our rightful place in the United States of America. I hope that people feel that we have earned the right to be proud of that, and also hope that people feel that Texas has done her part as a State.

We are proud of our heritage. We are proud of our history. And most of all,

today, I want to pay tribute to the brave men who died at the Alamo and the brave men, numbering among them the first Senator to hold my Senate seat, the first Senator to hold the other Texas Senate seat, Gen. Sam Houston, and my own great-great-grandfather who signed the Declaration of Independence and later became the chief justice of Nacogdoches County.

These were brave men who forged a new nation at great cost. They went through many of the same things that our forebears in the United States of America did in wresting our independence from England. So I am proud of that. I am proud of the patriots who gave their lives for our freedom or who risked their lives for our freedom. I want to pay tribute to them today, and I will do so every year that I am able to serve as a Senator from the great State of Texas.

Mr. President, I thank you for your indulgence, and I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from South Dakota [Mr. JOHNSON], is recognized to speak for up to 15 minutes.

#### BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

Mr. JOHNSON. Mr. President, I rise today to express my opposition to Senate Joint Resolution 1, a version of a balanced budget amendment to the U.S. Constitution currently pending before the Senate.

Throughout the more than 10 years that I have had the honor and opportunity to represent the people of South Dakota as a Congressman and now as a U.S. Senator, I have consistently supported a policy of fiscal prudence and restraint. I have supported, among other initiatives, a line-item veto and enhanced line-item rescission, the 1990 budget agreement initiated by President Bush and the 1993 budget agreement initiated by President Clinton. The latter two budget agreements having played a very significant role in capping discretionary spending, placing our Government on a must-pay-as-you-go basis and contributing to over a 60-percent reduction in the annual Federal budget deficit. I am pleased that these and other efforts taken by the Clinton administration, though almost universally opposed by the Republican congressional caucuses have led to economic growth, prosperity, and now a deficit that is smaller relative to our economy than in any industrial nation on Earth. Even so, we have farther to go to bring our Federal expenditures and revenue into greater equilibrium. To that end, I have also voted in favor of various balanced budget amendments while serving in the other body.

I do not take the amendment of our Nation's Constitution lightly. I am mindful that this is the legislative body that served as the forum for Clay and for Webster and many other great names of American history. Unlike ordinary legislation, a constitutional