

understand is that those rights are protected only so long as Americans are willing and able to defend them. Our populace must be constantly vigilant for those things that threaten to endanger our rights, our Constitution, and our form of Government. Such threats go well beyond military invasion. They include the preservation of ideals such as liberty and equality and justice, which can be so easily chipped away.

In order to become a citizen, most aliens are required to devote time to a study of our country and its history. They receive, at least, elementary guidance to help them appreciate the precious title of "citizen" and all that it entails. What goes all too often unspoken in this debate is that U.S. citizenship entails much more than rights. It entails responsibilities.

Our citizenry should be instilled with at least a basic understanding of the precepts that formed the foundation for this country. Lacking that, they are ill-prepared to be guardians of our future.

We Americans are justifiably proud of their history as a melting pot. If we go back far enough, we are all products of that melting pot, at least most of us. But the melting must be done in a way that ensures that these new citizens are ready to be productive, functioning Americans. We owe it not only to today's citizens but also to future citizens, including those who come to our shores expecting the opportunity for which America is so renowned.

PRESIDING OVER THE SENATE

Mr. BYRD. Mr. President, every class of Senators seems to have characteristics or qualities that make it distinguishable from other classes. The Senate class of 1946, for example, has been considered the "post-New Deal Republican Eightieth Congress." The Senate Class of 1958, my own class, had qualities to which I devoted an entire chapter in Volume I of my history of the United States Senate. The class of 1974 has been referred to as "Kennedy children" because of the influence that President John F. Kennedy had on so many of them, and as the "Watergate Babies" because so many of them owed their victories to the fallout from the scandals of the Nixon Administration. The Senate class of 1980 was certainly an integral part of the "Reagan Revolution."

I daresay that the Senate class of 2000 may well become known for, and distinguished by, a renewed dedication to the Senate as an institution. That is what they have brought to the Senate. I have never seen a freshmen class of Senators demonstrate more pride in understanding the rules, customs, and traditions of the Senate as has the class of 2000.

They first grabbed my attention early in this session when three of

them—namely, Senators MARK DAYTON, BILL NELSON, and HILLARY CLINTON—came to me and asked for my advice not only on how the Senate works, but also what makes it work, and what they could do to make it work better.

I have seen and witnessed so much in my lifetime that few things ever impress me any more, but that did. I was impressed by their eagerness and their sincerity, and their interest, not only in their individual Senate careers, but their interest in the Senate as an institution, as well. These new Senators wanted to know how they could contribute to the Senate, how they could be good Senators in the context of being useful, of being efficient, of being Senators who develop and retain an institutional memory, how they could best serve their States in this institution.

At about that same time, our Majority Leader, Mr. DASCHLE, asked me if I would conduct a session with new Senators to discuss some of the elemental rules that would be important to new Members, especially when they are called upon to preside.

I began meeting with these new Senators and discussing Senate rules and Senate traditions and how the Senate operates, how it should operate, how it has operated in the past. These meetings have been well attended.

Now I have enjoyed watching members of the class of 2000 preside over the Senate, and the attentiveness and the pride with which they perform this duty.

I realize that presiding over the Senate is often regarded as a chore. The limitations of the position keep it from being seen as an exciting or glamorous assignment. For example, Senators are restricted in what they can say from the Chair. Even when criticisms are directed to the Chair, the Chair is not supposed to respond. The Chair is only to respond when called upon by way of a parliamentary inquiry or to make a ruling on a point of order, or to restore order in the Senate Chamber or in the galleries.

Perhaps this is why, over the years, I have detected a tendency among some Senators not to take the position of Presiding Officer seriously. This is why, no doubt, some Senators have shied away from serving in the position, and why, when they did preside, they could be seen reading a newspaper or magazine, or reading their mail or writing out their checks—anything but paying attention to what was happening on the floor.

But I want to take this opportunity to stress that the Presiding Officer has a most important, most fundamental responsibility to the Senate and to the people of the United States. The Presiding Officer is the person who maintains the rules and the precedents of the Senate, and from these rules and precedents come the order, civility,

and decorum in the Senate. In his farewell speech to the Senate, in 1805, Aaron Burr, who was Vice President, referred to the Senate Chamber as a "sanctuary." He said:

This House is a sanctuary; a citadel of law, of order, and of liberty; and it is here—it is here, in this exalted refuge; here, if anywhere, will resistance be made to the storms of political phrenzy and the silent arts of corruption; and if the Constitution be destined ever to perish by the sacrilegious hands of the demagogue or the usurper, which God avert, its expiring agonies will be witnessed on this floor.

This is the place where we, the Nation's lawmakers, come together to talk to one another, to listen to one another respectfully, to learn, and to make our best case to the best of our ability.

Order and decorum are needed so that Senators may be properly recognized, the clerk can hear and record the votes, and the people in the galleries—the people who watch silently over our shoulders—can hear the debate. As I was sitting in the chair earlier today and watching the people in the galleries, I thought: Here are the silent auditors. These are the people; sovereign rests in them. They come here; they listen; they watch us; they watch over our shoulders.

And then my imagination carried me from the Atlantic to the Pacific, and I thought: Here are 284 million people represented in this body by 100 men and women. What an honor, what a responsibility, what an opportunity. Order and decorum are needed if our different political parties are to work together in the best interests of our Nation and its people.

So as we conduct our business in front of the galleries and in front of the television cameras, we must keep in mind that the American people are watching. They are watching us. They are the people who send us here. They are the people who pay our salaries. They are watching us. They are evaluating what we do and what we say, and they are pondering not only what is being said but also the way we act. They are looking over our shoulders. They are judging us.

Calling the U.S. Senate the "citadel of liberty," Senate President pro tempore-elect William King of Alabama pointed out that it is "to this body"—this body—"[that] the intelligent and virtuous, throughout our widespread country, look with confidence for an unwavering and unflinching resistance to the encroachments of power."

Think of that. The people look to us—the Senate in particular—to guard them, to guard their liberties, to guard their freedoms against the encroachments of power from an overweening Executive.

Senator King then proceeded to explain:

To insure success . . . in the discharge of our high duties, we must command the confidence and receive the support of the people.

Calm deliberations, courtesy toward each other, order and decorum in debate, will go far, very far, to inspire that confidence and command that support.

Now with the televising of Senate proceedings, we are being observed by teachers, by students around the country, by judges, by coal miners, by farmers, by members of legislatures, members of city councils, observing and studying the legislative process. They are watching us. We are being observed by millions of taxpayers in the kitchens, in the living rooms. We are also being viewed by people around the world.

The U.S. Senate is the premier upper Chamber in the world today, and we ought to keep it that and be proud of it. There are only 61 nations in the world that have bicameral legislative bodies. All the others have unicameral legislatures. But the U.S. Senate and the Italian Senate are the only bicameral legislative bodies in the world today in which the upper chamber is not dominated by the lower chamber.

Furthermore, developing democracies are watching us for guidelines on how a legislature operates in a representative republic, in a democratic republic.

It is imperative, therefore, that the U.S. Senate be seen as a model, and that the Presiding Officer be seen as a model Presiding Officer; order and decorum are essential to that objective. Order and decorum are established in the Senate rules. Of the 20 rules that the Senate first observed in 1789, many of them regulated order and decorum. Yet Senate rules, like order and decorum, I fear, are taken too much for granted.

I am not the first Senator to express that concern. In 1866, Senator Charles Sumner of Massachusetts cautioned his colleagues that they had become so "accustomed" to the parliamentary rules that "govern legislative proceedings" that they failed to recognize their "importance in the development of liberal institutions." These rules, he maintained, "are among the precious contributions which England has made to modern civilization. . . . [They] have become a beautiful machine by which business is conducted, legislation is molded, and debate is secured in all possible freedom." These rules, he said in a phrase that I have always held dear, are "the very temple of constitutional liberty."

Some years later, Vice President Adlai Stevenson reminded his colleagues "that the rules governing this body [the U.S. Senate] are founded deep in human experience; that they are the result of centuries of tireless effort in [the] legislative hall, to conserve, to render stable and secure, the rights and liberties which have been achieved by conflict."

Our English forebears wrested from tyrannical monarchs the power of the

purse and vested it in a body made up of the elected representatives of the people, the House of Commons.

The parliamentary rules that "govern legislative proceedings" serve many purposes. They perform many vital functions not only here in the Senate but also in our Government.

Arthur Onslow, whom Thomas Jefferson considered the "ablest among the Speakers of the [British] House of Commons," maintained "that nothing tended more to throw power into the hands of administration . . . than a neglect of, or departure from, the rules of proceeding."

We have seen that right here in this Senate.

"By its rules the Senate wisely fixes the limits on its own power," declared Vice President Adlai Stevenson.

I have said this time, time, and time again, but this is Vice President Adlai Stevenson saying it this time: "The right of amendment and of debate." The right of amendment and of debate, and how often in recent years have we seen Senators denied these fundamental, basic rights: the right to debate and the right to amend?

"Great evils often result," continued Vice President Stevenson, "from hasty legislation; rarely from the delay which follows full discussion and deliberation. In my humble judgment, the historic Senate—preserving the unrestricted right of amendment and of debate, maintaining intact, the time-honored parliamentary methods and amenities which unfailingly secure action after deliberation—possesses in our scheme of government a value which cannot be measured in words."

I would add, Mr. President, that it is the Senate rules which establish the basis for order and decorum in the Senate.

In his "Manual of Parliamentary Practice for the Use of the Senate of the United States," Thomas Jefferson laid out strict rules for maintaining order and decorum, including a provision that read:

No one [Senator] is to disturb another in his speech by hissing, coughing, spitting, speaking, or whispering to another, nor to stand up or interrupt him, nor to pass between the Speaker and the speaking member, nor to go across the house, or walk up and down it, or take books or papers from the table, or write there.

That was Jefferson speaking.

The Senate has remained ever attentive to the need for order and decorum, Mr. President. According to the Senate Historian's Office:

Persistent concern for the chronically disordered state of floor activity in the early 1850s moved the Senate to authorize construction of a new and larger chamber. The chamber—

This Chamber into which the Senators moved in 1859—

included ample galleries and floor space, and—for the first time—cloakrooms to which members could retire for private conversation and writing.

Ergo, Mr. President, order and decorum are needed because in this Chamber we are dealing with important, often controversial, national issues. We are dealing with precious issues that mean so much to the people we represent and to the Nation's values.

Pressure is constantly building upon us with so much at stake in nearly everything we say and do. As tensions rise and pressures mount, it is essential that we maintain order and decorum as well as mutual respect for one another. Only with respect for and obedience to the rules, especially those governing order and decorum, can the Senate function properly and effectively.

Without observance of these rules, events in the Senate can escalate, and have escalated, out of control. During the decade in which the country approached the Civil War, for example, antagonisms over the difficult issues of the period flared, and so did tempers, and so did disorder in the Chamber.

During a heated argument in 1850, Senator Henry Foote of Mississippi in the Old Senate Chamber just down the hall drew a pistol on Senator Thomas Hart Benton of Missouri. In that same Chamber in 1856 came the caning of Senator Charles Sumner of Massachusetts. In 1859, Senator William Gain of California challenged Senator Henry Wilson of Massachusetts to a duel. In 1863, in this Chamber, William Salisbury of Delaware threatened to shoot the Sergeant at Arms. Several decades after the Civil War, in a heated debate over a treaty, two South Carolina Senators got into a fight. Senator Benjamin Tillman and Senator John McLaurin, both of South Carolina, traded punches on the Senate floor.

We no longer draw pistols on each other, engage in fist fights, or threaten to shoot the Sergeant at Arms, but for a long while I was seriously concerned about the decline of decorum in this body. In December 1995, I came to the floor and expressed my deep concern at the growing incivility in this Chamber. Senators were using what I call "gutter talk" and "fighting words" that once could have led to fist fights or even duels.

Just last year, I complained of the lack of decorum that had developed over the past few years. Having served in both Houses of the West Virginia State Legislature, I pointed out that the decorum, the order within the House of Delegates of West Virginia and the West Virginia Senate, were far more to be desired than we would find in the United States Senate Chamber.

I was beginning to regret my role in helping to arrange the televising of Senate proceedings. I could not help but believe that the decline in order and decorum fell to a large extent upon the Presiding Officer, the burden of maintaining order and decorum. It is the Chair's responsibility to maintain

order in the Senate when disorder arises. It is the duty of the Chair, without being asked from the floor, without a point of order being made from the floor, to maintain order and decorum in the Senate Chamber and in the galleries. When the Presiding Officer fails in the mission, he fails the Senate.

I often say to these new Members: Don't be afraid to use that gavel. Hit the desk hard. Use that gavel. It is made of ivory. It won't crack. Only once has the gavel been broken in more than two centuries of debate in the Chamber. Just tapping is all right. It is all right just to tap the gavel if the pages are being a little noisy or if there are two or three Senators making a noise up here close and if the Chamber is not crowded with Senators. But when there are many Senators in the Chamber, one needs to use that gavel.

I have been very proud of the way these new Senators use the gavel. The Senate ladies here—I am an old-fashioned Senator; I still refer to men as gentlemen and women as ladies—these female Senators use that gavel and they make themselves heard. And they are firm when they ask for order. When they are presiding and they ask for order, they get it. They make that gavel sound. They make the rafters ring with the sound of that gavel. When they ask for order, they get it. I daresay that much of the indecorous ways of the Senate from time to time come about when the Presiding Officer is not paying attention to the floor, is not enforcing the rule.

My how things have changed in the last few months with the Senate class of 2000. I no longer see the Presiding Officers reading newspapers or signing mail at that desk. They don't do it. They pay attention to the Senate. I have said to the Senators, if you are called upon to preside and you have letters to sign, beg off presiding for that time. We can supply a new Presiding Officer. Don't go to the desk and sign your mail. People are watching you. What are they going to think of you? What do the people in the galleries think of a Presiding Officer who sits up there and reads the newspaper or looks at a periodical?

Our new Senators, when presiding, are not reading the mail. They are paying attention to what is happening on the floor, and they are keenly aware of what is going on. One quick look at them and you realize that they take the responsibility of presiding over the Senate very seriously. They perform very professionally.

To these Senators who are presiding, the class of 2000, it is not just a chore that they must undertake as freshmen. It is a way to learn even more about the Senate, to watch and study the way it works and to learn from it. And perhaps even more importantly, they recognize the importance of the position in keeping the Senate operating and functioning properly.

These Senators are determined to keep order. They are not afraid to pound the gavel to get order in the Senate. Even though they are freshmen Senators, they will pound that gavel against more senior Members when it is called for.

Just the other day I watched as one of the freshmen Senators hammered away until he got absolute silence. That is the way it ought to be. I know that sometimes a freshman Senator may hesitate to pound the gavel or to insist that a Senator of great seniority here takes his seat or stops talking. I know just how a freshman Senator feels because I once was in that position as a new Senator. The Chair should pound that gavel. Make it crack. Make it be heard. Make it be heard until it is the only noise in the Chamber.

Because of the efforts of these Presiding Officers to maintain order and decorum, I believe I have detected a Senator or two who would respond with a rather shocked expression.

I have been in that chair and sought order, and I have had a few Senators look at me as though they wondered, who does this fellow think he is? They will give the Chair an impudent stare, but as long as they cease their talking, perhaps the Chair will be done with that. But it is evident. We owe that Chair respect. We owe the gavel, the Presiding Officer, respect. And the leaders can go a long way in helping to get order in this Senate if they, too, listen to the Chair; if they, too, when the Chair asks that the well be cleared, if they, too, will clear the well, they will set a good example to other Senators.

This crop of Senators has not budged. They are not intimidated. They are determined to do their job. They are making a difference. They are restoring a decorum to the Senate that was on the decline for too long. I thank them for their efforts.

Much to the surprise of many Senators, I am sure, there is a resolution No. 480 of the standing rules of the Senate. For those who do not know this order, it requires Senators to vote from their assigned desks. It is there. It is not often enforced, but it can be enforced. I constantly vote from my chair. I try always to vote from my chair. Only a few vote from their desk. That is what Senators are supposed to do, vote from their desk. I constantly observe Senators going into the well and milling around. As I have stated before, this makes the Senate look more like the floor of the stock exchange than the world's greatest deliberative body.

When I came here, there were giants in the Senate. I did not see the giants of the Senate—Senators Everett Dirksen of Illinois, Styles Bridges of New Hampshire, Richard Russell of Georgia, Stuart Symington of Missouri, Norris

Cotton, George Aiken—get into the well and mill around. They may have walked through the well or they may have walked up to the desk and asked something about a vote, but they did not gather in the well and carry on long conversations. They sat in their seats or they moved to the back of the Chamber or moved outside the Chamber. There are plenty of places where Senators can go to converse.

I know how it is. You come to the floor, we have been in committees. It has been a while since you last saw a Senate colleague and we greet other Senators and we sometimes begin talking about the business of the Senate and we become oblivious to the fact there is being business transacted. We become oblivious to the fact we are making a noise. I have been the culprit in many instances. But once that Chair sounds the gavel and asks for order, I try to obey that Chair.

Mr. President, I ask for 3 more minutes.

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

Mr. BYRD. Mr. President, there are plenty of places where Senators can converse. Think how different it is on those occasions when Senators do vote from their seats. There is less noise and less chaos and voting goes so much faster. Think how impressive it is when the United States acts and votes in accordance with the standing rules and orders of the Senate.

I want the American people to revere the Senate. If they respect this body, they will have more respect for the laws that we enact. I am not suggesting that it is the fault of the Presiding Officer when Senators fail to vote from their seats, but I must say that when I first came to the Senate I watched the Senate. And even in escorting the Chaplain to the podium at the opening of the Senate, daily, the way those Senators—the way the President pro tempore did that in those days was very impressive. I watched Senator Richard Russell of Georgia escort the Chaplain to the dais. Senator Russell did not walk up on that platform with the Chaplain. Senator Russell paused on the step just below the platform, allowing the Chaplain to stand alone on the platform.

I was really moved by this act. Senator Russell did not stand behind the Chaplain. He did not stand beside the Chaplain, thus crowding the space. He was not hovering over the Chaplain like an old hen watching over her chicks. Senator Russell remained out of the picture until the Chaplain had finished. I kept thinking how proper that was. He was giving the Chaplain the platform. This was God's moment, God's moment before the Senate, and the Presiding Officer was honoring and respecting God's moment. That was class. By Senator Russell's actions, he, too, was according proper homage to

the Supreme Being. And people liked that. People liked that.

Nothing we do here in the Senate is more important than seeking the Lord's blessing and paying our respects to the Creator. When the Chaplain is before us—he may be a guest Chaplain of whatever faith—it is God's time. We should respect it. We should cherish it. We should honor it as did the Presiding Officers in that day. The memory of how that impressed me has been with me through the years so that always when I open the Senate I do it the way those Senators did it in those days, now so long ago.

Back in 1990 I pointed out that:

[I]f something seems wrong with the Senate from time to time, we, the members, might try looking into the mirror; there, in all probability, we will see where the problem lies. Those who weaken the Senate are members who, in one way or another, bring discredit on the institution.

Those Members, I said, are the ones: . . . who never quite understand the Senate [and lack] an appreciation of its customs, its traditions, its rules and precedents, and a pride in having been chosen to serve in it.

Only 1,864 men and women have served in this body. Today, more than a decade later, I want to rephrase that point. Let me say that it is the Members who try to understand the Senate, who try to gain an appreciation of its customs and traditions, its rules and precedents, and who take a pride in having been chosen to serve in the Senate—they are the ones who bring credit to the Senate. They are the Senators who will keep the U.S. Senate as a model to the people of America and the world.

In the few months that they have been here, the class of 2000 is doing that. And, again, I salute them for it.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

Mr. MCCONNELL. Mr. President, will the Senator suspend? Could I ask what the order of business is?

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The order is to resume consideration of H.R. 2299.

Mr. MCCONNELL. Seeing no one else on the floor, I ask unanimous consent I be allowed to proceed for 5 minutes as in morning business.

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

FEDERAL FUNDS FOR ELECTION REFORM

Mr. MCCONNELL. Mr. President, the subject of election reform has been talked about and discussed a great deal during the past 6 or 7 months. In fact, there have already been more than 60 hearings this year in Washington and in the States.

I appreciate the attention that has been paid to this important issue, and commend my colleague on the Senate Rules Committee, Chairman DODD, for his attention to this issue.

I think we can all agree that America needs, wants, and demands action on election reform.

The Senate is in a strong position to act on this issue of tremendous national importance, and in a refreshingly bipartisan manner. On election reform, Republicans and Democrats agree on far more than we disagree.

In fact, 90 senators agree that we need meaningful election reform.

Ninety Senators are cosponsoring either the bipartisan McConnell-Schumer-Torricelli election reform bill leading the election reform pact with 70 Senators on board—38 Republicans, 31 Democrats, and one Independent; the Democrats-only Dodd bill which has all Democrats and one Independent as cosponsors but no Republicans; or the McCain bill—which has 2 cosponsors.

That means 90 Senators are cosponsoring legislation authorizing federal funding to assist the 50 States in improving their election systems. The McConnell-Schumer-Torricelli bill, the Dodd bill, and the McCain bill all have funding in them for election reform. Federal funding is the common denominator which brings the Senate together on this critical issue and makes election reform possible for the American people.

But no money has yet been appropriated for election reform. No election reform money at all—not one thin dime—is yet in any appropriations bill for fiscal year 2002.

I think we can all agree that is unacceptable. We must have election reform money appropriated for fiscal year 2002. Otherwise, any authorization which is passed later this fall will be all-show and no-go, until subsequent appropriations are enacted.

If we do not appropriate election reform money in this round of appropriations—for fiscal year 2002—then election reform will be delayed. Election reform would either be postponed until fiscal year 2003, or be contingent upon an emergency supplemental appropriations bill at some point.

Election reform delayed is election reform denied.

The Republican Leader, Senator LOTT, had planned the election reform debate in the Senate to occur during June. Senators SCHUMER, TORRICELLI, and I were ready to press ahead. The organizations supporting our bill—including Common Cause and the League of Women Voters—were ready to do an all-out push for our election reform bill. Obviously, that floor debate did not happen.

It is not clear now when election reform will pass the Senate in the form of an authorization bill. In any event, any authorization for Federal funding for new voting machines and other enhancements in election systems will require that money be appropriated.

That is why I take the floor today, to announce my plan to pursue a mean-

ingful appropriation for election reform.

The McConnell-Schumer bill authorizes \$500 million annually. The Dodd bill authorizes such sums as many be necessary.

While it may be nearly impossible to appropriate several hundred million dollars for the upcoming fiscal year, I do believe that we can come together on both sides of the aisle to find an election reform appropriation that is possible and meaningful. Today, I am pledging my commitment to do just that and calling on my colleagues on the Rules and Appropriations Committees to help me make this happen.

There will have to be an authorization mechanism later on to determine precisely who will administer the funds, how, to whom and for what. But we do know that the sum is substantial. And that time is running out to make a difference for the 2002 elections.

Senators on the Appropriations Committee have already demonstrated great enthusiasm for election reform with nearly all the Republicans and half the Democrats on my bill and all the Democrats on the Dodd bill.

If not successful at the committee stage in the appropriations process, I will offer an amendment on the floor at a suitable time.

One way or another, we need to make sure that the Senate will have the election reform issue before it—sooner rather than later—in the form of the funding that is absolutely essential to make the McConnell-Schumer-Torricelli election reform bill, the Dodd bill, or the McCain bill work.

Let's appropriate election reform money for 2002. We can decide later which election reform bill will become law, who will hand out the money, and whether there will be Federal mandates.

I look forward to working with Chairman DODD on the Rules Committee and Senators BYRD and STEVENS and my fellow members of the Appropriations Committee to ensure that this appropriations season does not pass without setting aside funds for election reform.

Mr. President, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

The PRESIDING OFFICER. The Senate will now resume consideration of H.R. 2299, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2299) making appropriations for the Department of Transportation and