

who will recharge the public's imagination and confidence. The public mood can be transformed in an election, a single cycle. Maybe it will take a generation. But it can be changed. Elected officials who cater too much or too little to state interests can be voted out of office. But if the Supreme Court chisels into stone new constitutional restrictions on federal power, new hoops through which Congress must leap, where will we be then? You cannot go to the polls to undo a constitutional ruling of the Supreme Court. There is no further appeal—no appeal to a higher court, no appeal to the voters. Nothing short of a new constitutional convention or an amendment to the Constitution—and you know how easy that is—or will do. James Madison was right: trust the political process. "WE CANNOT AGREE"? Please.

Let me conclude by making the following simple point: if, at the federal level, we are such a failure institutionally, why does the rest of the world look to us to copy our supposed frailties? If we are such a failure—with our last six Presidents supposedly flops—how is that our incomes are actually growing, crime is going down, drug use is down, and our economy is in better shape than that of any nation in the history of the world? How did we produce a nation willing and able, as the President of Bulgaria pointed out, to spend billions of dollars and risk the lives of its men and women to advance the cause of human rights? Did it happen by chance? Did it happen by accident? It happened as a direct result of our unique political institutions.

The Framers set out to create a centralized government robust enough to deal with national problems, but with built-in guarantees that it be respectful of, and sensitive to, local concerns. There is an inherent tension in the document. But look at the sweep of history: as the balance of power has shifted back and forth between the national government and the states, our resilient political branches have adjusted and responded. The rest of the world gets it.

We must remember that politics—and politicians—are not the enemy. The Constitutional Convention was composed of men who were regarded as gifted even in their own day. As the French chargé d'affaires wrote to his government as the Convention convened:

If all the delegates named for this Convention at Philadelphia are present, we will never have seen, even in Europe, an assembly more respectable for the talents, knowledge, disinterestedness, and patriotism of those who compose it.

Above all else, these men were politicians. And I am not suggesting by this that our government today boasts the likes of a Jefferson or a Madison, but I am suggesting that we have fine and decent men and women with significant capabilities who choose public service. And some of you are among them.

The hostility we see from the Supreme Court toward the elected branches of government is the same suspicion we see in the eyes of the ordinary person on the street. "Politics" has become a dirty word. But as those of you here who live in this state of strong local community governments and town hall meetings, know better than anyone, "politics" is fundamental to how we govern ourselves in a democracy. At the end of the day, politics is the only way a community can govern itself and realize its goals without the sword.

So I stand before you today, on this 212th anniversary of the completion of the work of the Constitutional Convention, ready and

willing to defend politics—even national politics. It was what those 50 gentlemen, all strangers, who met 212 years ago defended and vindicated. And it is what, in the end, has made and will continue to make us secure and strong.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2001

The PRESIDING OFFICER. The Senate will now resume consideration of S. 2521, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2521) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

The PRESIDING OFFICER. The Chair recognizes the Senator from Montana.

Mr. BURNS. The ranking member of this committee has some chores to do. I am finding no one on the floor who wants to talk on this piece of legislation, unless the Senator from Delaware wants to make his Kosovo statement.

Mr. BIDEN. I will do whatever the Senator would like me to do.

Mr. BURNS. I tell the Senator, I have a feeling we are not going to really get into the meat of this bill until after the policy luncheons.

If the Senator would like to open it up, say, with your statement at around 2:15, we might be able to arrange that. Until then, I would put the Senate back into morning business.

Mr. BIDEN. Mr. President, if the Senator will yield, I would be happy to do that. But would I be able to appropriately ask unanimous consent that I be recognized first, unless the managers wish to be recognized, when we reconvene after our party caucuses?

Mr. BURNS. Let's hold up for a minute until we get some consultation.

Mr. BIDEN. Mr. President, let me rephrase that. I ask unanimous consent that after the managers and/or either party leader I be recognized to make my statement on Kosovo.

Mr. BURNS. I have no objection.

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

Mr. BURNS. I thank my good friend from Delaware.

Mr. President, seeing no one to speak on this issue—and I think most everybody is awaiting the debate for this afternoon—I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### MORNING BUSINESS

Mr. BURNS. Mr. President, I ask unanimous consent that there be a period for the transaction of morning business until 12:30 p.m. today and that Senators be permitted to speak therein for up to 10 minutes.

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

Mr. BURNS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### THE DISASTER IN NEW MEXICO

Mr. DOMENICI. Mr. President, I note on the floor with me this afternoon is Senator BINGAMAN. We are both here to speak about the disaster and catastrophe that has occurred in New Mexico. I would like to speak maybe for 5 or 6 minutes, then yield to my colleague, and then come back and do a little more.

During my time in the Senate, which is now approaching 28 years, I vividly remember coming down and hearing Senators have to tell the Senate about a disaster of significant proportions in their home State. The Senator wanted to tell us about how bad things were and lay the groundwork for the Congress, the Government of the United States, to do what it must to help those who are victims in a disaster.

To tell you the truth, I have been to Los Alamos, oh, so many times over the last 28 years. Most of them have been very joyous occasions, when we met with some of the greatest scientists in the world, talked about some fantastic science, met some wonderful people, and saw a beautiful town up there in the mountains. It came into being when the United States of America decided a former boys' academy up there in the mountains would be the center around which we would develop our first atomic weapons. It was a closed city for a long time but a beautiful place.

Sure enough, never did I expect to see what I saw last Thursday when Senator BINGAMAN and I, the Secretary of Energy, and James Lee Witt, the head of our emergency disaster relief agency for the United States, and others flew out there. Then we helicoptered around. Then we drove the streets to see what was occurring.

Senator BINGAMAN took a little different tour than I. He saw some of the housing. I saw where they set up the