

Mr. FORD. May I further ask, one of the points the majority leader made last evening is the fact that an amendment may be filed but that is not sufficient to cover the unanimous-consent agreement. It must be offered. It can be set aside and that constitutes an offering and it can be taken up later but, nevertheless, a Senator must offer his amendment or by unanimous-consent one of the leaders or the floor manager can do that.

So there was concern last night, and I want to make that clear again this morning, that if an amendment has been filed for cloture, it is not sufficient to accommodate this unanimous-consent agreement.

Mr. DOLE. The Senator is correct. There are a number of amendments, I think 117 amendments were filed when we were getting into cloture. In order to qualify under this agreement—Senator BYRD from West Virginia made it clear—the Senator himself must offer the amendment, himself. I think we can accommodate everyone, but hopefully they will be able to accommodate us, too, and not offer all these amendments.

Mr. FORD. I have three on there that could go away. I thank the majority leader.

#### MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, with Senators permitted to speak therein for not to exceed 15 minutes each.

Mr. COCHRAN addressed the Chair.

The PRESIDENT pro tempore. The distinguished Senator from Mississippi.

#### TRIBUTE TO RUBY ELIZABETH STUTTS-LYELLS

Mr. COCHRAN. Mr. President, on December 22, Mississippi lost one of its most outstanding citizens when Mrs. Ruby Stutts-Lyells passed away. She was a personal friend of mine, but she was also a friend of many, and was one of the real leaders in our State in many areas of activity and interest. She took a very active role in helping to improve the opportunities for everyone in our State through her work in civic, cultural, religious, and political endeavors.

While I was not able to attend her funeral, which was described as "The Celebration of Triumph," which was held in Jackson, MS, members of my staff did represent me on this occasion and sent me a copy of the program which contains a very fine and sensitive obituary.

In memory of Mrs. Lyells, I ask unanimous consent, Mr. President, that a copy of the obituary and the program, "The Celebration of Triumph, Mrs. Ruby Elizabeth Stutts-Lyells," be printed in the RECORD.

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

#### THE CELEBRATION OF TRIUMPH—MRS. RUBY ELIZABETH STUTTS-LYELLS

1:00 p.m.: Special Ceremonies conducted by Beta Delta Omega Chapter, Alpha Kappa Alpha Sorority, Inc., Mrs. H. Ann Jones, President.

#### PROGRAM ORDER OF SERVICES

(Dr. Lelia Gaston Rhodes, Presiding)

Prelude  
Processional  
Scriptures: Old and New Testaments, The Reverend Dr. Leon Bell, Pastor, New Mt. Zion Baptist Church, Jackson, Mississippi.  
Prayer.  
Solo: Mr. L.L. Knowles.  
Tributes:  
Alcorn State University, Dr. Walter Washington, President Emeritus' Dr. R.E. Waters, Interim President.  
"As a Friend and Physician," Robert Smith, M.D., Director and Chief of Staff, Mississippi Family Health Center.  
Alpha Kappa Alpha Sorority, Inc., Mrs. Mildred B. Kelly, Beta Delta Omega Chapter.  
Solo: Mrs. Rose Knowles White.  
Acknowledgements: Ms. Renalda Jaynes.  
Obituary, Interlude: Read Silently.  
Solo: "The Lord's Prayer," Mr. Jobie Martin.  
The Christian Science Message: Mr. Harold Karyes, reader.  
Funeral Directors of Peoples in Charge.  
Recessional.  
Postlude: Mrs. Princess B. Gwynn, organist.

#### ACKNOWLEDGEMENTS

The family of the late Mrs. Ruby E. Stutts-Lyells extends loving gratitude to all friends, neighbors, and church members who have provided ongoing comfort and have displayed innumerable acts of kindness during her illness and our bereavement. We thank you today, tomorrow and always. May God's richest blessings of good health, happiness and hope for 1995 be with you!

#### OBITUARY

Mississippi's claim to a segment of intellectual prominence, perhaps can be best described in the polished craftsmanship of some of the progenitors who suffered with dignity, with poise, with scholarship and a demeanor of elegance, the complexes, and atrocities of Mississippi's intricate maze of social classes, racial differences, poverty and ignorance.

So to chronicle the life of a scholar, par excellence, who was a major player in the saga of change in Mississippi, historians must thoroughly research data for future generations, the multifaceted experiences of the stature of Mrs. Ruby E. Stutts-Lyells. Mrs. Lyells was born Ruby Elizabeth to the late Tom and Rossie A. Cowan Stutts in Anding, a crossroad village in Yazoo County, Mississippi. Her parents had two sets of twins; one set of whom Mrs. Lyells was the older. All sisters preceded her in death. Mr. Tom Stutts was a prominent progressive farmer known throughout the deep South.

Mrs. Lyells' early education was begun at Utica Institute where in 1923 she completed both the eighth and ninth grades, and in 1924 completed the tenth and the eleventh grades. In 1925 she graduated as Valedictorian of her class.

During the fall semester of the same year Mrs. Lyells' parents enrolled her in the former Alcorn A&M College (now Alcorn State University) where she graduated in 1929 as Valedictorian of her class. Following

graduation from Alcorn, she matriculated at Hampton Institute as a Julius Rosenwald Fellow and in 1930 was conferred the degree of Bachelor of Science in Library Science. She immediately returned to her Alama Mater as the first professionally trained African American Librarian in the State of Mississippi. Mrs. Lyells worked assiduously to bring the library in compliance with standards of professional accrediting agencies, both on the state and regional levels. Much of her work became a model for collection development in other Black Land Grant Colleges.

Mrs. Lyells has been at the forefront of almost every significant educational, social, and political advancement made in Mississippi during the past half century. To be on the cutting edge of advancements in the field of librarianship, she took a leave of absence from Alcorn to enroll in the Masters of Arts Library degree program at the University of Chicago where she graduated with distinction in 1942.

Mrs. Lyells' services, as the state's only African American librarian, were in great demand throughout the nation. However, her immediate decision was to stay in Mississippi to serve as a catalyst in helping to raise the standards of academic and public libraries. She served with distinction as head librarian at Jackson State University as the first African American Librarian to head a branch of the Jackson Municipal Library System; acting librarian at the Atlanta Public Library System and Special Assistant Librarian at the Iowa State University Library.

Mrs. Lyells' persistent pioneering efforts for professionalism among African American librarians and her emphasis on quality, available public library resources and facilities for all people were met with apathy, hostility and out-right resistance by those who viewed her "call for change" as threatening to their way of life—as recounted by Clarence Hunter and the editor of the Jackson Advocate, Mr. Tisdale—"Mississippi's Library Heritage—Ruby E. Stutts Lyells—A Woman For All Seasons" She was adamant in her views that librarians should be treated as professionals; that if historically black colleges are to carry out their mission, they should by statutory mandate be funded at a level to acquire and maintain quality libraries.

As a world traveler, noteworthy among her distinguished affiliations were: Executive Director, Mississippi State Council on Human Rights; member of the Mississippi Women League of Voters, President, Mississippi Federated Clubs, President of Terrell Literary Club; a past president of Beta Delta Omega Chapter of Alpha Kappa Alpha Sorority, Inc.; Alcorn State University National Alumni Association, Inc. and the University of Chicago Alumni Association, Inc. She was the recipient of numerous citations and awards. Mrs. Lyells was a candidate for nomination to the Mississippi Senate in 1975; attended the Republican National Convention in 1952 and was invited to the Inauguration of President Dwight D. Eisenhower in 1953. In 1970 she served on the Advisory Committee of the Co-chairman of the Republican National Convention (In 1969 she was a delegate to the Southern Republican Conference in New Orleans). In 1979, Mrs. Lyells was appointed to the Mayor's Advisory Committee in Jackson.

She is listed in numerous scholarly publications which include Marquis Who's Who; The World Who's Who of Women, Cambridge, England, 1978, p. 724. She was a prolific writer. Many of her articles appeared in refereed journals.

Mrs. Lyells served on the Board of Trustees of Prentiss Institute. The Library is

named in her honor. The Doctor of Humanities (L.H.D.) degree was conferred on her from Prentiss Institute.

She was married to M. J. Lyells, a long-time professor at Alcorn A&M College and Lanier High School. She was a member of the Christian Science faith having joined the Mother Church in Boston, Massachusetts with local affiliation in Jackson.

Following an extended illness, Mrs. Lyells demise came Friday, December 22, 1994 at Englewood Manor Nursing Home. Survivors include a niece, Mrs. Rose Knowles White, Baton Rouge, LA; grand-nieces: Ms. Angela Denise White, San Francisco, CA, Ms. Ann Rossie White of Chicago, IL; one nephew, Mr. Leon Stutts Knowles, Los Angeles, CA (Dana); brother-in-law, Mr. L. L. Knowles; a special daughter-nieces, Mrs. Alice Stutts Jaynes, Jackson, MS; a special cousin, Mr. Renalda Jaynes of Jackson, MS and additional relatives and friends.

Mr. COCHRAN. Mr. President, in conclusion, let me simply say that one mark of the courage and interest in the political development of our State was illustrated by Mrs. Lyells' active and conspicuous participation in the development of the modern Republican Party in Mississippi.

As an African-American, she took a stand and defended it with grace and with dignity and with intelligence, in a way that reflected credit on many of us who were actively involved in trying to build a new political party as a vehicle for political expression for our State and the citizens of our State at the national level. For that, I also will be forever grateful to her and to her family.

Mr. President, I yield the floor.

#### APPOINTMENT BY THE VICE PRESIDENT

The PRESIDING OFFICER (Mr. COVERDELL). The Chair would like to make an announcement.

On behalf of the Vice President, pursuant to the order of the Senate of January 24, 1901, appoints the Senator from Wyoming, [Mr. THOMAS], to read Washington's Farewell Address on February 22, 1995.

The Chair recognizes the Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent to address the Senate.

The PRESIDING OFFICER. The Senator has the right to address the Senate.

#### UNFUNDED MANDATES GRIDLOCK

Mr. INHOFE. Mr. President, in order to properly frame some observations that I made last night and at the risk of being redundant in some of the comments I made on this floor yesterday, let me just make some reflections as to my feelings on unfunded mandates that come from quite a few years back.

Back in 1967, one of my closest political allies and friends, who later became Senator David Boren, and I came to Washington from the State legislature to protest the mandates that came from Lady Bird's Highway Beautification Act of 1965. We made a list of

what it would cost the private sector in terms of screening. We made a list of the violations, of what we perceived to be violations of the 14th amendment, property rights, people having their property taken away from them in such areas as outdoor advertising signs and others. But primarily because it was the cost to the municipalities.

The leverage they used at that time was that if you do not comply with the mandates of the Highway Beautification Act of 1965, we will withhold several million dollars of your Federal highway matching funds.

Now, keep in mind, these are funds that emanated originally from the State of Oklahoma, went to Washington and were coming back. Of course, Oklahoma, having been a donor State for quite a number of years, does not get as much money back as it sends to Washington. So I guess what they were saying to us from the Federal Government, in its infinite wisdom, was we have passed a law that says you in Oklahoma cannot have the money you sent to Washington unless you comply with these mandates.

That was my first exposure to mandates. I mentioned yesterday also that there are many fine Members of this honorable body who have differences of opinion philosophically and ideologically. Certainly the very distinguished Senator from California, [Mrs. FEINSTEIN], and I differ on many issues, but we have one thing in common in our background, and that is we were both mayors of major cities.

I remember when we were both serving on the U.S. Conference of Mayors Board of Directors our major concern at that time was unfunded mandates.

Whether it is in the State of Kentucky or the State of Georgia, regardless of who you go to, if you talk to your mayors and your county commissioners and your State legislators and the private sector, they will say the major problem we have is not necessarily crime; it is not welfare; it is unfunded mandates. Because while we are facing fiscal problems here in Washington, the problems are even more severe at the local level.

A lot of people do not realize the genesis of the problem that we have in these mandates. I think it goes back to the Great Society days when we decided Government was going to take on a role that perhaps was outside the boundaries of what our Founding Fathers thought the Government should be doing. At least if I have any understanding of the 10th amendment to the Constitution, it says that powers will be reserved to the States or to the people other than those specifically delegated to the Federal Government; that we have become very greedy at the Federal level, and that this greed emanates from the desire of politicians, an insatiable appetite to give things to people in return for their votes. And realizing that there is not an adequate amount of money there, they, of course, impose those financial hard-

ships on political subdivisions below them. And that is where we have found ourselves today.

I hope that all of the American people were watching what was happening last night and what has happened over the past 6 days. I asked our staff to advise me as to how many hours have we been debating the unfunded mandates bill. According to their calculation, it is 47 hours—47 hours of debate on something that really is not that complicated.

Yes, we can get into the finer details and the amendments that perhaps might make it more workable, and I think our distinguished majority leader, Senator DOLE, has gone far beyond the expectations of the American people in being fair. Those of us who are freshmen—and I think I can speak in behalf of all 11 of us who are newly elected who just came off the campaign trail and listened to the people and were there on November 8 when the mandate came out—do not look at this Contract With America in the cute reference that many other people try to put it, in a demeaning sense. It is a very real thing. People are sick and tired of the games we are playing here in Washington, and for the last 6 days we have been playing games. We have not been legislating. We have been playing games.

I know that a lot of Americans out there are applauding at a statement like that because that is what is happening, and they are sick and tired of it. We have a man who ran for President of the United States, elected in 1992, who used throughout his campaign the word "gridlock." We are going to come to Washington and we are going to change; we are going to eliminate gridlock.

We have created gridlock, Mr. President, in the last 6 days and we have done it willfully. We have created gridlock to stall an issue. And I am going to make a prediction in the Chamber of this Senate that is going to offend a lot of people, I am afraid, Mr. President, but it is something that I think has to be said. I believe that this issue has been stalled for a very good reason. First of all, why would they stall an issue on unfunded mandates? Who is opposed to unfunded mandates except for a few liberal people who want to keep the ability to pour money into social programs or other programs and then let the States and the cities and the counties and the people pick up the tab.

Now, that is a philosophy that is out there, and there are some of those who want to do that. But this is not a Republican or Democrat program; it is not a conservative or liberal program, because if you look at the Senator from California, as I mentioned, Mrs. FEINSTEIN, she is very supportive of this because she has sat in a mayor's seat and knows what it is like to have to pay for these mandates that come down.