

known than some of his contemporaries. As we approach the 250th anniversary of James Madison's birth, I wish to bring to your attention the outstanding contributions he made to the fledgling United States.

During the course of his life, James Madison exhibited all the best qualities of a politician and a scholar. As a politician, he served as a member of the Virginia House of Delegates, a member of the U.S. House of Representatives, U.S. Secretary of State, and two-term President of the United States. As a scholar, he is associated with three of the most important documents in American history: the U.S. Constitution, the Federalist Papers, and the Bill of Rights. In Virginia, we have paid tribute to James Madison by naming one of our fine state universities after him—James Madison University in Harrisonburg, Virginia.

More than any other American, Madison can be credited with creating the system of Federalism that has served the United States so well to this day. Madison's indelible imprint can be seen in the delicate balance struck in the Constitution between the executive and legislative branches and between the states and the Federal government. In addition to his contributions to the Constitution and the structure of American government, Madison kept the most accurate record of the Constitutional Convention in Philadelphia of any of the participants. Madison's notes from the Convention are a gift for which historians and students of government will forever owe a debt of gratitude.

After the Constitutional Convention, Madison worked toward ratification of the Constitution in two of the states most crucial for the new government: Virginia and New York. He narrowly secured Virginia's ratification of the Constitution over the objections of such prominent Virginians as George Mason and Patrick Henry. He assisted in the New York ratification effort through his contributions to the Federalist Papers.

The Federalist Papers, written by James Madison, Alexander Hamilton, and John Jay are used to this day to interpret the Constitution and explain American political philosophy. Federalist Number 10, written by Madison, is the most quoted of all the Federalist Papers.

As a member of the U.S. House of Representatives, Madison became the primary author of the first twelve proposed amendments to the Constitution. Ten of these were adopted and became known as the Bill of Rights.

James Madison presided over the Louisiana Purchase as Secretary of State under President Jefferson and prosecuted the War of 1812 as President. He was a named party in Marbury vs. Madison, the famous court case in which the Supreme Court defined its

role as arbiter of the Constitution by asserting it had the authority to declare acts of Congress unconstitutional.

James Madison was born March 16, 1751, in Orange County, Virginia. Accordingly, I urge your support of the James Madison Commemoration Commission Act, legislation that will recognize the life and accomplishments of James Madison on the 250th anniversary of his birth.

PROPOSED MERGER OF UNITED AIRLINES AND US AIRWAYS

Mr. MCCAIN. Mr. President, the Commerce Committee recently approved S. Res. 344, which expresses the Sense of the Senate that a merger of United Airlines and US Airways would hurt consumers' interests. A.G. Newmyer, managing director of U.S. Fiduciary Advisors, similarly addressed the public interest perspective in a guest editorial printed in *The Washington Post*. I ask unanimous consent that the piece be reprinted in the RECORD in its entirety.

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

[From the *Washington Post*, Aug. 20, 2000]

UNITED WE STAND, IN LINE

(By A.G. Newmyer)

Chicago was created, as the old joke goes, for New Yorkers who like the crime and traffic but wanted colder winters. And now, it seems, Chicago—like other United Airlines hubs—was created for travelers willing to spend their summer vacations waiting in lines at the airport. If United's proposed takeover of US Airways goes through, Washington may have been created for Chicagoans who wanted to spend their days in lines at a smaller airport.

Given the size of US Airway's operations in our region (particularly its share of traffic at Reagan National Airport), as well as United's proposed rule in operations of the new DC Air frequent fliers worry that the Clinton administration and Congress might actually permit United's expansion.

United we stand, in line. Divided, we fly . . . at least, some of us.

Federal Aviation Administrator Jane Garvery recently pointed to myriad factors in explaining this summer's air travel debacle: a system operating at peak capacity in a booming economy, weather, labor, issues and so on. United's senior management, at least until its recent apologies seemed happy to point the finger anywhere but in the mirror.

Many of the excuses don't stand up to scrutiny. News reports, for example, have noted that United is quicker than other airlines to blame weather for cancellations. Seldom is it mentioned that a carrier's obligation to pay for hotel rooms and otherwise take care of passengers vanishes when nature is the culprit. Similarly, even if pilots are unwilling to fly their customary schedules, customer service agents at the counters and on the phones could be augmented to take care of the obvious resultant crush. Waiting times make a mockery of such customer-friendly tactics, particularly for passengers finding our exactly how inconvenient the convenience of ticket-less travel is.

Common sense would suggest that United management has a very full plate trying to fly its current fleet. Only the luckiest occasional traveler on United could conclude that the airline has been operating in the public interest this year. Interestingly, the federal government's review of the proposed merger may pay scant attention to common sense.

The government's review focuses largely on antitrust and competitive considerations, not on the broader public interest. Although the Department of Transportation has a role to play, responsibility for the willingness to treat customers like human beings may get short shrift in a review process that is both legal and laughable.

In the long term, business courses are likely to include discussion of how United's management ruined a world-class, respected brand, Labor's ownership role and board seats at United may cause other companies to wonder about the efficacy of such arrangements.

In the short term, the United mess deserves a more thorough governmental review before its management expands its chokehold on passengers to include US Airways and DC Air. Although time is short in this election year, Congress would find vast voter sympathy in reviewing whether applicable merger statutes are appropriate. And before President Clinton finds himself joining the rest of us on commercial flights, he should direct his administration to just say no to a broader role for United in today's unfriendly skies.

COASTAL ZONE MANAGEMENT ACT OF 2000

Mr. KERRY. Mr. President, I rise to make a few remarks on the Coastal Zone Management Act of 2000, legislation to reauthorize the Coastal Zone Management Act. This bill, S. 1534, was passed last Thursday evening by unanimous consent.

To begin, I want to thank Senator SNOWE, our chairman on the Oceans and Fisheries Subcommittee on the Commerce Committee, for putting this legislation on the Committee agenda this Congress and working for its enactment.

When Congress enacted the Coastal Zone Management Act in 1972, it made the critical finding that, "Important ecological, cultural, historic, and esthetic values in the coastal zone are being irretrievably damaged or lost." As we deliberated CZMA's reauthorization this session, I measured our progress against that almost 30-year-old congressional finding. And, I concluded that while we have made tremendous gains in coastal environmental protection, the increasing challenges have made this congressional finding is as true today as it was then.

At our oversight hearing on this legislation, Dr. Sylvia Earle testified on the current and future state of our coastal areas. Dr. Earle has dedicated her career to understanding the coastal and marine environment, and knows as much about it as anyone. She warned us that, "We are now paying for the loss of wetlands, marshes, mangroves,