the physical presence of energy—gas, oil, coal, the kinds of things that have fueled the economy that were turned into the phenomenal piece of explosive power we saw last Tuesday be a priority—a national energy policy—and that we ought to be able to shape one in reasonable fashion in a couple of weeks. The House has already moved legislation. They have passed a national energy policy.

Well over a month and a half ago, we began to mark out an energy policy bill for the Senate. I hope our leaders, Senator DASCHLE and Senator LOTT, will ask the Energy Committee to come together and stay together for the next couple of weeks to produce a bill to be debated on the Senate floor. Our President deserves a national energy policy as part of our overall national security strategy at this moment on his desk, acceptable and ready to sign.

I also believe we need to take a hard look at our intelligence community to make sure the shortcomings in predicting the events of the first Trade Center bombing, and the embassy bombing, and attack on the U.S.S. Cole and, of course, last week’s attack do not recur.

We must do better. We cannot accept past performance. I agree with the assessments of my colleagues that a major reinvestment in our human intelligence capabilities is needed and it must take place through a reorganization and the world’s best when it comes to technological advancement. We can look down on any part of the world with such detail that we can read the watch on the human side of the capability I talk about, which we have been underinvesting in, or divesting of, for the last several decades.

Clearly, we must get back into the minds of the citizens of the world—those who would do us damage and view our country as an evil. It is only then that we can use the look-down from 3 miles high to determine where that person is going and when he or she may be there. But we must access the mind as well as observe the movement.

If we can accomplish all of those things—and I believe we can, and I believe our President will ask us to invest in those—then we will all stand in a bipartisan way to support it, because what is at stake here is the very strength of our country and the very freedom of our citizens. I have never once questioned the fact that we will not only stand for the test, but in the end, without question, we will win. I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, this is Constitution Week. Of course, I am talking about the U.S. Constitution. A point that all Governors and Senators might well remember: No State constitution in this country is like the Federal Constitution. No State’s constitution so clearly and so strictly delineates the separation of powers as precisely as does the U.S. Constitution. So it is here in the Senate that the Constitution is defended—the U.S. Constitution—and it is here that we support the separation of powers, the checks and balances; and the one Constitution that we are bound by in this institution is the U.S. Constitution, a copy of which I hold in my hand. I want to take a little while today to talk about this Federal Constitution.

On Monday of this week we marked the 214th anniversary of the U.S. Constitution. Of course, the Senate was not in on Monday, and consequently I have been forced to wait until today to speak about the Constitution. Again, this is Constitution Week. In tragic and sad times, we instinctively reach for what matters most in our lives: Our faith, our families, and our fundamental rights as Americans.

As we struggle with the horrific events of September 11, we should take a measure of strength from the events of another September day, an 18th century September day.

On September 17, 1787, an extraordinary convention of American statesmen, meeting at Independence Hall in Philadelphia, adopted the Constitution of the United States of America. My memory may prove me wrong, but I believe that, too, was a Monday—as was September 17, in 2001, this year of our Lord. So today I wish to commemorate that singular event by discussing several of the constitutional provisions that shape the structure and guide the operations of the U.S. Senate. I think there will never be a better time, or a more propitious time, or a time when we more need to think and to speak of the Constitution of the United States, than this time, and amidst the circumstances that have attracted the attention and galvanized the attention of Americans, wherever they may live—in this country or elsewhere—as well as the people of other countries. So it is timely to think about the Constitution of the United States.

The Senate and the Constitution

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Or, consider a Senate in which Members served for life—or for just a single year. How about a system in which the House of Representatives elected the Senate? Or a Senate in which Members voted as a State block rather than as individuals? To our modern ear, these options sound preposterous, perhaps, but to the Framers of the Constitution, these proposals deserved serious consideration.

There was nothing inevitable about the Constitution as we now know it. Every word required delicate construction, balancing, and refinement. In cases where the Framers could not fully agree on a particular point, they chose ambiguity—or even silence.

Among that charter’s 55 draftsmen—only 39 actually signed the document—there was no two chambers, varied experience with legislative bodies. That knowledge served the Framers well as they struggled to fashion the institutional structure of the United States Senate. Let us examine some of the Senate-related options that the Convention’s delegates confronted from the Convention’s convening on May 25 until its adjournment on September 17.

First the issue of representation. Delegates representing large States at the Constitutional Convention advocated a strong national government. In Edmund Randolph’s Virginia Plan, the number of Senators in each State would be determined by that State’s population of free citizens and slaves. Large States, then, stood to gain the most seats in the Senate. As justification for this advantage, these delegates noted that their States contributed more of the Nation’s financial and defense resources than did small States, and therefore, deserved a greater say in Government.

Small-State delegates countered with a plan designed to protect States’ rights within a confederated system of government. Fearing the effects of majority rule, they, the small States, demanded equal representation in Congress. This was the system, they noted, that was then in effect under the Articles of Confederation. When the Convention agreed to divide the national legislature into two chambers, various States threatened to withdraw from the Convention except in matters concerning money. The Convention’s grant committee reported Franklin’s motion with some modifications to the delegates early in July. Madison led the debates against that measure believing it to be an injustice to the majority of Americans. Some small State delegates were reluctant even to support proportional representation in the House.

On July 16, delegates narrowly adopted the mixed representation plan, the Great Compromise, giving States equal votes only for non-money matters. Here, Mr. Chairman, are the rules. The Presiding Officer would not be sitting where he is sitting today if there had not been a July 16 Great Compromise. The Official Reporter would not be here listening to me and taking down what I am saying. I would not be here. These young people who are our pages and who help us in so many ways to do our work for our constituents would not be here. That was the Great Compromise, giving States equal votes in the Senate.

The Convention adopted the Convention’s most divisive issue and created a Federal system of Government.

Senators already know what I am saying. Many people on the outside who are watching through that electronic eye up there know it. These things were taught long ago in the early years of a child’s schooling, but this is Constitution Week. We need to be reminded, and now in the circumstances that confront this country and the world, especially since Tuesday, September 11, we must be reminded that we are to be guided by a constitution, the United States Constitution.

We must zealously guard the powers of the legislative branch in times like these when there is a war, when there is a military conflict. Powers have a way of gravitating toward the Chief Executive, and it is in times like those, in times like these, that we must be vigilant of the very constitutional prerogatives and powers that are vested in this body, the legislative branch.

We must be on our guard more than ever because the Constitution lives and it is in times of those circumstances when one is behind us, if and when they indeed are ever put behind us, and I assume that they will be put behind us at some point in time.

It might be a good thing to point out the basis. I am not thinking that the Continental Congress met behind closed doors. The Constitution, where the Framers gave us this Constitution, met behind closed doors, with sentries at the doors and the windows drawn. We have food for another speech, another day.

Be conscious of the Constitution and this institution (the Senate) and its prerogatives and its precedents, its traditions. We need particularly now to be reminded of these things.

A second major issue related to the number of Senators allotted to each State. Once the convention’s delegates established the principle of equal State representation in the Senate, they needed to determine how many Senators a State would be allotted. Few, if any, delegates considered that one Senator per State would be sufficient representation. Lone Senators might leave their State unrepresented in times of illness or other absences, and they would have no colleague to consult with on State-related issues. Additional Senators would make the Senate a more knowledgeable body, perhaps, better able to counter the influence of the House of Representatives. But, some believed a very large Senate would soon lose its distinctive character, would lack the agility needed to effectively counterbalance the House, and would make it easier for Senators to escape personal responsibility for their actions.

Given these considerations, delegates had a narrow choice regarding the number of Senators. During the Convention, they briefly discussed the advantages of two seats versus three. Gouverneur Morris of Pennsylvania, the man with the peg leg, stated that these Senators would be necessary to form an acceptable quorum, while other delegates thought a third Senator would be too costly. On July 23, one week after the Great Compromise, only Pennsylvania voted in favor of three Senators. The Convention turned to two Senators, Maryland alone voted against the measure, not because of the number, but because Luther Martin disagreed with the concept of per capita voting, which gave each Senator, rather than each State, one vote.

Both the Congress under the Articles of Confederation and the Constitutional Convention used a voting method that gave each State one vote. This system of block voting was meant to reinforce State solidarity, but it often frustrated those State delegations divided by controversial issues. The alternative, of course, was for Members to vote as individuals. Those Framers who had served in the Articles had ample experience with the per capita system. At the Convention, they spent little time debating the two proposed voting methods. On July 14, Elbridge Gerry of Massachusetts stated that per capita voting in the Senate would “prevent the delays and inconvenience that had been experienced in
the plan of election by State legisla-
come a viable option.

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dices.'' The alternative method, elec-
tcher local interests and local preju-
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Virginia, on May 29, 1787. It is easy for

bers' election.
sent on hereditary and title.
King of Massachusetts added a per cap-
land's Luther Martin objected to the
State. As I have already noted, Mary-
that no matter which method they
measure. Supported by every State ex-
cept Maryland, both the measure's claus-
ed to the House of Lords' peerage
and party policy.

Because they did not have parties in
those days, but I am speaking within
the context of the current moment, the
Constitution's Framers understood that
majority of which method they
chose for electing Senators, it would
have a significant impact on the Sena-
ship's future relationships with the
influence of States, constituents, and

From the beginning, most delegates
dismissed any notion of implementing
the British House of Lords' peering system
herent or title, and the other
This system contradicted the egal-
tarian notions outlined in the Declara-
of Independence. The system set
forth in the Virginia Plan received lit-
tle support, as well. Had this measure
passed, the House would have selected
Members of the Senate from nomina-
tions offered by the State legislators.
The Senate could not be expected to
serve as an effective check on the very
institution responsible for its Mem-
bers' election.

Senators will recall that the Virginia
plan was introduced by Gov. Edmund
Randolph, a delegate from the State of
Virginia, on May 29, 1787. It is easy for
me to remember the date of May 29 be-
cause it was on that date, 64 years ago,
that I married my wife Erma; 64 years
ago on May 29.

The convention then considered a re-
vised version of the Virginia Plan,
which contained the clause, "the Mem-
bers of the Second Branch of the Na-
tional Legislature ought to be chosen
by the individual Legislatures." Most
degates easily accepted this election
method, regarding it as the most "con-
genial plan available. Only Penn-
ylvania's Luther Martin opposed such
idea. He believed that the State legis-
lateive method would "introduce and
cherish local interests and local preju-
dices." The alternative method, elec-
tions through popular vote, never
earned the adherents it needed to be-
come a viable option.

In Federalist 63, Madison defended
the plan of election by State legisla-
tures against those who feared indirect
elections would transform the Senate
into a "tyrannical aristocracy." For
such an unlikely event to happen, the
Framers of the Constitution, found in the
House of Representatives, and the peo-
ple would all have to fall prey to cor-
rupption. Madison cited Maryland's suc-
cessful experiment with indirect elec-
tion. Elected by a unique electoral col-
eges, the senate in Maryland showed no
symptoms of tyranny, and in fact, had built a reputation
unrivaled by any other state in the
Union.

Despite Madison's assurances, the
system of indirect elections ultimately
proven vulnerable to corruption. Fol-
lowing the Civil War, newspaper re-
porters accused State legislatures of
accepting bribes or remaining willfully
"deadlocked," and therefore, unable to
elect a Senator. Reformers reacted to these
allegations by advocating a constitu-
tional amendment that would provide for the election of
Senators by popular vote. This one sub-
stantive correction to the Framers' pin-
dwork for the Senate went into ef-
fect in 1913 as the Constitution's 17th
amendment.

And, next, to the issue of term
length. The 6-year Senate term rep-
resented a compromise between those
Framers who wanted a strong, inde-
pendent Senate and those who feared
the possible tyranny of a Senate insu-
lated from popular opinion. While few
degates to the 1787 Convention want-
ed to emulate the House of Lords' life-
long terms, or the Congress under the
Articles Confederation's single-year
terms, the Framers' reaction against
these extremes helped shape their ar-
guments for and against long terms in the
Senate.

Delegates examined the experience of
the various State legislatures. Al-
though the majority of States set 1-
year terms for both legislative bodies,
five State constitutions established
longer terms for upper house members.
South Carolina's senators received 2-
year terms. In Delaware, the senate
had 3-year terms with one-third of the
Senate's nine members up for reelec-
tion each year. New York and Virginia
implemented a similar class system
but with 4-year terms instead of 3.
Only Maryland's Senate featured 5-
year terms, making that legislative body
the focus of the convention's Sena-
ter term debates.

The delegates either praised Mary-
land's long terms for checking the ex-
cesses of the House or feared them for the same reason. Some
members of the Convention believed that even 5-year terms were too short
to counteract the dangerous notions
likely to emerge from the House of Repre-
sentatives. Al-
mond Randolph, and other convention
delegates cited Maryland's experiences
when they argued for long Senate
terms. According to Madison, the sen-
ate of Maryland had never "created
just suspicions of danger." Far from
being the more powerful branch, the
Senate actually yielded more
its jurisdiction at times, to Maryland's House of Dele-
gates. Unless the U.S. Senate obtained
sufficient stability, Madison expected a
similar situation under the new Con-
istitution. He suggested terms of 7
years, or more, to counter the influ-
ence of the popularly chosen House of Represen-
tatives. Edmond Randolph be-
lieved that the primary object of an
upper house was to control the larger
house. He noted that Maryland's senate had followed this principle but
had been "scarcely able to stem the
popular torrent." Seven-year terms,
then, had a greater chance of checking
the House than terms of 5 years or
fewer.

On June 13, the convention took up a
provision for 7-year Senate terms. This
encountered heated criticism from sev-
eral Framers. For Alexander Hamilton,
only lifelong terms could check the
"amazing violence and turbulence of
the democratic spirit." Other delegates
preferred 4-year terms. Madison de-
vised a 9-year-term proposal with one-
third of the seats subject to election
every 3 years. He received little sup-
port for this plan, but he argued in its
favor until the final votes on June 26.
On that date, and following the failure
of his own measure, Madison joined the
majority of his colleagues in voting for
a 6-year term. In the Federalist papers,
Madison argued that Maryland's ex-
periment with 5-year terms proved that
slightly longer terms posed no danger
to bicameral legislatures. In fact, he
expected the agreed-upon 6-year terms
to have a stabilizing effect on the new
national government. Long terms
would control turnover in the legisla-
ture, while short terms would force
Senators largely independent of public
opinion.

The Articles of Confederation set no
qualifications for delegates to the Con-
tinental Congress. It left these deci-
sions up to the individual States. By
contrast, convention delegates sup-
ported establishing membership limita-
tions for House and Senate Members.
Influenced by British and State prece-
dents, they established age, citizen-
ship, and residence qualifications for
Senators, but voted against proposed
religion and property requirements.
There was a lot of sentiment especially
on property requirements as to age. I
might pay particular attention to that
aspect.

The Framers debated the minimum
age for Members of the House of Rep-
resentatives before they considered the same issue for Senators. Al-
though James Wilson of Pennsylvania
State stated that "there was no more
reason for incapacitating youth than
age, where the requisite qualifications were found," other delegates were in favor of age restrictions. I'm glad they did not have their way. They were familiar with England's law requiring members of Parliament to be 21 or older. Some lived in States that barred individuals from serving in their upper chambers who had not attained the age of 21 or 25.

On June 25, 3 days after designating 25 as the minimum age for Representatives, delegates unanimously set a 30-year-minimum for Senators. In Federalist 62, Madison justified the higher age requirement for Senators. By its deliberative nature, the "senatorial trust," called for a "greater extent of information and stability of character," than would be needed in the more democratic House of Representatives. The Framers, not all of them by any means old, As to citizenship, under English law, no person "born out(side) of the kingdoms of England, Scotland, or Ireland" could be a member of either house of Parliament. While some delegates may have admired the "stringency" of this policy, no Framers advocated a blanket ban on foreign-born legislators. Instead, they debated the length of time Members of Congress should be citizens before taking office. The States' residency qualifications offered moderate guidelines in this regard. New Hampshire's State senators needed to be residents for at least 7 years prior to election. In other States, upper house members fulfilled a 5-, 3-, or 1-year requirement.

The Virginia Plan introduced by Edmund Randolph, on May 29, made no mention of citizenship when it was introduced to the Convention. Two months later, the Committee of Detail reported a draft of the Constitution that included a 4-year citizenship requirement for all Senators. On August 9, Gouverneur Morris moved to substitute a 14-year minimum. Later that day, delegates voted against Senate citizenship requirements of 14, 13, and 10 years before settling on 9 years as a residency requirement. The issue of foreign birth was particularly important in the Senate, whose responsibilities would extend to the review of international treaties. While the Framers were concerned that the Senate, especially, might be subject to foreign influence, they did not wish to offend foreign allies or close the institution to meritorious naturalized citizens. The 9-year provision made the Senate requirement that exceeded a 4-year citizenship requirement for the House of Representatives. On August 13, the Convention confirmed the 9-year requirement by a vote of 8 States to 3.

Inhabitancy: Although the Parliament of Great Britain repealed its residency law in 1774, no Convention delegates spoke against a residency requirement for Members of Congress. The qualification first came under consideration on August 6 when the Committee of Detail reported its draft of the Constitution. Article V, section 3 stated, "Every member of the Senate shall be ... at the time of his election, a resident of the state from which he shall be chosen."

Two days later, Roger Sherman moved to strike the word "resident" from the portion of the clause that related to the House, and insert in its place "inhabitant," a term he considered to be "less liable to misconstruction." Madison seconded the motion, noting that "resident" might exclude people occasionally absent on public or private business. Delegates agreed to the term, "inhabitant," and voted against adding a time period to the requirement. The following day, they amended the Senate qualification to include the word, "inhabitant" and passed the clause by unanimous agreement.

We now turn to the issue of who gets to make executive and judicial nominations. Argued over the course of several weeks, the Constitution's nomination clause split the delegates into two factions. The first faction followed precedents that the Articles of Confederation and most of the State constitutions had established favoring legislative appointment. The Massachusetts constitution offered yet another approach. This third way particularly interested the convention delegates. For over 100 years, Massachusetts had divided the appointment responsibilities between its Governor, who made the nominations, and its legislative council, which confirmed the appointments. Rather than follow the Massachusetts model immediately, the delegates initially agreed to language that split the responsibility in a different way. The President would appoint executive branch officers, who would serve during his term, and the Senate would appoint members of the judiciary because they would hold their positions for life—a period most likely to exceed the tenure and authority of one President. However, the Framers in favor of a strong executive, strongly argued that Senate appointments would lead to government by a "cabal" swayed by the interests of constituents. Other delegates, fearful of monarchies, wanted to remove the President entirely from the appointment process. On September 4, the Committee of Eleven reported an amended appointment clause. Unanimously adopted on September 7, the clause, based on the Massachusetts model, provided that the President "shall appoint" the officers of the United States—certain officers.
in The Federalist 75. Remarkably, given the delegates’ extreme dissenion over treaty-making, he wrote, the clause “is one of the best digested and unexceptioned parts of the plan.”

Let me pause here to say that we can witness the Convention as it worked. And we know that time after time after the Convention would vote one way one day, and a few days later vote on the same matter again and vote a different way, and then perhaps vote again before the close of the Convention and arrive at an entirely different conclusion.

If the Convention had been open to the public, the Framers would have been severely restricted and constrained, and would have paused and thought once, twice, and three times, and more, before they would have changed their votes. They might, on a later day, have come to believe that in the earlier vote they had voted the wrong way.

By having the closed Convention, by meeting secretly, they were able to have full discussions of a matter, have a tentative vote, vote one way, perhaps a few days later vote a different way, and in the final analysis, in order to do the right thing, after considerable reflection and after hearing the arguments of others, vote again finally and, perhaps, differently.

That would have been very difficult to do had there been galleries, had there been the media, newspapers, had there been television—which, of course, there had not been. It would have been difficult.

I say that to say that in some situations voting in executive session, in secret session, may, in the last analysis, be in the best interests of the country.

Early in the Convention, most delegates were inclining to the position that impeachment provision would help to hold national officers accountable for their actions. Throughout the summer of 1787, committee members reported impeachment plans to the full Convention. The Virginia Plan proposed a supreme tribunal to hear and determine cases including, among other concerns, the “impeachments of any National officers.” On June 13, the Committee of the Whole amended the plan to provide that the President could be “removable on impeachment of malpractices or neglect of duty.” The revised measure did not specify the procedures for trying the President. In June and July, the Framers debated whether Congress should have a role in the impeachment process. Virginian Alexander Hamilton and Connecticut delegate is again—Roger Sherman asserted that the “National Legislature should have the power to remove the Executive at pleasure.” Virginia’s George Mason objected to Sherman’s plan, claiming that the President would become merely a “creature of the Legislature.” John Dickinson of Delaware countered with an unsuccessful motion to make the executive “removable by National Legislature at request of majority of State Legislatures.”

Yet, they were all over the place.

On August 6, the Committee of Detail reported that the House of Representatives “shall have the sole power of impeachment” and the executive “shall be removed from his office by “conviction in the Supreme Court, of treason, bribery, or corruption.” Two weeks later, the committee added that “the judges of the supreme court shall be in the best interests of the country. Thus fetttered, I do not know any act which the Senate can of itself perform and such dependence necessarily precludes every idea of influence and superiority. But I will confess, that in the organization of this body, the objection of what have been imprudence belonging to our interests is discernible: and when we reflect how various are the laws, commerce, habits, population, and extend of the confederated States, this evidence of mutual concession and accommodation ought rather to command a generous applause, than to excite jealousy and reproach. For my part, admiration can only be equaled by my astonishment, in beholding so perfect a system formed from such heterogeneous materials.

The Constitution I have often thought that the Creator of heaven and earth also had his hand in the creation of the Constitution of the United States. Whenever, wherever did such another illustrious gathering of men ever occur? And why at this particular time? Had it been 5 years earlier, the Framers may have lacked the experience that they ultimately had gained under the Articles of Confederation which enabled them to add provisions that would avoid some of the problems with which they had been confronted under the Articles.

The country, such as it was at that time, the citizenry might not have yet had the time, particularly with reference to the leaders of the Convention and the other members—to so convincingly move them to the idea that mere amendments to the Articles of Confederation would not really be enough. There had to be a new start, a new beginning. The country, the United States, this evidence of mutual concession and accommodation ought rather to command a generous applause, than to excite jealousy and reproach. For my part, admiration can only be equaled by my astonishment, in beholding so perfect a system formed from such heterogeneous materials.

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of our responsibilities to preserve that great document and to amend it only with great care and after great deliberation.

At this perplexing time in this year of our Lord 2001, we must be ever more on guard that we, as the elected Representatives of a great people, as we go forth, hold in our hands, as it were, the Constitution of the United States; that we resist any temptation because of the demands of the moment, the exigencies of the day, we resist the temptation to put that Constitution aside in order to avoid debate and expedite the business before the Senate. Let's not hesitate to ask questions. Let’s look before we look.

I yield the floor.

TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002—Continued

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, is there an amendment pending?

The PRESIDING OFFICER. There is not.

AMENDMENT NO. 1073

Mr. MCCONNELL. Mr. President, I send an amendment to the desk on behalf of myself and Senator BURNS.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk reads as follows:

The Senator from Kentucky (Mr. MCCONNELL), for himself and Mr. BURNS, proposes an amendment numbered 1073.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment as follows:

Purpose: To authorize the Secretary of the Treasury to issue War Bonds in support of recovery and response efforts relating to the September 11, 2001, hijackings and attacks on the Pentagon and the World Trade Center

At the end of title VI, insert the following:

SEC. 6102. (a) From funds made available by this or any other Act, the Secretary of the Treasury may provide for the administrative costs for the issuance of bonds, to be known as ‘War Bonds’, under section 3102 of title 31, United States Code, in response to the acts of terrorism perpetrated against the United States on September 11, 2001.

(b) If bonds described in subsection (a) are issued, such bonds shall be in such form and denominations, and shall be subject to such terms and conditions of issue, conversion, redemption, maturation, payment, and rate of interest as the Secretary of the Treasury may prescribe.

Mr. MCCONNELL. Mr. President, I rise today to offer an amendment which would authorize the Secretary of the Treasury to use such funds as he deems appropriate to establish and make available war bonds for purchase.

I am proud that along with a bill that Senator BURNS and I have offered which is pending as this amendment, there are at least four other measures which have been offered that would create a new investment vehicle for Americans to contribute to the war on terrorism. Clearly, the Congress and the American people are anxious to establish such a program.

Each of the bills which have been introduced are similar. In fact, two of them adapt the language Senator BURNS and I originally introduced almost verbatim. It is safe to assume that the goal of each of the sponsors is identical. That goal is to develop a way for patriotic Americans to contribute directly to the effort to rebuild the broken and retaliate against the enemy of international terrorism.

How many times have we heard over the last few days from our constituents: What can I do to help? The war bond is a way to help.

There has been a great deal of wonderful and soothing rhetoric on display since the terrible attacks of September 11, 2001. These words have helped our Nation steel its resolve and recognize the imperative of rooting out terrorism wherever it may lurk. As a result, the public is unified in its desire to take decisive action. The legislation that Senator Burns and I are offering today would allow the Secretary of Treasury to channel and sustain American compassion and unity.

Specifically, we propose allowing the Secretary to establish a new form of U.S. savings bond that would be designated war bonds. The war bonds would be in such form and denominations and be subject to such terms and conditions that the Secretary deemed most appropriate.

Some have pointed out that current economic conditions may argue against the need for war bonds to be used as a tool for funding the war on terrorism. I argue that view misses the most important point. There is no question that America is the most powerful nation economically and militarily on earth. However, what is less certain is the very nature of this effort, and a war bond campaign could be an invaluable tool for the government to explain the complex nature of the threats we face and rally all Americans to help provide necessary resources.

If the Government chooses to engage in this effort, I envision a war bond drive similar to those that were so successful during World War II. Influential Americans could be engaged to lead the effort. Ordinary citizens of this country, and all Americans would have the ability to participate in what is going to be a lengthy and complicated challenge. Success would be measured less by how much revenue is raised than by the efforts required. The significant overwheming approval of the actions it must undertake as we seek to eradicate the threat of terrorism.

Additionally some may argue that our use of the term ‘war bonds’ is incendiary or inappropriate. Again, I would differ with this view. There is no question that the acts of Tuesday were acts of war. And, there is equally little doubt that America now finds itself in a state of war against the perpetrators of those vile and evil acts. Additionally, the phrase ‘war bonds’ is used in the successful efforts which were undertaken during World War II. And if there is any doubt about how war bonds resonate with the American people, one need only look at the overwhelming response my office has received since introducing this legislation last week. In fact, I have even been contacted by one patriotic American who has reserved the domain name www.warbonds.gov as well as a toll free number for a war bonds drive.

Ms. Burns. Mr. President, today, I proudly join my dear friend and colleague, Senator Mitch MCCONNELL, in offering an amendment to the Treasury and General Government Bill introducing the War Bond Amendment of 2001.

This legislation is in response to the many constituents in my state and indeed, Americans from all over this country, looking for a tangible opportunity to do something positive in reaction to the despicable acts of cowardice perpetrated upon this nation and its citizens by gutless and faceless cowards.

The act will create an opportunity for ordinary citizens to participate in this country’s recovery and response to those acts and to support the President and our nation in the rebuilding efforts as well as bringing to justice those responsible for the horrific death and destruction of Tuesday, September 11th, 2001.

Throughout this nations history, bonds have been used as a vehicle for our citizens to come to the aid of this nation and now, as much as ever in our nations history, the combined support of our people is needed. By investing in these bonds, Americans are given a way to feel a part of the solution rather than feeling helpless in the face of the complex nature of the threats we face. That demand and that opportunity.

The PRESIDING OFFICER. The clerk will call the roll.