

to scout for the Indians along the Rosebud and Little Bighorn Rivers;

Whereas, on the morning of June 25, 1876, Lieutenant Colonel Custer discovered the Indian encampment of approximately 10,000 on the shore of the Little Bighorn River and determined to engage in a battle with them;

Whereas, Lieutenant Colonel Custer's forces, upon attempting to engage the Indian warriors at the shore of the Little Bighorn River, were forced back up the ridge from which they attacked and forced west, and were overwhelmed by Indian forces;

Whereas, the 201 men under the command of Lieutenant Colonel Custer were killed and the total losses suffered by the U.S. Army numbered 258;

Whereas, the Sioux and Cheyenne, led by Sitting Bull, Crazy Horse, and Gall, suffered losses of approximately 58;

Whereas, the Battle of Little Bighorn occupies a legendary place in American history, a tragic clash of two cultures leading to the demise of the traditional Indian way of life, and the end of the era known in American history as the "Indian Wars";

*Resolved*, that the Senate,

(1) honors the memory of those who died in the battle, the Indians fighting for a way of life that they believed in, the cavalry troops fighting for a young nation in which they believed;

(2) recognizes June 25th, 2001 as the 125th Anniversary of the Battle of Little Bighorn;

(3) calls upon the people of the United States to observe this day with appropriate ceremonies and respect.

Mr. CAMPBELL: Mr. President, next Monday, June 25th, marks the 125 anniversary of the Battle of Little Bighorn, an event which occupies near-mythical significance in the American psyche and one that is representative of an era past in the American West.

In 1990, I introduced legislation which changed the American perspective of the Battle of Little Bighorn. The bill, which latter became Public Law 102-201, achieved two key goals: First, it changed the name of the Custer Battlefield National Monument to Little Bighorn Battlefield National Monument. Additionally, it directed that a monument be designed and built which commemorated the American Indian individuals who died in the Battle of Little Bighorn.

When I began the process for changing the name of the Little Bighorn Battlefield National Monument, my purpose was not to scour and rewrite history but to provide a small measure of justice to the American Indians who died there, protecting their families, their property, and their way of life. Ultimately, the name change signified a shift in attitude about the way our Nation views the Battle of Little Bighorn.

Now, instead of the scene of a bloody battle in which U.S. troops were entirely decimated while "fighting brutal savages who stood in the way of westward progress" as some early reports described it, the name now represents what really happened 125 years ago, the inevitable and tragic clash of two cultures and the end of an era.

The Battle of the Little Bighorn, while known as the greatest victory of

a group of American Indians over the U.S. Army during the period known as the Indian Wars, also marks the beginning of the demise of the western American Indian peoples in the United States, their loss of freedom, and the end of their traditional way of life.

Today I submit a resolution that would commemorate the 125th anniversary of the battle and honor the memory of all who died in that epic battle, Indian and non-Indian alike, for they all believed in what they fought for and they all made the ultimate sacrifice for their respective cause.

SENATE RESOLUTION 115—RESOLUTION ENCOURAGING A LASTING CEASE-FIRE IN MACEDONIA, COMMENDING THE PARTIES FOR SEEKING A POLITICAL SOLUTION, AND FOR OTHER PURPOSES

Mr. MCCONNELL (for himself, Mr. LEAHY, and Mr. BIDEN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 115

Whereas, the political, economic, and social situation in Macedonia has steadily deteriorated since February 2001;

Whereas, ongoing fighting between the National Liberation Army and the Government of Macedonia presents a clear and present danger to the viability of Macedonia;

Whereas, a Macedonian civil war exacerbates tensions in the region and could trigger additional incidents of violence in the Balkans;

Whereas, the ongoing fighting has displaced at least 18,000 people inside Macedonia, and forced another 40,000 people to flee into neighboring countries;

Whereas, political parties in Macedonia are negotiating a political solution to the current crisis;

Whereas, a cease-fire and dialogue between the parties are essential to preventing full scale inter-ethnic warfare in Macedonia; and

Whereas, a unified and independent Macedonia is in United States national security interests: Now, therefore, be it

*Resolved*, That the Senate—

(1) encourages a lasting cease-fire, and calls upon the Government of Macedonia to ensure the protection of the lives and property of all citizens of Macedonia;

(2) commends the political parties in Macedonia for seeking a political solution to the current crisis, and encourages a continued commitment to dialogue by those parties;

(3) calls upon the Government of Macedonia to address the concerns of all citizens of Macedonia in a fair and equitable manner;

(4) recognizes that the United States and other countries must assume a more proactive role in aiding the Government of Macedonia and the political parties in Macedonia to secure and maintain a lasting solution to the conflict; and

(5) pledges its support for additional United States assistance for programs and activities that contribute to reconstruction in Macedonia and a resolution of inter-ethnic tensions in that country.

Mr. MCCONNELL. Mr. President, Senator LEAHY, Senator BIDEN, and I submit this resolution as an indication

of our support and encouragement for continued negotiations between ethnic-Albanian and Macedonian political parties. A unified and independent Macedonia is in the best interests of all the citizens of Macedonia, neighboring countries, and the United States.

The news this morning of renewed fighting in the wake of stalled talks is deeply troubling. Continued armed conflict serves only to exacerbate an already difficult and tense situation. American leadership and engagement is essential in resolving the current crisis. We must be clear: a lasting cease-fire and peace can only be secured through dialogue and disarmament.

Frustrations on both sides of the negotiating table are growing daily. However difficult and dire the situation may seem today, it will only get worse if the talks completely collapse. The stakes are indeed high, and call for cooler heads and responsible, and responsive, leadership.

Make no mistake, the long standing and legitimate grievances of ethnic-Albanians must be on the table for discussion, and successful resolution. While the rights and lives of all Macedonian citizens must be protected and guaranteed, Macedonian officials must be particularly vigilant in ensuring that ethnic-Albanians are not targeted for retribution, as has unfortunately been the case in the past. The foundation of peace and stability is nothing less than equality for all citizens of Macedonia under the law and genuine respect for democratic processes, institutions, and the rule of law.

We hope that all parties at the negotiation table in Skopje understand that in their hands rests the fate of the country. We stand ready to support U.S.-funded programs and activities that contribute to the reconstruction and a resolution of inter-ethnic tensions in Macedonia.

Mr. LEAHY. Mr. President, I am pleased to cosponsor this resolution on Macedonia, with my friend from Kentucky, Senator MCCONNELL.

Macedonia stands out as the country in the Balkans which, until recently, avoided the bloodshed and destruction that engulfed the rest of the former Yugoslavia throughout much of the past decade. In Macedonia, ethnic Macedonians and Albanians have lived peacefully together.

But recently, a small number of Albanian fighters have resorted to violence. Some have demanded a separate Albanian state. Others are interested in nothing more than control over smuggling routes in and out of Macedonia. Still others are from Kosovo, and are using Macedonia as a staging ground to focus international attention on their grievances in Kosovo.

But there are others who have taken up arms who represent the aspirations of the larger community of ethnic Albanians in Macedonia, who have been

the victims of discrimination in their own country, or what is now Macedonia, for generations.

Albanians comprise approximately one third of the population of Macedonia, but they hold only a fraction of government positions. There are no public institutions of higher learning where Albanian language is taught or spoken. Albanians are not recognized in Macedonia's Constitution.

The ethnic Albanian's grievances are legitimate, and must be addressed. The ethnic Macedonians also have rights, which must be respected.

Recently, the leaders of a coalition government, representing ethnic Macedonian and Albanian political parties, have met to try to find a political settlement of the conflict. Both sides have acknowledged that there is no military solution, and that a civil war would be devastating for the country. But after a week of negotiations they have made little progress, and the talks have reportedly reached an impasse. That is unacceptable. There is no other way to avoid a wider war than through dialogue. The United States has offered support, but not as vigorously as I believe it should. The leaders of the European Union have also invested considerable time and energy in search of peace.

NATO is prepared to assist in implementing a peace agreement, as it should, but the parties in Macedonia need to recognize that the United States will not intervene militarily, nor will we finance a war on behalf of either side. To think otherwise would be both unrealistic and pointless. The United States would support a political settlement that upholds the rights of all citizens of Macedonia, regardless of ethnicity, and which preserves the political and geographical integrity of the country.

This resolution calls attention to the importance of the situation in Macedonia, for the Balkans region, for Europe, and for the United States. This is a solvable problem, and it would be unforgivable if, what is still a relatively low intensity, localized conflict, erupted into full-scale civil war. The administration needs to give this precarious situation far more attention than it has thus far. We have an ambassador there who is doing his best, but it is not enough. Higher level diplomacy is needed, and it is needed urgently.

**SENATE CONCURRENT RESOLUTION 54—AUTHORIZING THE ROTUNDA OF THE CAPITOL TO BE USED ON JULY 26, 2001, FOR A CEREMONY TO PRESENT CONGRESSIONAL GOLD MEDALS TO THE ORIGINAL 29 NAVAJO CODE TALKERS**

Mr. BINGAMAN (for himself, Mr. DASCHLE, and Mr. LOTT) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 54

*Resolved by the Senate (the House of Representatives concurring), That the Rotunda of the Capitol is authorized to be used on July 26, 2001, for a ceremony to present Congressional Gold Medals to the original 29 Navajo Code Talkers. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.*

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 810. Mr. GRAMM (for himself, and Mrs. HUTCHISON) proposed an amendment to the bill S. 1052, to amend the Public Health Service Act and the Employee Retirement Income Security Act of 1974 to protect consumers in managed care plans and other health coverage.

**TEXT OF AMENDMENTS**

**SA 810.** Mr. GRAMM (for himself, and Mrs. HUTCHISON) proposed an amendment to the bill S. 1052, to amend the Public Health Service Act and the Employee Retirement Income Security Act of 1974 to protect consumers in managed care plans and other health coverage; as follows:

On page 140, lines 11 and 12, strike "issuer, or plan sponsor—" and insert "or issuer—".

Beginning on page 144, strike line 16 and all that follows through line 23 on page 148, and insert the following:

“(5) EXCLUSION OF EMPLOYERS AND OTHER PLAN SPONSORS.—

“(A) IN GENERAL.—In addition to excluding certain physicians, other health care professionals, and certain hospitals from liability under paragraph (1), paragraph (1)(A) does not create any liability on the part of an employer or other plan sponsor (or on the part of an employee of such an employer or sponsor acting within the scope of employment).

“(B) DEFINITION.—In subparagraph (A), the term “employer” means an employer maintaining the plan involved that is acting, serving, or functioning as a fiduciary, trustee or plan administrator, including—

“(i) an employer described in section 3(16)(B)(i) with respect to a plan maintained by a single employer; and

“(ii) one or more employers or employee organizations described in section 3(16)(B)(iii) in the case of a multi-employer plan.

Beginning on page 160, strike line 21 and all that follows through line 14 on page 164, and insert the following:

“(3) EXCLUSION OF EMPLOYERS AND OTHER PLAN SPONSORS.—

“(A) IN GENERAL.—Paragraph (1) does not—

“(i) create any liability on the part of an employer or other plan sponsor (or on the part of an employee of such an employer or sponsor acting within the scope of employment), or

“(ii) apply with respect to a right of recovery, indemnity, or contribution by a person against an employer or other plan sponsor (or such an employee), for damages assessed against the person pursuant to a cause of action to which paragraph (1) applies.

“(B) DEFINITION.—In subparagraph (A), the term “employer” means an employer maintaining the plan involved that is acting, serving, or functioning as a fiduciary, trustee or plan administrator, including—

“(i) an employer described in section 3(16)(B)(i) with respect to a plan maintained by a single employer; and

“(ii) one or more employers or employee organizations described in section 3(16)(B)(iii) in the case of a multi-employer plan.”

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON ARMED SERVICES**

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Friday, June 22, 2001, at 9:30 a.m., in open session to consider the following nominations: Alberto Jose Mora to be General Counsel of the Department of the Navy; Diane K. Morales to be Deputy Under Secretary of Defense for Logistics and Materiel Readiness; Steven John Morello, Sr. to be General Counsel of the Department of the Army; William A. Navas, Jr. to be Assistant Secretary of the Navy for Manpower and Reserve Affairs; and Michael W. Wynne to be Deputy Under Secretary of Defense for Acquisition and Technology.

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

**PRIVILEGE OF THE FLOOR**

Mr. FRIST. Madam President, I ask unanimous consent that an intern in my office, Caroline Smith, be granted floor privileges for the duration of today's debate.

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

**ELEMENTARY AND SECONDARY EDUCATION ACT AUTHORIZATION**

On June 14, 2001, the Senate amended and passed H.R. 1, as follows:

*Resolved,* That the bill from the House of Representatives (H.R. 1) entitled “An Act to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind.”, do pass with the following amendment:

Strike out all after the enacting clause and insert:

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) *SHORT TITLE.*—This Act may be cited as the “Better Education for Students and Teachers Act”.

(b) *TABLE OF CONTENTS.*—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. References.

Sec. 3. Elementary and Secondary Education Act of 1965: Short title; purpose; definitions; uniform provisions.

**TITLE I—BETTER RESULTS FOR DISADVANTAGED CHILDREN**

Sec. 101. Policy and purpose.

Sec. 102. Authorization of appropriations.

Sec. 103. Reservation and allocation for school improvement.

**PART A—BETTER RESULTS FOR DISADVANTAGED CHILDREN**

Sec. 111. State plans.