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## Senate

The Senate met at 9 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:

Gracious God, whose dwelling place is the heart that longs for Your presence and the mind that humbly seeks Your truth, we eagerly ask for Your guidance for the work of this day. We confess anything that would hinder the flow of Your spirit in and through us. In our personal lives, heal any broken or strained relationships that would drain off creative energies. Lift our burdens and resolve our worries. Then give us a fresh experience of Your amazing grace that will set us free to live with freedom and joy.

Now, Lord, we are ready to work with great confidence fortified by the steady supply of Your strength. Give us the courage to do what we already know of Your will, so that we may know more of it for the specific challenges of this day. Our dominate desire is for Your best in the contemporary unfolding of the American dream. Lead on, O King Eternal, Sovereign of this land. Amen.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader, Senator LOTT of Mississippi, is recognized.

### SCHEDULE

Mr. LOTT. Mr. President, today there will be a period for morning business. Senator LUGAR of Indiana has 45 minutes under his control. Following his remarks, the Senate will resume consideration of S. 1664, the immigration bill. Senators can expect rollcall votes on amendments throughout the day. A cloture vote is expected on the

bill following the disposition of the Simpson amendment. It is the hope of the majority leader to complete action on the immigration bill during today's session.

I believe that Senator LUGAR is prepared to proceed. I thank the Chair and I yield the floor, Mr. President.

### MORNING BUSINESS

The PRESIDING OFFICER (Mr. KYL). There will now be a period for morning business.

Mr. LUGAR addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana, Senator LUGAR, is recognized.

Mr. LUGAR. I thank the Chair.

### INDIANA SENATE HISTORY

Mr. LUGAR. Mr. President, during my campaign for reelection in 1994, a number of Indiana papers published articles describing the fourth-term jinx that had afflicted Indiana Senators and speculating whether I would be fortunate enough to overcome that jinx. Although five of my predecessors had each won three Senate elections, all of them had been defeated in their fourth race. Some of the most prominent and accomplished names in Indiana politics, including James Watson, Homer Capehart, Vance Hartke, and Birch Bayh had fallen victim to the fourth-term jinx.

The independent-minded voters of Indiana have never been shy about expressing their dissatisfaction with an incumbent. In fact, the average length of service among all Indiana Senators is just a little more than 8 years. Five Hoosier Senators held office less than a year. The shortest Senate service was that of Charles William Cathcart, who served less than 2 months of an unexpired term. Only 10 of the 43 Hoosier Senators served more than 2 terms.

One reporter—Mary Dieter, who covers Indiana politics for the Louisville Courier-Journal—added a twist to the fourth-term jinx story. She noted that even if I broke the jinx, I would not become the longest serving Indiana Senator upon being sworn in. That distinction would still belong to Daniel Wolsey Voorhees, who had served more than a year of an unexpired term before winning three of his own. He served in this body from November 1877 until March 1897.

As a consequence of Voorhees' long tenure, not until today has this Senator passed the previous record for length of service by a Senator from Indiana. This day marks my 7,059th in office, passing the 7,058-day record set by Voorhees.

I am enormously grateful to the people of Indiana for granting me the opportunity to serve them; to my family for supporting my endeavors in public service; and to all my past and present colleagues in the Senate who have made my service here so rewarding and enjoyable.

I would like to commemorate this occasion by paying homage to the important record of Hoosier service to the U.S. Senate. I regret that legislative history is a topic that rarely receives adequate attention, either in our schools or during deliberations in this body. So often our work in the Senate would improve with a greater understanding of the history that lies behind us and of our role as stewards of an institution that will survive long after all of us are gone.

I have attempted in a small way to resist the erosion of Hoosier Senate history by asking my summer interns during the last few years to research Indiana Senators. Invariably my interns are surprised and bemused by the

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



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parallels between our present legislative labors and the actions of long forgotten Senators. One wrote after researching the life of the venerable Oliver P. Morton: "One of the greatest Hoosiers of all time has been forgotten. Let us recall him and learn from his experiences."

#### FRONTIER YEARS

Mr. President, although few Hoosiers have had long Senate careers, many of my predecessors made indelible contributions to the Nation. Curiously, only 16 of the 43 Indiana Senators—37 percent—were born within the State: 10 were born in neighboring Ohio; 4 were born in New York; 2 each were born in Pennsylvania and Virginia; 2 were born in foreign lands; and the remaining 8 came from assorted Eastern States.

No Indiana Senator has ever been born west of the Mississippi River. For my Indiana Senate predecessors, the trek westward stopped at the Wabash River. In Indiana they found land that brought abundance, the confluence of great waterways, and a brand of frontier politics that proved irresistible to many young lawyers, farmers, and businessmen seeking to make names for themselves.

#### JAMES NOBLE

Ironically, one of Indiana's original Senators, James Noble, might have set an insurmountable record of service had he not died at the young age of 45. Elected by the Indiana Legislature in 1816 as a Democratic-Republican, he took office 5 days before his 31st birthday. He died during his third term on February 26, 1831. Noble's 14 years of service in the Senate would stand as a Hoosier record for three decades.

Noble was a prominent lawyer who had played a central role in Indiana's constitutional convention and was a natural choice for appointment to the Senate by the Indiana Legislature. In the Senate he was a leading advocate for using Federal funds to improve the Nation's roads and waterways, and he was instrumental in securing appropriations to extend the Cumberland Road westward from the town of Wheeling, in Virginia at that time. He argued against the view held by some of his contemporaries that Federal spending on infrastructure improvements was unconstitutional. For Noble, building roads and waterways to bind the States together was a vital activity of the Federal Government.

Noble and other early Hoosier Senators had been settlers of the Indiana Territory and had weathered the rigors of frontier life. Befitting a frontier Senator, Noble always insisted on traveling to and from Washington on horseback, rather than by stagecoach.

Several Hoosier Senators participated in military campaigns against Tecumseh's Shawnees and other Indian tribes. Noble served as a colonel in the Indiana militia. Senator Waller Taylor, who was Indiana's other original Senator, served as Gen. William Henry Harrison's aide-de-camp during the War of 1812. Senator Robert Hanna,

who replaced Noble, was a general in the Indiana militia.

#### JOHN TIPTON

But the Hoosier Senator who epitomized the rugged life in a frontier State was John Tipton, an unschooled Tennessee native, who served in the Senate from 1832 to 1839. Tipton's father was killed by Indians when the boy was just 7 years old. By the time he crossed the Ohio River into Indiana at the age of 21, Tipton was already the breadwinner of his household. He settled his mother and siblings in Harrison County, where he earned a living as a gunsmith and farmhand.

Tipton served under General Harrison during the Tippecanoe campaign, rising to the rank of brigadier general. After his military service, Tipton would become a justice of the peace, sheriff of Harrison County, Indian agent, and State legislator. He helped select the site for a new State capital that would become Indianapolis. He also did an official survey of the Indiana border with Illinois. Tipton strenuously but unsuccessfully maintained that a port on Lake Michigan called Chicago rightfully belonged within Indiana's borders.

As Senator, Tipton continued to focus on frontier issues. He served on the Military Affairs and Indian Affairs Committees. Later in his term, he became chairman of the Committee on Roads and Canals, taking over from fellow-Hoosier William Hendricks. Like his predecessors in the Senate, Tipton fought for appropriations to build roads connecting Indiana with the East.

As these roads were built and the Ohio River and Great Lakes were developed, the frontier pushed westward. By the 1840's, Indiana had developed from a frontier State into a burgeoning crossroads of commerce and travel. With this transformation, the men representing Indiana in the Senate tended to be better educated and more motivated by national political ambitions than their pioneer predecessors.

#### EDWARD HANNEGAN

Senator Edward Hannegan, who served in this body from 1843 to 1849 provides a good example. He was a renowned orator who sought unsuccessfully the Democratic nomination for President in 1852. The legendary Daniel Webster said of him: "Had Hannegan entered Congress before I entered it I fear I never should have been known for my eloquence."

Hannegan's mix of rhetorical fire and elegance was demonstrated on one occasion when he took to the Senate floor to denounce President Polk for his offer to Great Britain to set the northern border of the Oregon Territory at the 49th parallel. Hannegan was a leading proponent of the expansionist view that was represented by the battlecry: "54, 40, or fight." Said Hannegan of Polk:

So long as one human eye remains to linger on the page of history, the story of his abasement will be read, sending him and his

name together to an infamy so profound, a damnation so deep, that the hand of resurrection will never drag him forth. . . . James K. Polk has spoken words of falsehood with the tongue of a serpent.

#### POLITICAL TURBULENCE

In any event, Mr. President, Indiana's position as a crossroads of the Nation was not limited to commerce and travel. Up to the present day it also has been a crossroads for American subcultures, economic forces, and political ideas. In his 1981 bestseller "The Nine Nations of North America", Joel Garreau conceptually divided the North American Continent into nine subregions according to their economic, social, and cultural identity. It is not surprising that Garreau placed Indianapolis at the very intersection of three of these regions: the industrial Midwest centered on the Great Lakes, the broad grain growing region of the plains, and the South.

As a result, through much of its history, the cauldron of Indiana politics has been characterized by its swirling unpredictability. Viewed from a broad historical perspective, political parties in Indiana have never been able to dominate the landscape for long before they were toppled by their rivals. For example, only one time since 1863 has the seat that I hold been passed between members of the same party. In the entire history of Indiana, the two Hoosier Senate seats have never been occupied by members of the same party for longer than 16 consecutive years.

The most turbulent time in Indiana politics was the Civil War era. In many counties, residents had considerable sympathy for the southern cause, while other Hoosiers were ardent abolitionists. Democrats who opposed the war and supported the South were known as "Copperheads." Another group of Democrats opposed abolition, but wished to hold the Union together. Before the war, these Constitutional-Union Democrats backed political concessions to the South in the hope of preserving the Union without war. When war began, however, many Constitutional-Union Democrats reluctantly supported the northern war effort.

#### JESSE BRIGHT

Throughout the era of the Civil War and Reconstruction, at least one of the two Hoosier seats was occupied by a Democratic Senator with sympathies for the southern point of view. In 1862, one of these Senators, Jesse Bright of Madison, became the only Senator from a nonslave State to be expelled by the Senate for supporting the rebellion. The expulsion was all the more notable because Bright had served as President pro tempore from 1854 to 1856 and again in 1860. The catalyst for the expulsion was a letter from Bright to his friend Jefferson Davis written on March 1, 1861—more than a month before the attack on Fort Sumter. The letter introduced another friend, Mr. Thomas Lincoln, formerly of Madison, IN, to Davis.

It read:

MY DEAR SIR: Allow me to introduce to your acquaintance my friend, Thomas B. Lincoln, of Texas. He visits your capital mainly to dispose of what he regards [as] a great improvement in fire-arms. I recommend him to your favorable consideration as a gentleman of the first respectability, and reliable in every respect.

Very truly yours,

JESSE BRIGHT.

The discovery of the letter late in 1861 provided an opening to Republican Senators seeking to expel Bright for his southern leanings. The Senator not only voted against many wartime provisions, he owned slaves and a plantation in Kentucky.

On December 16, 1861, Senator Morton Wilkinson of Minnesota introduced a resolution to expel Bright. Wilkinson contended that the letter and Bright's addressing of Davis as "His Excellency Jefferson Davis, President of the Confederation of States" amounted to a recognition of the legitimacy of the secession of Southern States. Bright responded that in the days before the war began, many leaders in the North continued friendly correspondence with acquaintances in the South and that his method of addressing Davis was nothing more than the polite use of a title.

Although the Judiciary Committee recommended against expulsion, the Senate debate ran strongly against Bright. He was harshly denounced by Indiana's Republican Senator Henry S. Lane and by future President, Andrew Johnson of Tennessee. On February 5, with the Senate Gallery filled with on-lookers, the Senate expelled Bright by a vote of 32 to 14. His Senate career came to an end 1 month short of 17 years. Since the Indiana Legislature was under the control of the Democratic Party in 1862 when Bright would have been up for reelection, his expulsion denied him an almost certain fourth term.

OLIVER P. MORTON

During the Civil War, Indiana was administered by Gov. Oliver P. Morton, the spiritual leader of the Indiana Republican Party. Morton went on to become one of the most important Senators of the era of Reconstruction and a national spokesman for the Republican Party. His likeness can be viewed today a few hundred feet away in Statuary Hall.

Originally a Democrat, Morton broke with his party in 1854 over the Kansas-Nebraska Act. His views on the slavery question developed in much the same manner as those of Abraham Lincoln. Beginning in the late 1850's, he was an outspoken critic of slavery. In one 1860 speech he denounced it as "a moral, social, and political evil \* \* \* a curse to any people, a foe to progress, the enemy of education and intelligence, and an element of social and political weakness." Like Lincoln, however, Morton carefully avoided advocating outright abolition, instead focusing on stopping the extension of slavery. But after the South seceded and the fighting began, Morton was a key ally of

Lincoln in prosecuting the war and supporting the Emancipation Proclamation.

Within a week of Lincoln's call for troops on April 15, 1861, Morton had organized 12,000 Hoosier recruits—a number three times Indiana's quota. Over the course of the war, Governor Morton continued to be one of the most effective troop organizers for the Union. Indiana contributed more than 200,000 soldiers to the Union war effort; all but 17,000 of these were volunteers. Morton was revered by Hoosier troops because he used State funds to ensure that Indiana's soldiers were well clothed and equipped and to care for the widows and orphans of fallen Hoosiers. Like Lincoln, Morton was not timid about using the power at his disposal. He declared martial law in parts of southern Indiana to quell subversive activities by Copperhead groups. When the State ran low on funds, Morton bypassed the Democratic legislature, financing the war effort by borrowing from private bankers and soliciting contributions from citizens and businesses.

In 1867 Morton began 10 years of service in the Senate. In 1865 he had suffered an apparent stroke that left him partially paralyzed. Despite his infirmity, he was a vigorous debater and party organizer who reveled in the political combat of the Senate. He became chairman of the Manufactures Committee and the Privileges and Elections Committee. He also served on the Foreign Affairs and Military Affairs Committees.

But the central issue during Morton's time in the Senate was, of course, Reconstruction. Though he had supported Lincoln's magnanimous gestures toward the South immediately after the war, Morton gradually became convinced that an uncompromising and complete reconstruction of the South was necessary. He led the fight for passage and ratification of the 15th amendment which granted blacks the right to vote. To gain ratification by the necessary three-fourths of the States, he proposed a floor amendment requiring several Southern States to ratify the 15th amendment as a condition for reclaiming their seats in Congress. His hardball tactics ultimately prevailed, but they brought accusations that he was overly vindictive toward the South. To these charges, he replied: "I want peace in the South. I want it as earnestly as any man can, but I want peace in the South on correct principles. I am not willing to purchase peace by conceding that they were right and we were wrong."

Morton died in 1877 before the end of his second term. With his passing, his seat fell into Democratic hands for almost 20 years. For it was the long-serving Daniel Voorhees who was appointed by the Democratic-controlled legislature to replace Morton.

DANIEL VORHEES

Voorhees, who was known as the Tall Sycamore of the Wabash was a prominent Terre Haute lawyer who shared

Jesse Bright's sympathy for the South and Edward Hannegan's passionate speaking style. During the entirety of the Civil War, Voorhees served in the House of Representatives where he frequently criticized President Lincoln. As a fervent believer in States rights, he saw the North's prosecution of the war as unconstitutional. After Lincoln issued the Emancipation Proclamation Voorhees declared:

Ten days before he issued it he said that he had not the power to promulgate such a document and that it would do no good if he did. In that he was right for once. But I suppose he gave way to pressure. Yes, pressure. He was pressed. By whom? By Horace Greeley, that political harlot, who appeared in a praying attitude in behalf of 20 millions of people.

Lincoln's reelection in 1864 was a great disappointment to Voorhees, who hoped that the President's defeat would allow for a compromise that would reestablish both the Union and the rights of States to make their own decisions on slavery. After the war, Voorhees adopted a softer view of Lincoln because of the President's intentions to implement a magnanimous reconstruction program.

As a Senator, Voorhees was a prominent forefather of the populist movement headed by William Jennings Bryan at the end of the century. Voorhees devoted much energy to defending the agrarian interests of the Midwest and South. He opposed protectionist tariffs designed to benefit eastern manufacturers, and he advocated a liberal monetary policy that would expand currency to benefit farmers. He denounced the U.S. financial system as "an organized crime against the laboring, tax-paying men and women of the United States."

In 1893, Voorhees became chairman of the powerful Finance Committee. That year, a major financial panic caused President Cleveland to call a special session of Congress to consider the repeal of the mildly inflationary Sherman Silver Purchase Act. To pass the repeal, he needed the support of Voorhees. The issue divided Democrats, many of whom, like Voorhees, strongly supported silver purchases. But Voorhees set aside his natural inclinations to help the President from his party respond to the financial panic. Voorhees considered passage of the repeal of the Silver Purchase Act his greatest legislative accomplishment, although the measure actually did little to remedy the country's financial crisis.

HOOSIERS IN NATIONAL OFFICE

Mr. President, Senator Voorhees had the distinction of defeating a future President—Benjamin Harrison—in his first Senate election and being unseated by a future Vice President—Charles Fairbanks—in his last. In fact, the late 18th and early 19th centuries saw Indiana become a frequent supplier of candidates for national office. Circumstances had positioned Indiana to play a leading role in national politics. Indiana had grown to become the seventh largest State in the Union by the

1870's, and it had become a swing State where party control changed from election to election. Both parties, therefore, had strong incentives to put Hoosiers on their national tickets.

Of the 20 individuals who served as either President or Vice President between 1870 and 1920, five were Hoosiers. Only New York, with six, placed more individuals in Executive Offices during this period. Each of these Hoosiers was connected to the Senate, either as a former Member or in performing their Vice Presidential duties as presiding officer.

SCHUYLER COLFAX

This succession of Hoosiers was begun by the unfortunate Schuyler Colfax, who was President Grant's first Vice President from 1869 to 1873. Colfax, whom Lincoln described as a "friendly rascal," never held a seat in the Senate. His political career was brought to a close by revelations that he had participated in a financial scandal that occurred during his earlier tenure as Speaker of the House. He avoided impeachment proceedings largely because the scandal was not revealed until his Vice Presidential term was about to expire.

THOMAS HENDRICKS

Thomas Hendricks, a Democrat and lawyer from Shelbyville, IN, became the second Hoosier Vice President, and the first to serve a previous term in the Senate. He was elected by the Indiana Legislature in 1863 to the term that could have been the expelled Jesse Bright's fourth. In the Senate, Hendricks was a sharp critic of President Lincoln. He voted for appropriations to pay for troops, weapons, and supplies, but he opposed the Emancipation Proclamation, the draft, and the 13th, 14th, and 15th amendments. Hendricks lost his seat after just one term when the Indiana Legislature fell into GOP hands in 1869.

In 1876, after a term as Governor, Hendricks got his first shot at the Vice Presidency when he ran on the Democratic ticket with ill-fated Presidential candidate Samuel J. Tilden. In the most controversial Presidential election in American history, Tilden and Hendricks seemingly had won the election by a 203 to 166 count in the electoral college and by 260,000 popular votes. The Democrats were denied victory, however, when Republicans disputed the results of voting in several Southern States. An election commission that favored the Republicans ruled in favor of the GOP Presidential candidate Rutherford B. Hayes.

Hendricks again was the Democratic Vice Presidential nominee in 1884. This time he was successful, as the Democratic ticket headed by Grover Cleveland came out on top for the first time since before the Civil War. As Vice President, Hendricks would preside over only a 1-month session of the Senate before his death in November 1885.

Hendricks' untimely death left the country without a Vice President, President pro tempore, or Speaker of

the House for the second time in the decade. Under the 1792 Succession Act, this was the line of succession in the event of the President's death. No other official was mentioned. Had Cleveland died before Congress convened later in the year, the country would have been left temporarily without a President.

Hendricks' death prompted Congress to pass a revision of the Succession Act in 1886. It removed the President pro tempore and the Speaker of the House from the line of succession and substituted the President's Cabinet officers in the order the departments were created beginning with the Secretary of State. In 1947 at President Truman's urging, Congress again revised the succession order, returning the Speaker and the President pro tempore to the line, but reversing their order so the Speaker ranked second behind the Vice President and the President pro tempore ranked third, followed by the Cabinet Secretaries.

BENJAMIN HARRISON

Indianapolis Republican Benjamin Harrison, who would become our 23d President, also had the good fortune to gain experience in the Senate. He served in this body from 1881 until 1887. During that time he chaired the Committee on Territories and was a strong advocate for protecting and expanding the pensions of Civil War veterans. Harrison was turned out of his Senate seat after only one term by a newly elected Democratic State legislature.

Nevertheless, Harrison retained his national prominence and defeated President Cleveland in the 1888 Presidential election, despite losing the popular vote. Harrison's narrow victory in New York brought him that State's 36 electoral votes and a 233 to 168 triumph in the electoral college.

As President, Harrison implemented much of his economic program, including a high tariff. He signed the Sherman Silver Purchase Act, while resisting the far more inflationary proposal for free coinage of silver that was supported by Daniel Voorhees. In a rematch of the 1888 election, Grover Cleveland easily defeated Harrison, who would return to his law practice in Indianapolis.

CHARLES FAIRBANKS

Another Indianapolis Republican, Charles Fairbanks, served in the Senate before attaining the vice presidency. A close friend and staunch ally of President McKinley, Fairbanks' Senate tenure ran from 1897 until 1905. Fairbanks was under consideration for the 1900 GOP Vice Presidential nomination, but he took his name out of contention. He planned to run for President in 1904 when McKinley's second term expired, and he believed that the Senate offered a better position from which to seek the GOP Presidential nomination. After all, no Vice President since Martin Van Buren had been elected to succeed his President.

This turned out to be a colossal miscalculation. In September 1901, Fair-

banks was cut off from a possible Presidential run by the tragedy of President McKinley's assassination. Vice President Theodore Roosevelt was elevated to the Presidency, ensuring that he would be the Republican nominee in 1904. Fairbanks had to settle for the Republican Vice Presidential nomination on the ticket with Roosevelt. This time he did not pass up the opportunity, and he became Vice President in 1905 after the GOP ticket swept to victory.

Fairbanks attempted to gather support for the GOP Presidential nomination in 1908, but Roosevelt's endorsement of William Howard Taft again blocked the Hoosier's path to the White House. Once more in 1916, Fairbanks was a candidate for Vice President on the ticket with Charles Evans Hughes. But they were defeated by incumbents Woodrow Wilson and Hoosier Thomas Marshall.

THOMAS MARSHALL

Marshall never served in the Senate, but he presided over this body for 8 years as Vice President from 1913 until 1921. He was the first Vice President to serve two full terms since Daniel Tompkins had done so under James Monroe.

During his time of presiding over the Senate, Marshall gained a reputation for his dry Hoosier wit. After listening to a long speech by Senator Joseph Bristow of Kansas on the needs of the country, Marshall remarked in a voice audible to many in the Chamber: "What this country needs is a really good five-cent cigar." This line was widely reported in newspapers and became his most famous utterance. Marshall would frequently poke fun at his own role as Vice President. He told a story of two brothers: "One ran away to sea; the other was elected Vice President. And nothing was ever heard of either of them again."

Ironically, though Marshall was considered a good Vice President, his most notable action perhaps was something that he did not do. After President Wilson suffered a stroke in October 1919, many leaders advised him to assume the Presidency while Wilson was incapacitated. At the time, however, there was no provision in the Constitution governing this situation. Marshall refused to replace the President, fearing that it would divide the country and create a precedent that could be used mischievously against future presidents. With the ratification of the 25th amendment in 1967, which was sponsored by Senator Birch Bayh of Indiana, the Constitution provided a legal procedure for dealing with the difficult situation of an incapacitated President.

THE NEW CENTURY

Mr. President, just as Marshall's decision affected the future of the Vice Presidency, several Hoosier Senators deeply affected the operations and customs of the Senate during the early 20th century.

ALBERT BEVERIDGE

One such Senator was Albert J. Beveridge of Indianapolis. Beveridge began his service in March 1899 at the age of 36. He had never held a political office prior to his election to the Senate. He served two terms, gaining a reputation for his energy and intelligence, as well as his ambition.

Beveridge is the patron saint of freshman Senators seeking to resist the constraints of the Senate's seniority system. In his excellent collection of addresses on the history of the Senate, Senator ROBERT BYRD of West Virginia offers an enlightening account of Beveridge's vigorous, but largely unsuccessful efforts to secure desired committee assignments as a freshman.

Beveridge ventured across the sea for a 6-month trip to the Philippines, China, and Japan after his election by the Indiana Legislature in January 1899. Upon returning to Indiana in September of that year, he was praised in the press for investigating an important issue firsthand. Up to this point, Senators had rarely ventured overseas on factfinding trips. When he traveled to Washington, DC, later in the year for the opening of the congressional session, he was summoned to the White House to brief President McKinley on his observations.

Believing that his experience in the Philippines had made him the preeminent expert on the newly acquired islands, Beveridge campaigned to be appointed chairman of the Senate Committee on the Philippines. He also sought a seat on Henry Cabot Lodge's powerful Foreign Relations Committee. Among other steps, Beveridge visited Gov. Theodore Roosevelt in New York, who recommended him to Lodge. But Beveridge would be granted neither the Philippines chairmanship nor a seat on Foreign Relations. Lodge wrote back to Roosevelt explaining: "Beveridge is a very bright fellow, well informed and sound in his views. I like him very much, but he arrived here with a very imperfect idea of the rights of seniority in the Senate, and with a large idea of what he ought to have." Beveridge had to settle for an ordinary seat on the Philippines Committee.

In March 1900, freshman Beveridge again scandalized the Senate by delivering his second major floor speech just 3 months into his first session. For many of his senior colleagues, Beveridge was flouting the unwritten Senate rules governing the behavior of new members. In response to this transgression against his elders, Beveridge was the recipient the next day of a subtle but stinging parody of his speech by Senator Edmund W. Pettus of Mississippi. According to a report in the New York Times the performance caused Senators to roar in laughter at the expense of Beveridge.

Beveridge survived and learned from his hazing. Though still boisterous and aggressive for a freshman, he focused his attention on committee work, eventually becoming chairman of the

Committee on Territories and a member of the Foreign Relations Committee.

During his time in the Senate, Beveridge's political philosophy transformed from the standard conservatism of his party to progressivism. Beveridge became a leader of the nationwide progressive movement and worked to construct a foundation for progressive legislation such as the first National Child Labor Law, the Meat Inspection Act, and the Pure Food and Drug Act. This shift toward progressivism, however, weakened his support among Republicans and contributed to his defeat for re-election to a third term in 1910.

On April 8, 1913, the 17th amendment was ratified, forever transforming the nature of Senate elections. The amendment transferred the power to choose Senators from the State legislatures to popular elections.

BENJAMIN SHIVELY

In Indiana, Senator Benjamin Shively's election was at the heart of the debate over the amendment. In 1908 as Democrat State legislators met to choose their nominee, Shively was matched against John W. Kern. Kern was the favorite among the people of Indiana, but Shively prevailed by two votes in a secret ballot. Since the Democrats controlled the State legislature, Shively was elected Senator.

Given the closeness of the balloting, State legislators were asked by reporters and constituents to reveal their votes. When informal tallies of the legislators' announced votes had Kern winning by as many as eight votes, it was clear that many State legislators were lying about how they had voted. This fueled public cynicism in Indiana with the method of electing Senators and helped build support in the State for ratification of the 17th amendment.

In 1914, after the amendment had been ratified, Shively demonstrated that he did have popular support. He became the first Indiana Senator to be elected by popular vote, a distinction of which he was enormously proud. Shively also became chairman of the important Pensions Committee. Unfortunately, he did not survive his second term, dying in 1916 after serving only a year.

JOHN KERN

Shively's rival in 1908, John Kern, went on to place his own extraordinary mark on the Senate. He defeated Albert Beveridge in the 1910 Senate election, the last Senate race held before ratification of the 17th amendment. But it was the 1912 election that brought Kern to Senate prominence.

That election resulted in a sweeping victory for the Democratic Party. With Teddy Roosevelt's Bull Moose candidacy splitting Republicans, Woodrow Wilson rolled to victory. Democrats strengthened an already huge majority in the House, and seized control of the Senate for the first time in 18 years.

The majority party's prospects for enacting its legislative program rested,

as they so often do, on the Senate. Democrats held just a 51 to 44 seat majority. Up to that time Senate party caucuses had chosen their leader largely on the basis of seniority. In 1913, however, Democrats broke with this practice in an effort to make the most of their legislative opportunities. They decided that their caucus leader should be the Senator who would be the most effective legislative leader.

The man they chose by unanimous vote was John Kern, who had been elected to the Senate 2 years before in 1910. Thus a freshman, with just 2 years of Senate experience, was entrusted with shepherding one of the most ambitious legislative plans in American history through the Senate. Kern was no political neophyte. He was a respected politician who had been the Democratic Vice Presidential nominee in 1908 on the ticket with William Jennings Bryan.

Historians often regard Kern as the first modern majority leader, although he did not formally have that title. Kern established numerous precedents during his 4 years as the head of the Democratic caucus. He conferred closely with the administration on its program, frequently visiting Wilson at the White House to discuss strategy. He demanded party unity and employed threats, compromises, and personal entreaties to achieve it. He established the post of Democratic whip to assist him in maintaining discipline. He also used the prerogative to grant committee assignments as an enforcement mechanism. In his 4 years as caucus leader, Kern's energy and organization failed only once to deliver Senate passage of a major Presidential legislative initiative. This was Wilson's ship purchase bill, that was blocked by a 1915 filibuster.

Despite Kern's power in the Senate and his close relationship with President Wilson, he was defeated by Republican Harry S. New in the 1916 election. New garnered 51 percent of the vote to Kern's 49 percent. Wilson won his re-election bid but lost Indiana by an even narrower margin to Charles Evans Hughes.

JAMES WATSON

In 1929, another Hoosier was chosen to be majority leader. That year Senate Republicans elected, James Eli Watson, who served as majority leader during the 4 years of Herbert Hoover's Presidency. Watson began his Senate career when he was elected to complete the unexpired term of Senator Benjamin Shively in 1916. He was reelected in 1920 and 1926.

Watson had been one of President Hoover's major rivals for the GOP Presidential nomination in 1928. As a result, they did not develop the close working relationship that had existed between Wilson and Kern. As Republican leader, Watson's primary tactic was to build majorities through careful compromises. Like Kern, Watson's status in the Senate did not insulate him from electoral defeat back home. He

lost his quest for a fourth Senate election victory when he was turned out of office by the national Democratic landslide of 1932.

SHERMAN MINTON

Like John Kern, Sherman Minton played a prominent role in the Senate, despite serving only one term. Elected as a Democrat in 1934, Minton was an ardent New Dealer and loyal Senate ally of President Franklin Roosevelt. In January 1937 Majority Leader Joseph T. Robinson named Minton to the new position of assistant Democratic whip. Minton, who was an aggressive legislator, relished this responsibility. Two years later, Minton was promoted to majority whip.

Minton had the bad luck of running for reelection in 1940. That year his Republican opponent, Raymond Willis of Angola, IN, got a big boost from the presence of Hoosier favorite son Wendell Willkie at the top of the ticket. Minton's support for the 1940 Selective Service Act and other defense preparations also cost him votes. Willis defeated Minton by a narrow 25,000-vote margin.

During his career in public service, Minton had the distinction of serving in all three branches of the Federal Government. After Minton's Senate defeat, Roosevelt brought him to the White House as an administrative assistant to the President. Roosevelt used him primarily as his liaison with Congress.

In May 1941, however, Roosevelt appointed Minton to the Seventh Circuit U.S. Court of Appeals. He served there until President Harry Truman appointed him to the Supreme Court in 1949. Minton spent 7 years on the High Court until illness forced his retirement in 1956. A number of former Senators have served on the Supreme Court during its history, including James Francis Byrnes and Hugo Black. Since Minton's appointment in 1949, however, no former Senator has been appointed to the High Court.

#### MODERN ERA

Since the end of World War II, seven individuals have been elected to the Senate by the people of Indiana. Several of my colleagues served in Congress with William Jenner and Homer Capehart, two Republicans whose careers significantly impacted my early political development in Indiana. And, of course, many of my colleagues had close and productive associations with the three distinguished former Hoosier Senators who often visit with us: Birch Bayh, Vance Hartke, and Dan Quayle.

Hopefully, those of us who have served Indiana in the Senate during recent years have upheld the tradition of achievement established by our Hoosier predecessors. It may be premature to make historical judgments on the most recent seven Hoosier Senators, and I will resist the temptation to do so.

Our Nation and our world have changed profoundly since James Noble and Waller Taylor came to the Senate

in 1816. Noble's horseback journeys to Washington, DC, are said to have taken him about 17 days. Today we can travel to Indiana in less than 2 hours. Indiana's population has grown from about 150,000 in 1820 to almost 6 million people today.

As our world has become more complex, so has our job here in the Senate. We have more constituents, more Members, more issues, more bills, more staff, and more floor votes than our early predecessors could likely have imagined. The 7 most recent Hoosier Senators have cast more floor votes than the previous 36 Hoosier Senators combined. The second session of the 14th Congress—the 1st in which Indiana was represented—lasted just 92 days. Today the Senate is in session almost year round.

But even as this body has grown and developed, the fundamentals of being a good legislator have always remained the same. Down through history, this has been an institution that has depended on honesty, civility, hard work, thoughtfulness, an understanding of the people we represent, and a willingness to stand on conviction. When these elements have been present, the Senate has succeeded.

Mr. President, I would encourage each of my colleagues, if they have not done so, to explore the service of their Senatorial ancestors from their own States. Inevitably they will find both triumphs and tragedies; heroic acts and embarrassing mistakes. But as I have surveyed the unbroken line that stretches from Waller Taylor and James Noble to Senator DAN COATS and myself, I have gained an even stronger appreciation of the character of my State and the performance of the U.S. Senate.

Mr. President, I ask unanimous consent to have printed in the RECORD two tables relating to Indiana Senators.

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

#### INDIANA SENATORS: DATES OF SERVICE

James Noble—Dec. 11, 1816–Feb. 26, 1831.  
Waller Taylor—Dec. 11, 1816–Mar. 3, 1825.  
William Hendricks—Mar. 4, 1825–Mar. 3, 1837.  
Robert Hanna—Aug. 19, 1831–Jan. 3, 1832.  
John Tipton—Jan. 4, 1832–Mar. 3, 1839.  
Oliver Smith—Mar. 4, 1837–Mar. 3, 1843.  
Albert White—Mar. 4, 1839–Mar. 3, 1845.  
Edward Hannegan—Mar. 4, 1843–Mar. 3, 1849.  
Jesse Bright—Mar. 4, 1845–Feb. 5, 1862.  
James Whitcomb—Mar. 4, 1849–Oct. 4, 1852.  
Charles Cathcart—Nov. 23, 1852–Jan. 11, 1853.  
John Pettit—Jan. 11, 1853–Mar. 3, 1855.  
Graham Fitch—Feb. 4, 1857–Mar. 3, 1861.  
Henry Lane—Mar. 4, 1861–Mar. 3, 1867.  
Joseph Wright—Feb. 24, 1862–Jan. 14, 1863.  
David Turpie—Jan. 14, 1863–Mar. 3, 1863.  
Thomas Hendricks—Mar. 4, 1863–Mar. 3, 1869.  
Oliver Morton—Mar. 4, 1867–Nov. 1, 1877.  
Daniel Pratt—Mar. 4, 1869–Mar. 3, 1875.  
Joseph McDonald—Mar. 4, 1875–Mar. 3, 1881.  
Daniel Voorhees—Nov. 6, 1877–Mar. 3, 1897.  
Benjamin Harrison—Mar. 4, 1881–Mar. 3, 1887.  
David Turpie—Mar. 4, 1887–Mar. 3, 1899.

Charles Fairbanks—Mar. 4, 1897–Mar. 3, 1905.

Albert Beveridge—Mar. 4, 1899–Mar. 3, 1911.  
James Hemenway—Mar. 4, 1905–Mar. 3, 1909.

Benjamin Shively—Mar. 4, 1909–Mar. 14, 1916.

John Kern—Mar. 4, 1911–Mar. 3, 1917.

Thomas Taggart—Mar. 20, 1916–Nov. 7, 1916.

James Watson—Nov. 8, 1916–Mar. 3, 1933.

Harry New—Mar. 4, 1917–Mar. 3, 1923.

Samuel Ralston—Mar. 4, 1923–Oct. 14, 1925.

Arthur Robinson—Oct. 20, 1925–Jan. 2, 1935.

Fredrick Van Nuys—Mar. 4, 1933–Jan. 25, 1944.

Sherman Minton—Jan. 3, 1935–Jan. 2, 1941.

Raymond Willis—Jan. 3, 1941–Jan. 2, 1947.

Samuel Jackson—Jan. 28, 1944–Nov. 13, 1944.

William Jenner—Nov. 14, 1944–Jan. 2, 1945.

Homer Capehart—Jan. 3, 1945–Jan. 2, 1963.

William Jenner—Jan. 3, 1947–Jan. 2, 1959.

Vance Hartke—Jan. 3, 1959–Jan. 2, 1977.

Birch Bayh—Jan. 3, 1963–Jan. 2, 1981.

Richard Lugar—Jan. 3, 1977–

Dan Quayle—Jan. 3, 1981–Jan. 2, 1989.

Daniel Coats—Jan. 3, 1989–

Indiana Senators: Length of Service

1. Richard Lugar—19 Years 4 Months—

(1977– )

2. Daniel Voorhees—19 Years 4 Months—

(1877–1897)

3–5. Homer Capehart—18 Years—(1945–1963)

3–5. Vance Hartke—18 Years—(1959–1977)

3–5. Birch Bayh—18 Years—(1963–1981)

6. Jesse Bright—16 Years 11 Months—(1845–

1862)

7. James Watson—16 Years 4 Months—

(1916–1933)

8. James Noble—14 Years 2 Months—(1816–

1831)

9. William Jenner—12 Years 2 Months—

(1944–45; 1947–59)

10. David Turpie—12 Years 2 Months—(1863; 1887–99)

11–12. William Hendricks—12 Years—(1825–

1837)

11–12. Albert Beveridge—12 Years—(1899–

1911)

13. Fredrick Van Nuys—10 Years 11

Months—(1933–1944)

14. Oliver Morton—10 Years 8 Months—

(1867–1877)

15. Arthur Robinson—9 Years 2 Months—

(1925–1935)

16. Waller Taylor—8 Years 3 Months—(1816–

1825)

17–18. Charles Fairbanks—8 Years—(1897–

1905)

17–18. Dan Quayle—8 Years—(1981–1989)

19. Daniel Coats—7 Years 4 Months—(1989–

)

20. John Tipton—7 Years 2 Months—(1832–

1839)

21. Benjamin Shively—7 Years—(1909–1916)

22–23. Oliver Smith—6 Years—(1837–1843)

22–23. Albert White—6 Years—(1839–1845)

22–23. Edward Hannegan—6 Years—(1843–

1849)

22–23. Henry Lane—6 Years—(1861–1867)

22–23. Thomas Hendricks—6 Years—(1863–

1869)

22–23. Daniel Pratt—6 Years—(1869–1875)

22–23. Joseph McDonald—6 Years—(1875–

1881)

22–23. Benjamin Harrison—6 Years—(1881–

1887)

22–23. John Kern—6 Years—(1911–1917)

22–23. Harry New—6 Years—(1917–1923)

22–23. Sherman Minton—6 Years—(1935–

1941)

22–23. Raymond Willis—6 Years—(1941–1947)

34. Graham Fitch—4 Years 1 Month—(1857–

1861)

35. James Hemenway—4 Years—(1905–1909)

36. James Whitcomb—3 Years 7 Months—

(1849–1852)

37. Samuel Ralston—2 Years 7 Months—

(1923–1925)



38. John Pettit—2 Years 2 Months—(1853-1855)  
 39. Joseph Wright—11 Months—(1862-1863)  
 40. Samuel Jackson—10 Months—(1944)  
 41. Thomas Taggart—7 Months—(1916)  
 42. Robert Hanna—4 Months—(1831-1832)  
 43. Charles Cathcart—2 Months—(1852-1853)

#### SENATOR RICHARD LUGAR—A MAN OF CHARACTER

Mr. DOLE. Mr. President, Henry Clay, one of the most eloquent men to serve in the U.S. Senate, once said, "Of all the properties which belong to honorable men, not one is so highly prized as character."

I know I speak for my colleagues on both sides of the aisle in saying that Senator RICHARD LUGAR is truly a man of character. And I join today in saluting Senator LUGAR as he becomes the longest serving Senator in Indiana history.

Today marks Senator LUGAR's 7,059th day in this Chamber. They have been days spent making a difference in nearly every issue that has come before this body, including agriculture, trade, the budget, foreign policy, and nuclear security.

As chairman of the Foreign Relations Committee, Senator LUGAR played a key role in bringing freedom to the Philippines. And as chairman of the Agriculture Committee, he produced legislation which will bring freedom to America's farmers.

DICK LUGAR's service to his State and his country are not limited to the time he has served in the Senate.

It was Naval Officer LUGAR who prepared intelligence briefings for the Chief of Naval Operations and President Eisenhower.

It was Mayor LUGAR who led the city of Indianapolis for 8 years, earning a reputation as one of the Nation's most innovative and successful mayors.

And it is husband and father DICK LUGAR who stands as a role model for countless young Americans.

Mr. President, over the last few years, Senator LUGAR has asked summer interns in his Washington office to research an Indiana Senator of their choice.

I am confident that in decades yet to come, when young Indiana students research those who have served their State, they will conclude that not only did RICHARD LUGAR set a standard in terms of longevity, he also set a standard in terms of integrity.

#### COMMENDING SENATOR RICHARD LUGAR

Mr. COATS. Mr. President, I rise to congratulate my friend and colleague, Senator RICHARD LUGAR, on his remarkable achievement and extraordinary service to the people of Indiana. He has had the privilege of representing Hoosiers in the U.S. Senate longer than any other Senator in Indiana history. His tenure has been distinguished and well deserved.

In Indiana, we are proud of DICK LUGAR and his leadership. Both in the Senate and on the campaign trail, he has consistently raised issues our Nation cannot afford to ignore. His thoughtful and skillful approach to policy has made our Nation safer and America's influence in the world more secure.

We are proud of his long record of accomplishments: fighting for freedom in the Philippines, enhancing the world's nuclear security, working for American farmers.

But DICK LUGAR brings more to the Senate than his skills as a legislator. His politics are informed by character. DICK LUGAR understands that values count and that principle is worth defending. He represents the best of Hoosier values—honesty, integrity, determination.

On behalf of the people of Indiana, I thank RICHARD LUGAR for his service to our State and to our Nation. It is my privilege to serve with them in the U.S. Senate.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

#### IMMIGRATION CONTROL AND FINANCIAL RESPONSIBILITY ACT OF 1996

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 1664, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1664) to amend the Immigration and Nationality Act to increase control over immigration to the United States by increasing border patrol and investigative personnel and detention facilities, improving the system used by employers to verify citizenship or work-authorized alien status, increasing penalties for alien smuggling and document fraud, and reforming asylum, exclusion, and deportation law and procedures; to reduce the use of welfare by aliens; and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Dole (for Simpson) amendment No. 3743, of a perfecting nature.

Simpson amendment No. 3853 (to amendment No. 3743), relating to pilot projects on systems to verify eligibility for employment in the United States and to verify immigration status for purposes of eligibility for public assistance or certain other government benefits.

Simpson amendment No. 3854 (to amendment No. 3743), to define "regional project" to mean a project conducted in an area which includes more than a single locality but which is smaller than an entire State.

Simon amendment No. 3810 (to amendment No. 3743), to exempt from deeming requirements immigrants who are disabled after entering the United States.

Feinstein/Boxer amendment No. 3777 (to amendment No. 3743), to provide funds for the construction and expansion of physical barriers and improvements to roads in the border area near San Diego, California.

Reid amendment No. 3865 (to amendment No. 3743), to authorize asylum or refugee status, or the withholding of deportation, for individuals who have been threatened with an act of female genital mutilation.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. SIMPSON. Mr. President, I thank my colleagues. I thank the ranking member, Senator KENNEDY. I think we are in a position, now, to perhaps conclude this measure, at least on the so-called Simpson amendment, today.

We had some 156 amendments proposed a day ago. We are down to about 30 today. Some are known in the trade as place holders—pot holders or whatever might be appropriate, some of them. Nevertheless we will proceed today. The debate will take its most important turn, and that is the issue of verification; that is the issue of the birth certificate and the driver's license, changes that were made yesterday and adopted unanimously by voice vote in this Chamber. We will deal with that issue.

But one thing has to be clearly said because I am absolutely startled at some of the misinformation that one hears in the well from the proponents and opponents of various aspects of immigration reform. It was said yesterday, by a colleague unnamed because I have the greatest respect for this person, that tomorrow to be prepared to be sure that we do not put any burden on employers by making employers ask an employee for documents.

That has been on the books since 1986. I could not believe my ears. Someone else was listening to it with great attention. I hope we at least are beyond that point. Today the American employer has to ask their employee, the person seeking a job, new hire, for documentation. There are 29 documents to establish either worker authorization or identification. And then, also, an I-9 form which has been required since that date, too. In other words, yes, you do have to furnish a document to an employer, a one-page form indicating that you are a citizen of the United States of America or authorized to work. That has been on the books, now, for nearly 10 years. If we cannot get any further in the debate than that, then someone is seriously distorting a national issue. Not only that, but someone is feeding them enough to see that it remains distorted.

So when we are going to hear the argument the employer should not be the watchdog of the world, what this bill does is take the heat off of the employer. Instead of digging around through 29 documents they are going to have to look at 6. If the pilot program works, and we find it is doing well, and is authentic and accurate, then the I-9 form is not going to be required. That is part of this.

Then yesterday you took the real burden off of the employer, and I think it was a very apt move. We said, now, that if the employers are in good faith