

(3) by adding at the end the following:

"(3) to fund the annual expenses (not to exceed the Federal cost as of the date of enactment of this Act) of operating recreation areas to be transferred under sections 605(c) and 606(c) or leased by the State of South Dakota or Indian tribes, until such time as the trust funds under sections 603 and 604 are fully capitalized."

On Page 157 in between lines 14 and 15, insert the following:

(6) WHITE RIVER BASIN, ARKANSAS AND MISSOURI.—

(A) IN GENERAL.—The project for flood control, power generation and other purposes at the White River Basin, Arkansas and Missouri, authorized by section 4 of the Act of June 28, 1938 (52 Stat. 1218, chapter 795), and modified by H. Doc. 917, 76th Cong., 3d Sess., and H. Doc. 290, 77th Cong., 1st Sess., approved August 18, 1941, and H. Doc. 499, 83d Cong., 2d Sess., approved September 3, 1954, and by Section 304 of the Water Resources Development Act of 1996 (110 Stat. 3711) is modified to authorize the Secretary to provide minimum flows necessary to sustain tail water trout fisheries by reallocating the following amounts of project storage: Beaver Lake, 3.5 feet; Table Rock, 2 feet; Bull Shoals Lake, 5 feet; Norfolk Lake, 3.5 feet; and Greers Ferry Lake, 3 feet. The Secretary shall complete such report and submit it to the Congress by July 30, 2000.

(B) REPORT.—The report of the Chief of Engineers, required by this subsection, shall also include a determination that the modification of the project in subparagraph (A) does not adversely affect other authorized project purposes, and that no federal costs are incurred.

NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Senate Committee on Health, Education, Labor, and Pensions will be held on Thursday, April 22, 1999, 10 a.m., in SD-628 of the Senate Dirksen Building. The subject of the hearing is "ESEA Reauthorization." For further information, please call the committee, 202/224-5375.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HEALTH, EDUCATION, LABOR AND
PENSIONS

Mr. VOINOVICH. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a field hearing on "Teaching Teachers" during the session of the Senate on Monday, April 19, 1999, at 9 a.m.

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

SUBCOMMITTEE ON WESTERN HEMISPHERE,
PEACE CORPS, NARCOTICS AND TERRORISM

Mr. VOINOVICH. Mr. President, I ask unanimous consent that the Subcommittee on Western Hemisphere, Peace Corps, Narcotics and Terrorism be authorized to meet during the session of the Senate on Monday, April 19, 1999 at 3:45 p.m. to hold a closed Members' briefing.

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

ADDITIONAL STATEMENTS

BARRING CIVIL ACTIONS AGAINST THE PRESIDENT

• Mr. LEVIN. Mr. President, today I am joining my good friend from New York, Senator MOYNIHAN, as a cosponsor of his bill to limit civil actions against a sitting President. The Supreme Court may have been right in its analysis in *Clinton v. Jones* that the separation of powers doctrine does not require immunity from civil suit for a sitting President, but it was wrong when it concluded that "a deluge of such litigation will never engulf the Presidency," and when it went on to assert, "if properly managed by the District Court, it appears to us highly unlikely [for the Paula Jones civil suit] to occupy any substantial amount of petitioner's time."

No one can reasonably believe that President Clinton didn't spend a significant amount of his time preparing his defense in the Paula Jones case. Moreover, we can all understand how the existence of such a case can be a significant distraction and preoccupation even when it is not being worked on directly.

The Supreme Court recognized in its decision in *Clinton v. Jones* the all-consuming nature of the responsibilities of being President of the United States. The Court wrote:

"As a starting premise, petitioner [the President] contends that he occupies a unique office with powers and responsibilities so vast and important that the public interest demands that he devote his undivided time and attention to his public duties We have no dispute with the initial premise of the argument. Former presidents, from George Washington to George Bush, have consistently endorsed petitioner's characterization of the office. After serving his term, Lyndon Johnson observed: "Of all the 1,886 nights I was President, there were not many when I got to sleep before 1 or 2 A.M., and there were few mornings when I didn't wake up by 6 or 6:30."

Being President of the United States is a 24 hour a day job. That's both necessary and desirable. To allow the President to be sued for matters arising from acts committed prior to his taking office makes the President vulnerable to mischievous, possibly politically-motivated and time-consuming litigation. As the leader of our country and the most important political leader in the world, I don't want the President's attention diverted from the many important and consequential responsibilities of the office to defend against lawsuits based on allegations of conduct before the President ran for office and which could have therefore been filed prior to his taking office. That's why I support limiting the involvement of sitting Presidents in civil litigation.

Senator MOYNIHAN has taken the first step in addressing this problem. His bill would bar the President from participating in any civil trial involving the President as plaintiff or defend-

ant but would permit discovery to the extent it is carried out with "due deference to Presidential responsibilities" and using "reasonable case management principles." The bill would allow a civil suit to be filed and limited discovery to occur, but would not allow a President to proceed to trial as either a plaintiff or defendant. Senator MOYNIHAN has made a thoughtful proposal. However, I prefer that the bill be limited to only those civil cases brought with respect to matters that occurred before the President assumed office or before the President participated in the general election; I would not want to affect cases brought against Presidents for actions they have taken while President in their official capacity. There are a significant number of cases against every President for actions taken during their term in office, and I don't believe we can or should immunize the President from those types of cases. For example, President Truman was sued when he seized the steel plants. President Carter was sued over his decision to return the Panama Canal to Panama. President Reagan was sued regarding the role of America in El Salvador, and President Bush was sued for various matters relating to the Persian Gulf War. I am not commenting on the validity of these suits, I am only saying that such suits should not be disallowed since they are brought against the President in his or her official capacity and they are handled not by the President but by the Department of Justice and White House Legal Counsel. Another class of cases that should be permitted while a President is in office are domestic cases—those related to or involving personal family relationships such as the resolution of a will or an estate or child support.

The Supreme Court reported that only three sitting Presidents have been defendants in civil suits involving their actions prior to taking office. These were Theodore Roosevelt and Harry Truman whose cases were dismissed before they took office, and John F. Kennedy, whose case was settled once he took office. Given the increasing litigious nature of our society, we cannot rely on this history to project what may happen in the future. And given the recent experience of President Clinton and the Paula Jones case, we know the enormous consequences just one such case can have.

I look forward to working with Senator MOYNIHAN on this legislation and to getting it enacted in this Congress, before the next President takes office in the year 2001.●

HONORING MR. GERALD T. HALPIN

• Mr. ROBB. Mr. President, I'd like to use this occasion to honor a long-time friend, Mr. Gerald T. Halpin, who has shown that economic prosperity can go hand-in-hand with public service. Jerry Halpin is the Founder, President and Chief Executive Officer of

WEST*GROUP, a commercial real estate company based in McLean, Virginia, and he was recently honored as the 1998 Fairfax County Citizen of the Year by the Fairfax County Federation of Citizens Associations and "The Washington Post." Jerry Halpin deserves this recognition, not just because he changed the face of Fairfax County as a visionary businessman, but also because of his vast record of quiet and selfless community leadership.

Anyone who is familiar with Northern Virginia is also familiar with Jerry Halpin's business accomplishments, although not everyone knows the full range of this self-effacing, public-spirited citizen's contributions to our community. In 1962, Jerry and three partners purchased a 125-acre farm on the crest of a hill in western Fairfax. On that crest he built Tysons Corner, which remains to this day one of the primary commercial centers in the entire region. His WEST*GROUP properties dot the area, and he has been responsible for the development, redevelopment or construction of office, retail, residential, resort, and industrial space for WEST*GROUP affiliates aggregating more than 12 million square feet.

In the midst of this time-consuming and successful business career, however, Jerry Halpin made the time to reinvest in his community. His specific contributions to this region are far too numerous to mention, although I would like to highlight a few. Thirty-five years ago, when the Fairfax County Park Authority was unable to secure sufficient funds to purchase land for a park site, he refinanced his home to cover the purchase price and then turned the land over to the Park Authority. Today, that land constitutes Burke Lake Park, one of Fairfax County's finest public recreation areas. As he was developing the WEST*GATE and WEST*PARK Office Parks in Tysons Corner, Jerry ensured that a net gain of trees existed after construction and donated land for a school, a ball park and transit stations. He played a major role in the purchase of various structures for Wolf Trap Farm Park, one of the finest facilities in the area, and dedicated substantial time to the Park as an early Trustee, Executive Committee Co-Chairman and Finance Committee Chairman of the Wolf Trap Foundation. On a more personal scale, Jerry was also involved in the landscaping of Trinity United Methodist Church and the Churchill Road Elementary School playground, both in McLean. A common thread runs through these disparate projects. Knowing him as I do, I am convinced that Jerry undertook each, not to advance his personal ambitions, but to promote the public interest. That's why many who live in the region are familiar with Jerry's commercial work but are less familiar with his public works. That is because Jerry is not a self-promoter, and I know he did not

seek the honor that was bestowed upon him by the Federation of Citizens Associations. I am glad, however, that his selflessness has been recognized, not so much because Jerry needs awards, but because he provides the community with such a positive role model.

Despite his many years of work and service, Jerry Halpin is still going strong. He currently serves as Chairman of the Grand Teton National Park Foundation, as a Director of the National Fish and Wildlife Foundation, and as a Director and Chairman of the Finance Committee for the National Capital Bicentennial Celebration. These current activities build on many in the past, such as his service with the American Horticultural Society, the American Museum of Immigration, the National Parks and Recreation Association, the Virginia Museum of Science, the Boarder Baby Project Gala, and the Medical Care for Children Partnership Awards Dinner. Jerry has also volunteered his time and leadership skills to many charitable organizations including the McLean Project for the Arts, United Community Ministries, the Claude Moore Colonial Farm, Hospice of Northern Virginia, Fairfax Hospital and Northern Virginia Community College.

Jerry's civic participation has extended to various public boards and commissions. During my term as Governor of Virginia, I appointed him to the Governor's Task Force on Science and Technology and to the Governor's Joint Study Committee to inquire into the practicality of creating a Coal Slurry Pipeline in Virginia. Jerry served as a member of the Governor's Advisory Board on Industrial Development under Governors Holton, Godwin and Dalton. He was also a member of the Fairfax County Economic Development Authority and its predecessor organizations for over eight years.

Jerry Halpin has been a personal friend of mine for many years now. For over forty years, he has provided community leadership not only for Fairfax County, but to all of Northern Virginia and the Washington D.C. metropolitan area. The Fairfax County Federation of Citizens Associations and "The Washington Post" could not have selected anyone more deserving than Jerry Halpin to be the 1998 Fairfax County Citizen of the Year. George Hartzog, the former Director of the National Park Service, has called Jerry a "treasure to mankind"—I couldn't have said it better. ●

RECOGNIZING THE "STEPS AHEAD" PROGRAM IN SEATTLE, WA

● Mr. GORTON. Mr. President, during this past recess, I had the pleasure of presenting my Innovation in Education Awards to two excellent recipients, one of which I would like to recognize now.

One award was given to the "Steps Ahead" program from "Community for Youth." Community for Youth is a

local non-profit organization in Seattle whose Steps Ahead program provides adult mentors to youth at risk of academic or social failure. This program has been in existence for eight years and has demonstrated remarkable progress in transforming the lives of students who might otherwise fall through the cracks of our education system.

Steps Ahead's curriculum focuses on five key factors for student behavior: (1) Building a positive self-image, (2) Expressing themselves assertively rather than passively or aggressively, (3) Accepting responsibility for their behavior rather than making excuses, (4) Setting and keeping realistic goals in life and (5) Making conscious decisions to solve problems rather than reactively letting the world pass them by. These may seem like exceedingly basic principles but, this focus has reaped great rewards with the students it has reached.

The students involved in this program have, for whatever reason been labeled as "at-risk." Fortunately, through the simple concept of restoring self-respect, accountability, and confidence, the Steps Ahead program has achieved outstanding results. Steps Ahead participants have fewer dropouts and fewer expulsions from school than their peers. The Steps Ahead students also have ten percent better classroom attendance, twenty-five percent fewer grades, and fifteen percent fewer dropouts, expulsions and long term suspensions—all this is the heart of metropolitan Seattle where the scourge of dropouts rates, poor attendance, and violent behavioral problems have traditionally been some of the worst in Washington state.

Community for Youth's efforts thought the Steps Ahead program is just one piece of the puzzle of trying to improve the lives and education of troubled youth. More importantly, perhaps, Steps Ahead has accomplished these feats by teaming up with local business to provide funding and mentors and by teaming up with the Seattle School District to target school populations most in need of mentoring. This type of common-sense and community-oriented approach to solving a difficult education problem demonstrates the exact reason why I began this Innovation in Education Award program.

I think any of my colleagues would be hard pressed to prove the kind of program I am talking about here today could come from the innovation of a bureaucrat here in Washington, DC. Rather, it is the hard work of the people that look into the eyes of our children every day, the parents, the teachers, the school administrators, and the volunteers like those at Steps Ahead, who make a difference in the lives of our children.

I am pleased to have been able to recognize Steps Ahead and Community For Youth with an Innovation in Education Award. They represent the