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## Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

God moves in mysterious ways  
His wonders to perform.  
He plants His footsteps in the sea  
And rides upon the storm.  
His purposes will ripen fast,  
Unfolding every hour.  
[Leave to history what is past  
And receive His mighty power.]  
Blind unbelief is sure to err  
And scan His work in vain.  
God is His own interpreter,  
And He will make it plain.—William  
Cowper.

Dear God, we thank You for the progress being made in negotiations on the balanced budget. Keep us steady on the course. It is the set of the sail and not the gale that determines the way the ship will go. We pray for Your spirit to continue to guide the President and Vice President, our majority leader, and the Speaker of the House. Keep them open to You and each other. Give strength to those charged with hammering out the specifics of an emerging agreement. We trust You to bring this crucial process to a successful completion. There is no limit to what can be accomplished when we give You the glory. In the name of our Lord. Amen.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader, Senator DOLE, is recognized.

### SCHEDULE

Mr. DOLE. Mr. President, for the information of my colleagues, immediately we will begin consideration of Senate Resolution 199, regarding the Whitewater subpoena. That will start as soon as we can. There is no time

limit on the resolution; however, we hope we will be able to dispose of this resolution after a reasonable amount of debate.

Following the disposition of Senate Resolution 199, there are a number of possible items for consideration. We would like to complete action on House Joint Resolution 132. The Democratic leader objected to its consideration last night but indicated in a positive way that, if we could make one change and clear one other bill, we could probably pass that today. I assume there will be a request for a rollcall. It will have to go back to the House where I assume they would take the Senate amendment and send it on to the President.

A cloture vote could occur on the motion to proceed to Labor-HHS appropriations. It is my hope we will get a continuing resolution today from the House. I am not certain what the length would be, but it could go until Friday, or it could go until next Tuesday or Wednesday—probably until Friday.

We still have three appropriations bills: D.C. appropriations, foreign ops, and Labor-HHS, which we are unable to bring to the floor because of opposition on the other side.

So, there could be rollcall votes throughout the day. Let me indicate that it seems to me we ought to make a decision here that we stop the legislative business no later than Friday of this week. It is going to be difficult for those of us involved in budget negotiations if there is legislation every day in the next week. It is my hope we can complete action on a budget agreement Friday or Saturday of this week and that only the principals might have to return next week.

In any event, I ask staff and others to determine if that is a possibility, to say—of course, we are at a point now where any one Senator can object to anything and it will not come up unless you have unanimous consent or

unless it is privileged. So I hope we could take a look at that.

I would just say, one thing we have agreed to—I think it is fair to state this—is if we do reach an agreement on sort of the format, framework, and scheduling, there will not be press conferences. There will be a news blackout, unless there is an agreement at the end of each day to issue a joint press statement. I think that has been part of the problem. There have been so many press conferences, so many people reacting to other people that it makes it difficult to proceed. So, hopefully we can work that out.

### MEASURE PLACED ON THE CALENDAR—HOUSE JOINT RESOLUTION 132

The PRESIDING OFFICER (Mr. KEMPTHORNE). The clerk will read a bill for the second time.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 132) affirming the budget resolution will be based on the most recent technical and economic assumptions of the Congressional Budget Office and shall achieve a balanced budget by fiscal year 2002 based on those assumptions.

Mr. DOLE. I object to further consideration at this time.

The PRESIDING OFFICER. Objection is heard. The bill will be placed on the calendar.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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THE 175TH ANNIVERSARY OF  
TUSCUMBIA, AL

Mr. HEFLIN. Mr. President, my hometown of Tuscumbia, AL is in the midst of celebrating a very special day in its history. On December 20, 1820—175 years ago—Tuscumbia was officially declared to be a city in the State of Alabama. Hers is a rich and colorful history, steeped in the tradition and development of Alabama and of the Nation.

Tuscumbia's recorded story is, first, one of French settlers, who as far back as 1780 established a trading post on Cold Water Creek near the Tennessee River about 1 mile from the present-day northern city limit. This creek, which runs through Tuscumbia, is the outlet for the immense spring which rises from the ground near the center of the city. It had probably been a center of Indian activity for many centuries prior to that.

When the French colony was established, Nashville, TN was the most important American trading station in what was then the southwestern United States. Nashville and the settlements to its south were frequently subjected to hostile incursions by Indians stirred up by the French.

In 1787, Col. James Robertson organized an expedition, marching south and across the shoals of the Tennessee River where he found the Indian village near the mouth of Cold Water Creek. The Indians and their French allies retreated a short distance up the creek to where Tuscumbia is located and here Col. Robertson attacked and defeated them, capturing the trading post and a large quantity of supplies.

In March 1817, Congress passed an act establishing the Territory of Alabama. The town was first surveyed and laid out as a city by Gen. Coffee that same year, 1817. When the territorial legislature assembled at Huntsville in October 1819, a bill was passed incorporating the town of "Ococopoosa," which means "cold water." At another session of the territorial legislature a few months later, the name of the town was changed to Big Spring, and on December 20, 1820, the legislature of the new State of Alabama officially incorporated it as a town. The name was changed on December 31, 1822 to Tuscumbia, after a celebrated chief of the Chickasaw Indians who had befriended the Dickson family, the first American settlers who arrived in 1815.

When Tuscumbia was established, the Tennessee River was navigable from the Ohio River until it reached the shoals near Tuscumbia. The shoals extended to nearby Decatur, where the Tennessee River again became navigable up into the State of Tennessee. About this time, a new enterprise known as the railroad became commercially viable in the United States.

The very first railroad to be built west of the Allegheny mountains was one that connected Tuscumbia to the Tennessee River. It was completed in 1832, 2½ miles long. In 1834, the

Tuscumbia, Courtland, and Decatur Railroad was built in order to serve as a connecting link between the 2 portions of navigable waters of the Tennessee River. Over the next 25 years, there was an enormous amount of trade with New Orleans by water. Magnificent steamers, some of them carrying as much as 6,000 bales of cotton, glided up and down the rivers. Some of these ships were palatial in their accommodations and furnishings. Excursions on one of these elegant boats to the Crescent City were very popular. Other steamers ran to cities along the Ohio River and to St. Louis. River traffic became less popular around 1857, when the Memphis and Charleston Railroad was connected with the Tuscumbia, Courtland, and Decatur Railroad.

Until completion of the Memphis and Charleston Railroad, the Tuscumbia Post Office was a major distributing office, and probably the largest and most important one between Nashville and New Orleans. A number of State lines converged here.

Tuscumbia's story is also a tragic one of war and destruction. During the War Between the States from 1861 to 1865, there were few areas of the South more completely devastated than the beautiful Tennessee Valley. Tuscumbia was at the center of the fiery track of the armies of both sides. Large blocks of brick stores and many private homes were destroyed and condemned. Cavalry horses roamed at will through grounds that were the pride of their owners.

Americans have, thankfully, rarely experienced the infliction from an enemy army's occupation. But the people of the Tennessee Valley area, including Tuscumbia, during the time of the Civil War were all-too-familiar with looting, burning, and other atrocities. In her book *200 Years at Muscle Shoals*, Nina Leftwich recalls some of the conditions these citizens faced. The following passage appears in her historical writings:

The story of the wrongs inflicted upon the defenseless citizens of Tuscumbia during the occupation by the Federals is best told by an account of it written by Mr. L.B. Thornton [the editor of the local newspaper] soon after it occurred:

"The Federal army first made its appearance in Tuscumbia on the 16th of April 1862 under General Mitchell . . . They broke open nearly every store in the town, and robbed them of everything they wanted, arrested a great many peaceable citizens, forcing some to take the oath of allegiance to the U.S. government, robbed the masonic hall of its jewels and maps, and broke open and destroyed the safes in the stores and offices. They destroyed my office by breaking my desk and book cases, and destroying the papers, and took them from my office 30 maps of the state of Alabama . . .

"Ladies could not safely go out of their houses. Citizens were arrested and held in confinement, or sent off to the North, in many cases without any charge being made against them, and the citizens were not permitted to meet on the streets and converse together. Person nor property was safe from the soldiers. They took from private citizens

whatever they wanted—hogs, sheep, cattle of every kind, vegetables, corn, potatoes, fowl of every description . . . When they evacuated the town, they set fire to it in 4 or 5 different places \* \* \*

More than 30 of Tuscumbia's brave young men were killed during the war, and for years after the sound of battle had died away, the town sat on the ashes of desolation, waiting for a brighter day to dawn. That day did come when the industrial city of Sheffield was founded, bringing jobs and trade to Tuscumbia.

Colbert County was established on February 6, 1867, when it was separated from Franklin County, one of the original Alabama counties. Later that same year, the county was abolished by the Constitutional Convention. After Alabama was readmitted to the Union in 1868, the new government reestablished Colbert County. This new county need a county seat, and on March 7, 1870, an election was held to determine if Tuscumbia or Cherokee would be the permanent county seat. Tuscumbia won by a vote of 1367 to 794.

Writing in 1888, Capt. Arthur Henley Keller, who authored the book *History of Tuscumbia, Alabama*, described Tuscumbia as having "caught the contagion of progress and enterprise, and within the last 2 years has doubled her population. Observant and far-seeing men recognize the fact that she has every natural advantage that any other place in Northern Alabama has, and that which money can never secure. Her society is as good as can be found anywhere. She has churches of all denominations and first-rate schools. The Deshler Female Institute stands in the front rank of Southern schools. It stands as a monument to the memory of Brigadier Gen. James Deshler, of Tuscumbia, who was killed at the battle of Chickamauga."

The story of Tuscumbia is that of leaders like Robert Burns Lindsay, who served as Governor of Alabama in the early years of the 1870's, which were difficult years of Reconstruction. He opposed secession, along with most of the residents of north Alabama, but after Alabama's ordinance of secession was enacted, he remained loyal to his adopted state.

In 1870, Lindsay was elected Governor of Alabama. His leadership was important during those tough Reconstruction years and he fought mightily to end that difficult era of occupation.

Governor Lindsay and his wife Sarah had a daughter named Maud McKnight Lindsay. She attended Deshler Female Institute and received kindergarten training. She went on to teach kindergarten in Tuscumbia and served as the principal of the Florence Free Kindergarten, the first free kindergarten in Alabama. She became a great leader in the cause of educating young children and was the author of many children's books. She passed away in 1941.

No history of Tuscumbia would be complete without the story of Helen Keller, who was born at Ivy Green in

1880. In fact, the Keller family first settled in Tuscumbia around the time of its founding in 1820. Her grandfather was very involved in the railroad development. His son was Captain Arthur Henley Keller, a colorful confederate soldier, lawyer, and newspaper editor who wrote the history from which I quoted earlier. Capt. Keller was Helen's father.

When she was only 19 months old, she suffered acute congestion of the stomach and brain which left her deaf and blind. It was right behind the main house at Ivy Green at the water pump that Helen Keller, under the tutelage of her teacher Anne Sullivan, first learned that every object had a name. The word "w-a-t-e-r" was the first one she understood, but "teacher" became the most important word in her life.

Tuscumbia native Helen Keller contributed so much in her lifetime as an educator, author, and advocate for the disabled. She furthered the cause of improving education and general conditions for the handicapped and disabled around the world. During World War II, she visited the sick and wounded in military hospitals. Today, Ivy Green is host to an annual weekend festival celebrating the life and accomplishments of the "First Lady of Courage." Thousands of people from all across the world pay visits to see where Helen Keller lived as a child and where she learned to overcome obstacles to become an inspiring heroine. Each summer, thousands also attend live performances of the play "The Miracle Worker." This most famous daughter of Tuscumbia is a symbol of hope to those around the world who have ever doubted their ability to persevere and achieve. She passed away in 1968.

An integral part of the story of Tuscumbia is the founding of the Tennessee Valley Authority, one of the great achievements of the New Deal. Congress created TVA in 1933 and gave it the overall goal of conserving the resources of the valley region. Congress also directed TVA to speed the region's economic development and, in case of war, to use the Tennessee Valley's resources for national defense. It provided many much-needed jobs during the dark years of the Great Depression and contributed to our military success during World War II.

Congress established TVA after many years of debate on how to use the Federal Government's two nitrate plants and Wilson Dam at Muscle Shoals. During the ensuing 62 years, TVA has built dams to control floods, create electrical power, and deepen rivers for shipping. It has planted new forests and preserved existing ones, led the development of new fertilizers, and is now involved in solving the nation's environmental problems. The lakes created by damming the Tennessee River and its branches add to the beauty of our region. Besides providing electrical power, water recreation, and navigable waterways, TVA has been a major contributor in the economic

growth and development of this area and all of north Alabama.

Attracted by TVA electrical power, Reynolds Metals Co. was located at Listerhill, AL, and for more than 50 years, many Tuscumbians have been provided jobs there. During a somewhat similar period, the Robbins plants located in Tuscumbia have impacted the economy of the city and region.

During a very crucial period in the development of the Tennessee Valley, the northern part of Alabama was represented in Congress by a Tuscumbian, the Hon. Edward B. Almon. He was elected in 1914 and was very much involved in the congressional authorizations for Wilson Dam and the two government nitrate plants. He played an important role in passing the National Defense Act of 1916, which was highly instrumental in the development of this area. He was the Congressman when the TVA was created. He died a short time after the TVA act was signed into law, and was succeeded by another Tuscumbian, Archibald Hill Carmichael. He served during the most formative years of the Roosevelt era.

Earlier, I mentioned Brig. Gen. James Deshler, for whom Deshler Female Institute was named and whose name our high school bears. I should also mention that his father, Maj. David Deshler, played an important role in the development of Tuscumbia, particularly with regard to the railroads.

The name of Gen. John Daniel Rafter is also indelibly etched into the railroad history of Tuscumbia. He served as a director and officer of the Memphis and Charleston Railroad. While he was its president, it was merged with the East Tennessee, Virginia, and Georgia Railroad to become the Southern Railway System.

Tremendous contributions to the State's educational system came from 2 Tuscumbians, Dr. George Washington Trenholm and his son, Dr. Harper Council Trenholm. And no history of Tuscumbia would be complete without mentioning Heinie Manush, a professional baseball player who was the first Alabamian to be enshrined in the Baseball Hall of Fame at Cooperstown, NY. He compiled a life-time batting average of .330.

I hope the celebrations and events over the last 3 weeks have brought Tuscumbians a better understanding of the city and area's history. As the 175th birthday of our beloved Tuscumbia comes to a close, and as we start speeding toward her 200th anniversary in the year 2020, I hope that each resident will take a moment to reflect upon how blessed they are to be from there.

I think back upon my life and career there and cannot imagine them having been anywhere else. It is a progressive little city that has changed a great deal over the years, but it is also one that has always retained its small-town charm and the many qualities that make it such a unique place to

live. Since her birthday 175 years ago, Tuscumbia has aged gracefully and improved with time. As I said back in March when I announced my retirement from the Senate, I will enjoy the remainder of my days in my hometown after I retire, for Tuscumbia is a wonderful little town to be from and the best little town in America to go home to. I wish Tuscumbia a happy birthday and look forward to enjoying many more with her well into the next century.

#### PRIVILEGE OF THE FLOOR

Mr. HEFLIN. Mr. President, on behalf of Senator SARBANES, I ask unanimous consent that Richard Ben-Veniste, Lance Cole, Neal Kravitz, Timothy Mitchell, Glenn Ivey, James Portnoy, Steven Fromewick, David Luna, Jeffrey Winter, and Amy Windt be granted floor privileges during consideration of Senate Resolution 199.

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

Mr. BINGAMAN addressed the Chair. The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that I be allowed to proceed as if in morning business.

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

#### SHUTDOWN II: THE RIGHT NOT TO PASS MONEY BILLS

Mr. BINGAMAN. Mr. President, we are now in the second Government shutdown of the year. This is the second one we have had in a month.

There have been many Government shutdowns in the past. In fact, I have been here in the Senate during some of those. But the shutdowns of this year seem very different than previous ones.

Prior to this Congress, the shutdowns of Government were short, and they were generally regretted by the congressional leaders. And, even when the Congress and the President continued to be at odds, those involved were eager to pass continuing resolutions to restart the Government and maintain basic services.

In this Congress we have a very different situation. In this Congress, the shutdowns are longer, and the Republican leadership in Congress sees the shutdown and the maintenance of the shutdown as an essential part of their strategy to gain leverage on the President in their negotiations with him about major policy issues.

Monday morning, when I was reading the Wall Street Journal, I saw a statement in the front page article. The statement was from Speaker GINGRICH. In reading that, I gained an insight into how we arrived at this year's shutdowns, and why these shutdowns are so different from those of the past.

The paper describes the strategy that Speaker GINGRICH devised to get his way in disagreements with the President. I will quote very briefly from that article.