

that makes legal, political, and moral sense. And, it is the only policy that offers any hope of bringing this war to and end by creating a military balance on the ground.

Mr. President, if the cease-fire due to expire on May 1 is not extended and a peace settlement has not been agreed to by the Serbs, I intend to take up the Dole-Lieberman legislation on the Senate floor shortly after the April recess. Three years of monitored genocide is enough.

The PRESIDING OFFICER. The Senator from South Dakota.

EXTENDING THE APPRECIATION AND GRATITUDE OF THE U.S. SENATE TO SENATOR ROBERT C. BYRD

Mr. DASCHLE. Mr. President, on behalf of myself and Senator DOLE, I send a resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated by title.

The legislative clerk read as follows:

A resolution (S. Res. 109) extending the appreciation and gratitude of the United States Senate to Senator Robert C. Byrd, on the completion by the Senator of the 4 volume treatise entitled "The History of the United States Senate", and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. DOLE. I would just say I thank the Senator from South Dakota for letting me be a cosponsor. Senator BYRD is certainly a unique figure in the history of this country, let alone the Senate. I extend my congratulations for his continued commitment to the institution as reflected in the four volumes. I certainly congratulate him for his effort.

THE SENATE AND ITS HISTORY

Mr. DASCHLE. Mr. President, 206 years ago yesterday—April 6, 1789, U.S. Senate achieved a quorum and got down to business for the first time. This is a fitting occasion to commemorate both the history of the Senate and the Senator who has become the Senate's foremost historian. All of us have heard ROBERT C. BYRD expound upon the history of this institution, about the Constitutional Convention that created it, and about its antecedents, the British Parliament and Roman Senate. In addition, he has regularly applied his historical knowledge to current floor debates. If anyone questions the need for studying history, the senior Senator from West Virginia has offered living proof of its worth.

Those Members new to the Senate and those viewers recently addicted to C-SPAN-II might understandably assume that Senator BYRD spent his early years in the Nation's finest schools pursuing a rich classical education. ROBERT C. BYRD enjoyed none of those early advantages. On Armistice Day, November 11, 1918, shortly

before his first birthday, his mother fell victim to that year's devastating influenza epidemic. Unable to cope alone, his father gave the child to an aunt and uncle who raised him in the hardscrabble coal fields of southern West Virginia. Although he graduated at the head of his high school class, the hardships and poverty of those Depression-era years in the early 1930's made college a luxury about which he could only dream. His early life was one of unrelenting labor, as a grocery clerk, a butcher, and a shipyard welder. In 1946, he won a seat in the West Virginia Legislature, the first step toward a rich and productive career of public service.

Sixteen years after graduating from high school, ROBERT BYRD enrolled in college while serving in the State legislature. Driving great distances between campus and capitol, he managed to complete 70 credit hours of straight-A course work while building an impressive legislative record. In 1952, he won a seat in the U.S. House of Representatives. Although without a college degree, he was admitted to law school with the understanding that he maintain at least a B average. In 1963, at age 45, and nearly 5 years into his Senate career, ROBERT BYRD became the first and only person to earn a law degree while serving as a U.S. Senator. Not surprisingly, he earned that degree cum laude.

As he worked his way up the Senate leadership ladder—party secretary, party whip, party floor leader, President pro tempore, Appropriations Committee chairman—he systematically pursued his study of the Senate's rules, precedents, and history; of the American Constitution; of the history of England and of ancient Rome. Blessed with a keen intelligence, a photographic memory, and seemingly limitless energy, he devoured countless volumes by such authors as Plutarch, Tacitus, Montesquieu, Gibbon, Hamilton, Madison, Jefferson, and many more.

Consequently, it should have come as no surprise to his colleagues in the Senate Chamber on a quiet Friday afternoon in March 1980, when he delivered the first in what would become a series of 100 richly textured addresses on the Senate's history and traditions. His speeches appeared serially in the CONGRESSIONAL RECORD and were later combined into a magnificent four-volume series published by the Government Printing Office. I urge all who hear or read what I say here today to explore these volumes, as I have. Today I would like to take a few minutes to outline their rewarding content.

Senator BYRD's first volume takes the form of a chronological history of the United States from the point of view of the Senate. In it, he describes the events, personalities, and issues that affected the Senate from 1789 to 1989. Here are just a few examples:

He outlines the remarkable achievements of the First Congress, which fleshed out the form of our Federal

Government by establishing the Federal judiciary, adopting the Bill of Rights, and providing sources of revenue.

He demonstrates that conflict between the President and Congress did not begin in the 20th century by recounting the dramatic tale of Andrew Jackson's struggles with the Senate over the Second Bank of the United States. For the only time in its history, the Senate in 1834 actually passed a resolution censuring a Chief Executive, although 3 years later Thomas Hart Benton succeeded in persuading the Senate to expunge that action, thus vindicating the aging Jackson before his presidential term expired.

Senator BYRD relates the story of how Senators came to be elected by direct popular vote after more than a century of being selected by the State legislatures. He traces the flaws in the original process and the efforts made to improve it before a constitutional amendment finally entrusted the citizens of each State with the choice of their Senators. He also describes the later reforms included in the Legislative Reorganization Act of 1946 that set the stage for the operation of the Senate we know today.

Unlike most histories of the United States, Senator BYRD views the Nation's great landmark events, like the Civil War, World War I, the Progressive Era, the Great Depression, and World War II, through the eyes of the Senate. He describes the way the body responded to each, showing how the Civil War, for example, stimulated such civilian legislation as the Pacific Railroad Act and the Land-Grant College Act.

Senator BYRD's second volume takes a topical approach to the Senate's history, discussing the way the institution has used its powers to approve treaties, confirm nominations, and conduct impeachment trials. Made up of individual chapters on such topics as Senate leadership, organization, and officers, this book provides essential background on many matters that we still debate today. A chapter on congressional salaries, for example, tells us that the subject has been controversial throughout the Nation's history, with a public outcry forcing Congress to rescind a salary increase on more than one occasion.

The four chapters on extended debate that discuss the development of filibusters and the evolution of the cloture rule offer perspective on the way delaying tactics have been used in Senate debates and the techniques that have been gradually developed to counteract them.

A chapter describing the history of the Senate Chaplain helped us earlier this year when questions arose regarding whether the House and Senate needed their own chaplains. The chapter not only explained the origin of the office but related that in the 1850's the House and the Senate for a time stopped electing official Chaplains and

instead used local clergymen, who took turns offering the opening prayer. The Senate's experiment lasted only 2 years, as the practice became a burden on the Washington ministers who participated. The House, too, soon returned to electing an official Chaplain.

Because of his interest in preserving the quality of senatorial oratory, Senator BYRD pored over countless speeches delivered by Senators since the 1830's to select a sampling of more than 40 for the third volume of his history, "Classic Speeches." This collection gives a flavor of the best of 19th-century rhetoric, combined with examples of addresses from this century that have been carefully crafted by the speaker to be affecting and persuasive. Samples range from old favorites like Daniel Webster's "Seventh of March" 1850 address on "The Constitution and the Union" and moments of high drama like Jefferson Davis' emotional 1861 farewell to the Senate after Mississippi seceded from the Union, to an example of campaign oratory by Stephen A. Douglas from the 1858 Lincoln-Douglas debates. From this century, Senator BYRD's, varied choices include Robert M. LaFollette's impassioned 1917 plea for "Free Speech in War-time," Richard Nixon's televised "Checkers" speech during his 1952 Vice-Presidential campaign, and Everett M. Dirksen's moving exhortation to his party colleagues to vote for cloture on the 1964 civil rights bill.

An introductory note preceding each speech provides biographical information about the speaker and places the event in historical context. While some of these addresses deal with topics like slavery that are no longer current, many of the broader themes, like the relative roles of the State and Federal governments, remain lively topics of debate even now.

The fourth volume of the history is a statistical appendix that not only offers a collection of fascinating facts about the Senate but is constantly useful in helping us to place events in historical context. How many former Senators have ever served as Secretary of the Treasury? Twenty-five. Who was the oldest Senator ever to serve? Theodore Francis Green at 93 years and 3 months. One Member today is close to reaching or exceeding that record. How many incumbent Senators have been nominated for President? I suspect quite a few of our current Members might be disappointed to learn that the total is only 14, of whom only 2 won election. How often have Vice Presidents cast the tie-breaking vote in the Senate? No one has yet matched the record 29 such votes cast by the first Vice President, John Adams. And in these days of budget cutting, how has the number of Senate employees fluctuated over the years? It has not always increased, as some may believe. Has the number of cloture votes taken by the Senate in each Congress increased in recent years?

The philosopher George Santayana said that "those who cannot remember

the past are condemned to repeat it." By this he means that a knowledge of history can keep people from making the same mistakes over again, and from reinventing the wheel. That is a legitimate concern for Members of the U.S. Senate entrusted as we are with enacting the laws of the Nation. But Senator BYRD has demonstrated that there are many other compelling reasons for Senators to know their history. He has reminded us that we are driven by a document that was written in the 18th century and that has been amended only 27 times—most recently by an amendment drafted more than 200 years ago by the principal author of the Constitution, James Madison.

Senator BYRD's history has shown that the Senate's original constitutional powers and missions remain remarkably intact. It retains its original influence over the enactment of legislation, the confirmation of nominations, and the ratification of treaties. The formal rules of the Senate are few in number and have undergone only seven general revisions in their more than two centuries of operation. The precedents of the Senate are more voluminous, representing the practical application of those rules, and the strategies and tactics employed by generations of legislators to achieve their objectives.

The precedents are simply another form of history: what was done in the past, why it was done, and how it affects what we do today and tomorrow. As Senator BYRD's speeches have illuminated, some of these precedents date back to an era when Senators wore powdered wigs and knee breeches. Others from the days when the Nation was divided in Civil War. Others from the great Depression, the World Wars, and the cold war. Although these epochs are receding in time, the precedents set by Senators who served in those earlier eras still guide our daily business, just as what we do today will guide the future. The Senate, as ROBERT C. BYRD has repeatedly pointed out, is a continuing body, with at least two-thirds of its Members continuing through each election, and with its rules and procedures continuing uninterrupted from one Congress to the next.

As an institution, we value our traditions—from the 19th century furnishings to the spittoons and snuff boxes here in the Chamber that link us to our past.

Great Senators also left a legacy for their successors. We sit at their desks in the Chamber, pass their portraits and statues in the Halls. As part of his four-volume history, Senator BYRD has provided us with a collection of their most memorable speeches. He has helped us recall their examples, as we defend and amend their past legislative handiwork.

Those of us who serve today wish to leave our own imprints on this institution for those who follow us in the next century. We want to be remembered for solving the problems that confronted

us, and for leaving the United States as strong or stronger than when we entered it. The Senator from West Virginia has amply accomplished that in his many legislative roles and as the chronicler of the Senate's rich history. There could be no more fitting way to commemorate this singular anniversary date than to reflect for a moment on our indebtedness to this wise, learned, and deeply respected colleague.

On the occasion of the Senate's bicentennial in 1989, ROBERT C. BYRD offered the following historical assessment. His words should be inscribed over the entrance to this Chamber. Each of us should commit them to memory. He said:

After two hundred years, [the Senate] is still the anchor of the Republic, the morning and evening star in the American constitutional constellation. * * * It has weathered the storms of adversity, withstood the barbs of cynics and the attacks of critics, and provided stability and strength to the Nation during periods of civil strife and uncertainty, panics and depressions. In war and peace, it has been the sure refuge and protector of the rights of a political minority. And, today, the Senate still stands—the great forum of constitutional American liberty!

THE PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 109) was agreed to.

The preamble was agreed to.

The resolution, with the preamble, reads as follows:

S. Res. 109

Whereas Senator Robert C. Byrd on Friday, March 21, 1980, delivered on the floor of the Senate, an extemporaneous address on the history, customs, and traditions of the Senate;

Whereas on the following Friday, March 28, 1980, the Senator delivered a second, and once more spontaneous, installment of his chronicle on the Senate;

Whereas the first 2 speeches generated such intense interest that several Senators and others asked Senator Byrd to continue the speeches, particularly in anticipation of the forthcoming bicentennial of the Senate in 1989;

Whereas over the following decade Senator Byrd delivered 100 additional addresses on various aspects of the political and institutional history of the Senate;

Whereas in anticipation of commemorating the 200th anniversary of the Senate, Congress in 1987 authorized publication of the addresses in suitable illustrated book-length editions;

Whereas between 1988 and 1994, Senator Byrd meticulously supervised preparation of 4 volumes, including a 39 chapter chronological history, a 28 chapter topical history, a compilation of 46 classic Senate speeches, and a 700 page volume of historical statistics;

Whereas volumes in this series have received national awards for distinction from organizations such as the American Library Association and the Society for History in the Federal Government;

Whereas the 4 volume work, entitled "The History of the United States Senate", is the most comprehensive history of the Senate that has been written and published;

Whereas Senator Byrd has devoted tireless energy and tremendous effort to the preparation and publication of the historical books, enabling citizens of the United States to better understand the history, traditions, and uniqueness of the Senate; and

Whereas a better understanding by people of the Senate and the role of the Senate in our constitutional system of government will foster respect and appreciation for the democratic traditions of the United States: Now, therefore, be it

Resolved, That the United States Senate extends congratulations and appreciation to Senator Robert C. Byrd for completing "The History of the United State Senate", a monumental achievement that will educate and inspire citizens of the United States about the Senate for generations to come.

Mr. DASCHLE. Mr. President, I yield the floor.

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

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

MEDICARE SELECT POLICY EXPANSION

Mr. GORTON. Mr. President, I inquire of the Chair if H.R. 483 has arrived from the House of Representatives.

The PRESIDING OFFICER. Yes; it has.

Mr. GORTON. I ask for its first reading.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 483) to amend title XVIII of the Social Security Act to permit Medicare select policies to be offered in all States, and for other purposes.

Mr. GORTON. Mr. President, I now ask for the second reading.

Mr. DASCHLE. I object.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

EXECUTIVE SESSION

Mr. GORTON. Mr. President, I move the Senate go into executive session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE CALENDAR

Mr. GORTON. I ask unanimous consent that the Senate immediately proceed to the consideration of Executive Calendar No. 105.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

DEPARTMENT OF VETERANS AFFAIRS

The legislative clerk read the nomination of Dennis M. Duffy, of Pennsyl-

vania, to be an Assistant Secretary of Veterans Affairs.

Mr. GORTON. I ask unanimous consent that the nomination be confirmed, the motion to reconsider be laid upon the table, and that any statements relating to the nomination appear at the appropriate place in the RECORD, the President be immediately notified of the Senate's action, and that the Senate return to legislative session.

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

The nomination was considered and confirmed.

Mr. ROCKEFELLER. Mr. President, I am delighted to join the chairman of the Committee on Veterans' Affairs, the Senator from Wyoming [Mr. SIMPSON], in bringing the nomination of Dennis Duffy to be VA Assistant Secretary for Policy and planning before the Senate and urging his confirmation.

Dennis is a career VA employee who began working for VA in the Pittsburgh regional office in 1974, 2 years after he returned from Vietnam, where he served with the American division. For most of his career, he worked on benefits matters, both in the field and in VA central office. Most recently, Dennis has been working in Congressional Affairs, where he is now the Deputy Assistant Secretary for Congressional Liaison.

The White House first indicated its intention last year to nominate Dennis for this position, but his nomination was not received until after adjournment, so we were unable to take it up. I was delighted when the President again submitted this nomination early in this Congress.

I think the job for which Dennis has been nominated—the VA Assistant Secretary for Policy and Planning—is terribly important. This vital position has been vacant for nearly a year, and it is important that the Senate act on this nomination quickly so as to restore leadership to the office.

I had a very strong interest in the role VA's Office of Policy and Planning played in health care reform during the last Congress, and I anticipate that there is an important ongoing role in that area as the Congress seeks to address eligibility reform and other health care matters. I am also very interested in many other exciting issues that the office undertakes, which I look forward to working on with Dennis in the weeks and months ahead.

I am very excited that Dennis will join another VA Assistant Secretary, Mark Catlett, as the second career VA employee nominated to an advice and consent position within VA. Dennis' nomination to this position—a key position within VA—is a very positive message for career employees throughout VA.

Mr. President, Dennis Duffy has a wonderful opportunity to serve the veterans of the Nation in this new office. President Clinton has shown great confidence in him, his work, and his com-

mitment to veterans by nominating him to serve in this important position. I urge my colleagues to give their unanimous support to this nomination.

MALIGNMENT OF THE INTEGRITY OF THE NATION'S LAW EN- FORCEMENT OFFICERS

Mr. GORTON. Mr. President, I ask unanimous consent that the Senate Judiciary Committee be discharged from further consideration of Senate Joint Resolution 32, the joint resolution by Senators HATCH and BIDEN, and further that the Senate proceed to its immediate consideration; that the joint resolution and preamble be agreed to, the motion to reconsider be laid upon the table; that any statements relating to the joint resolution be printed at the appropriate place in the RECORD.

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

So the joint resolution (S.J. Res. 32) was passed.

The preamble was agreed to.

The joint resolution and its preamble are as follows:

[The joint resolution was not available for printing. It will appear in a future issue of the RECORD.]

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

DO NOT VETO H.R. 831

Mr. DOLE. Mr. President, I would like to address a certain letter that is being passed around in the House to be sent to the President. I understand that the President may have already received it. The letter urges the President to veto H.R. 831, Permanent Deduction of Health Care Insurance Costs of Self-Employed Individuals. The letter has over 139 House Democrats' signatures.

The conference report to H.R. 831 passed the House last week, and we passed it in the Senate on Monday. The President received the bill on Tuesday, April 4, and it lies there waiting for the President to sign it into public law.

It is critical to 3.2 million tax filers that this bill be enacted prior to April 17—tax day. If it is not, then 11 days from now, less than 2 weeks, 3.2 million filers will find that they cannot use a deduction that they have had since 1986. Mr. President, 3.2 million filers will find that they will have to pay more taxes than they did last year. And Mr. President, these 3.2 million filers are farmers, and small business owners all across America.

THE LETTER

Now, this letter alludes that Republicans somehow carved out a special