

process is the Chief Justice, part referee, part historian, full time judge. It is a demanding job that requires patience, intelligence, and tact. I rise today to pay tribute to a man who excelled in that position, Warren E. Burger, who regrettably passed away yesterday.

Warren Burger grew up on a farm in Minnesota, the Heartland of America. He worked his way through college and law school, earning degrees from the University of Minnesota and the St. Paul College of Law, before beginning his career as an attorney. In 1953, President Dwight D. Eisenhower made Mr. Burger an Assistant U.S. Attorney General, beginning the Minnesotan's journey to the highest seat on the highest court of the land. Before joining the Supreme Court, Warren Burger would also serve on the Court of Appeals for the District of Columbia Circuit.

During the 17 years that he served as Chief Justice, the Court decided many issues that had a tremendous impact on American society. The results of many of the cases reviewed by the Burger Court came to be known as landmark decisions, ones that are likely to be studied by law students, professors, and historians for decades, if not centuries to come. It is not exaggerating to say that the actions of Warren Burger and his court did much to change life in America.

In 1986 Warren Burger resigned as Chief Justice of the Court, ending his two decade presence there, to chair the Committee on the Bicentennial of the Constitution. I served on this committee and I worked closely with the former Chief Justice to promote this special anniversary in the history of our Nation. I found Chief Justice Burger to be a man of integrity, ability, and dedication, whose deep interest in American history made him an effective and enthusiastic spokesman for this undertaking.

Mr. President, the Chief Justice and I differed on some issues, but he was an outstanding man who served this Nation ably and selflessly. He was a thoughtful adjudicator of cases, a strong advocate for the judicial branch, and most importantly, he cared for and believed deeply in the Constitution. He is a man who will certainly be missed by a host of friends, and I extend my deepest sympathy to the members of his family.

SERVICE, COMMITMENT, DEDICATION

Mr. ASHCROFT. Mr. President, it is an honor and a privilege to serve the people of Missouri and of this great country. Those of us who were elected in 1994 came here with a mandate from the people to change the way Washington does business. We were asked to reopen the door of self-government and to respect the liberties which have made our democracy a model for the world.

With this mandate before us, I want to share with my fellow Senators the pledge that every Member of my office has taken. It is a pledge of service, of commitment, and of dedication. It is a pledge we want to share with the American people. I ask unanimous consent that it be printed in the RECORD.

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

OATH OF OFFICE

We do solemnly swear that we will support and defend the Constitution of the United States against all enemies, foreign and domestic; and that we will bear true faith and allegiance to the same.

STATEMENT OF BELIEF, PURPOSE, PRINCIPLE, AND PRACTICE

We dedicate ourselves to principled public policy. We believe that Americans are endowed by their Creator with certain unalienable Rights, and among these are life, liberty and the pursuit of happiness. The power we exercise is granted by Missourians and the American people; we serve to secure their rights. Our commitment is to respect diverse political views and serve all people by whose consent we govern.

As people of liberty reach for opportunity and achieve greatness, our nation prospers. A government that lives beyond its means and reaches beyond its limits violates our basic liberties, and the nation suffers.

We dedicate ourselves to quality service. America's future will be determined by the character and productivity of our people. In this respect, we seek to lead by our example. We will strive to lead with humility and honesty. We will work with energy and spirit. We will represent the American people with loyalty and integrity. Our standard of productivity is accuracy, courtesy, efficiency, integrity, validity, and timeliness.

We hold that these principles are a sacred mandate. We take responsibility for these standards.

WAS CONGRESS IRRESPONSIBLE? THE VOTERS HAVE SAID YES

Mr. HELMS. Mr. President, one need not be a rocket scientist to know that the U.S. Constitution forbids any President's spending even a dime of Federal tax money that has not first been authorized and appropriated by Congress—both the House of Representatives and the U.S. Senate.

So when you hear a politician or an editor or a commentator declare that "Reagan ran up the Federal debt" or that "Bush ran it up," bear in mind that the Founding Fathers, two centuries before the Reagan and Bush Presidencies, made it very clear that it is the constitutional duty of Congress—of Congress—a duty Congress cannot escape—to control Federal spending—which Congress has not done for the past 50 years.

Thus, it is the fiscal irresponsibility of Congress that has created the incredible Federal debt which stood at \$4,887,614,064,494.86 as of the close of business Friday, June 23. This outrageous debt—which will be passed on to our children and grandchildren—averages out to \$18,553.47 on a per capita basis.

A TRIBUTE TO FRED DUBRAY

Mr. PRESSLER. Mr. President, I rise today to extend my congratulations to Fred DuBray, an exceptional South Dakotan, who recently was awarded a Newsweek Achievement Award. Fred DuBray was recognized by the weekly magazine Newsweek for his vision and commitment to reviving the bison population in South Dakota and across the country.

Mr. DuBray is a member of the Cheyenne River Sioux Tribe, and is founder and president of the InterTribal Bison Cooperative [ITBC].

Bison always have held a special place in the hearts of many Native Americans, and in the history of the American continent. Often referred to as buffalo, bison play a significant role in tribal ceremonies and in other traditional customs of the Native Americans. Knowing what the bison mean to the Native American culture, Fred DuBray came up with the idea of reviving the bison population—and encouraging reservations to reap the economic benefits.

The InterTribal Bison Cooperative [ITBC], headquartered in Rapid City, SD, has proven to be a great success. It has brought economic development to Native American tribes across the country, where other economic projects had previously failed. In 1991, when it was founded, the ITBC consisted of only seven Indian tribes. Since then, it has expanded to include 36 tribes from 15 different States across the country.

Under Mr. DuBray's leadership, the ITBC has created more than 500 new jobs through the production and distribution of bison meat and bison by-products. The number of consumers purchasing bison products has increased dramatically over the past 4 years.

In my home State of South Dakota, rising bison has proven to be a profitable venture for the Cheyenne River Sioux Tribe. In fact, the Cheyenne River Sioux recently received Federal assistance from the U.S. Department of Agriculture for the purchase of a mobile meat processor.

This state-of-the-art technology will allow the tribe to slaughter bison in a traditional manner, while processing and packaging the meat on the spot. The tribe also intends to allow other nearby tribes and private ranchers to benefit from the use of the mobile bison meat processor.

Fred's ingenuity is an inspiration to all Native Americans who, through creativity and hard work, are striving to achieve self-sufficiency, rather than dependency on Federal Government assistance. I am very proud of Fred DuBray's achievements, and I am very happy to see that he is receiving well-earned recognition from *Newsweek* magazine.

My wife, Harriet, and I extend our congratulations to Fred DuBray for his accomplishments thus far, and wish

him continued success in his future efforts.

TRIBUTE TO WARREN BURGER

Mr. DOLE. Mr. President, a century-and-a-half ago, the great Daniel Webster said,

We may be tossed upon an ocean where we can see no land—nor, perhaps, the sun or stars. But there is a chart and a compass for us to study, to consult, and to obey. That chart is the Constitution.

Today, Mr. President, the Senate joins with the rest of the country in mourning the passing of former Chief Justice of the United States, Warren Burger, a man who devoted his life to studying, consulting, and obeying the Constitution.

Chief Justice Burger's public life began in 1953, when he came to Washington to serve as an Assistant Attorney General in the Eisenhower administration.

Prior to that time, he was a respected attorney and civic leader in his home State of Minnesota. And when he arrived in Washington, he brought with him a great deal of midwestern common sense, practical experience, and an understanding of the importance of communities, neighborhoods, and families.

In 1956, President Eisenhower appointed Chief Justice Burger to the U.S. Court of Appeals for the District of Columbia circuit. He served there with distinction until 1969, when President Nixon selected him as Chief Justice of the United States.

During his 17 years as Chief Justice of the United States—a tenure which made him the longest serving Chief Justice in this century—Warren Burger authored over 244 majority opinions and assigned over 1,000 others.

Like most Americans, I agreed with some of those opinions, especially those that restored a sense of balance to our criminal justice system—and disagreed with others. But I never doubted Warren Burger's devotion to his country.

And I never doubted his devotion to making our judicial system and our courts run more efficiently. Chief Justice Burger is due the credit he has received for the leadership he provided in improving education and training of judges and court personnel, and in the implementation of technological advances.

He created the National Center for State Courts, the Institute for Court Management, and the National Institute for Corrections, institutions which will continue to serve as his legacy for years to come.

Chief Justice Burger also spoke bluntly about the need of the members of the legal profession to always maintain the highest degree of ethics and professionalism.

When Chief Justice Burger left the court, he assumed the chairmanship of the commission honoring the Bicentennial of the Constitution. And he pre-

sided over that celebration's activities with great dignity and ability.

Warren Burger's devotion to increasing awareness of the Constitution continued until this year, when he published a book recounting 14 major Supreme Court cases.

Mr. President, I know all Senators join with me in extending our sympathies to Chief Justice Burger's son, Wade, his daughter, Margaret, and his two grandchildren.

AUTHORIZATION TO THE ARCHITECT OF THE CAPITOL

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

This resolution authorizes the removal of the catafalque from the Capitol to the Supreme Court where Chief Justice Burger's casket will lie in state.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 18) authorizing the Architect of the Capitol to transfer the catafalque to the Supreme Court for a funeral service.

The PRESIDING OFFICER. Without objection, the concurrent resolution is agreed to.

So the concurrent resolution (S. Con. Res. 18) was agreed to, as follows:

S. CON. RES. 18

Resolved by the Senate (the House of Representatives concurring), That the Architect of the Capitol is authorized and directed to transfer to the custody of the Chief Justice of the United States the catafalque which is presently situated in the crypt beneath the rotunda of the Capitol so that the said catafalque may be used in the Supreme Court Building in connection with services to be conducted there for the late Honorable Warren Burger, former Chief Justice of the Supreme Court of the United States.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

PRIVATE SECURITIES LITIGATION REFORM ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 240, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 240) to amend the Securities Exchange Act of 1934 to establish a filing deadline and to provide certain safeguards to ensure that the interests of investors are well protected under the implied private action provisions of the act.

The Senate resumed consideration of the bill.

Pending:

Bryan Amendment No. 1469, to provide for a limitation period for implied private rights of action.

Mr. BENNETT. Mr. President, I have listened to the debate on this issue from both sides of the aisle with great interest and have several observations that I would like to share with you and the others in the Senate as we come to this point.

As is pointed out often to me, and sometimes as I have pointed out during my political career, I am not a lawyer. I have not been blessed with the experience of having gone through law school or passed the bar or practiced law or any of the other kinds of experiences that go with being an attorney, which so many of our colleagues in the Senate have. Indeed, a majority, Mr. President, of the Members of this body are lawyers.

I have not kept exact tally, but I believe that the vast majority, if not 100 percent, of the people who have commented on this bill, have been lawyers.

No, I must correct myself. Mr. President, the Senator from California [Mrs. BOXER] is not a lawyer, and she has been very forthright in her opposition to this bill. So I would back away from that. But most of the people who have spoken on this have been lawyers. And I have noticed that they have addressed this issue on the basis of what will happen in court if S. 240 were to pass.

They have argued that back and forth, with lawyers saying: Oh, no, if S. 240 were passed, why, then this is how the courts would be forced to rule. And then other lawyers have risen and said: You are wrong; if S. 240 passes, the courts would not have that ruling at all; they would rule this way. Back and forth, so the argument goes between those who have had the experience of a legal education.

I wish to share with the Senate my view of this, which is based not on a legal background but upon direct experience and observation with what has been happening with strike suits as these have come to be known.

My first experience is a vicarious one, but I do my best to make sure that it is accurate. It is the experience that my father had after he left the Senate and began his last career, which was back in the business world serving on a variety of boards of directors.

I have told this story in the committee hearing, but I think it is appropriate to repeat here because it makes the point I intend to make.

One of the boards that my father went on after he left the Senate was a board of a mutual fund. The compensation of the directors was tied to the performance of the mutual fund. This is the kind of thing people are saying we ought to do with directors and chief executives, not just set a compensation and let it stay there, but have a compensation tied to the performance of the fund.

Once a year, the compensation of the directors would be adjusted as a result of the better performance of the fund during the year, and since the fund, at least during the time my father served