

I have no illusions about the problems we face. Ours is the work of generations. But today the American people have a choice to make. We can either continue along the path of administrative, bureaucratic Government and follow the tired mediocrity of big Government, or we can begin the long and difficult task of rebuilding an America that knows no limits.

To follow this path we must do two things:

First: The creed of America is to be found in the Declaration of Independence, which Jefferson called "an expression of the American mind." We must renew our commitment to these principles, return to our Constitution and reassert ourselves as a free, self-governing people.

Second: America has always had within itself a deep source of regeneration. It gains nourishment from its many, varied roots; its history, its religious faith, its free market and its immigrant heritage. And what holds us all together is America's love of liberty, deep in the hearts and minds of the American people. We must renew what Washington called "the sacred fire of liberty" and set it ablaze across the land.

These are not easy tasks. Yet I remain an optimist for these are powerful forces on the move in our society. I don't know about you, but I have every confidence that Americans will choose the right path for themselves, and for future generations that have yet to enjoy the blessings of freedom. And as we do, we will establish the era of an unlimited America.

Mr. President, I yield the floor.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I ask unanimous consent that I may proceed for not to exceed 12 minutes.

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

Mr. BYRD. I thank the Chair.

EACH SENATOR IS ACCOUNTABLE ONLY TO HIS OWN CONSTITUENTS

Mr. BYRD. Mr. President, on several occasions during the last few days some of the proponents of the balanced budget amendment here in the Senate have taken to the floor and to the airwaves, and other ways to criticize those Senators who have seen fit to follow the dictates of their own conscience and oppose the balanced budget amendment which was defeated in the Senate by a single vote last evening.

In the main, these attacks seem to have been directed especially at those Members who may have indicated support for a balanced budget amendment during a campaign, but found it impossible to support the particular amendment which was put before the Senate for a vote.

I should say parenthetically at this point that I voted for the balanced budget amendment in 1982. I had not

thought much about it at that time. I had not studied it. But following my vote for that amendment on that occasion I decided to study the matter and to consider it seriously, and consider the impact upon the Constitution. And I changed my vote from 1982 to 1986. In 1986 I voted against a constitutional amendment to balance the budget, and I have been against it ever since, and I always will be against it because I have given it thorough consideration and thought. And I have come up with a conclusion that I am very comfortable with.

So there are those who may have indicated support for a balanced budget amendment during the campaign but found it impossible to support the particular amendment, as I say, which was put before the Senate for a vote on yesterday.

I rise today to again congratulate those Members, who, after careful study of the specifics of this particular amendment, had the intelligence and the courage and the vision to discern the amendment's obvious flaws, and the courage to follow the dictates of their own consciences.

More and more the trend today in political life in America is to blindly endorse proposals, simply because they are popular or because they fit neatly into a set of ideological preconditions endorsed by one political party, or the other. The specifics, the details, the actual impact of many of these political "no-brainers," if you will, is glossed over in favor of the attraction of simplicity and ideological purity. Just as we have "dumbed down" our textbooks, the last decade has made a "dumbing down" of our politics as well. I often think that we insult the American people with the obvious demagoguery which spews forth from Washington in the form of pandering and very-very-tired, old clichés.

I would like to remind my colleagues that law and legislating is about the examination of details. We don't legislate one-liners, or campaign slogans. Here, in this body and in the other body, we put the force of the law behind details that impact mightily upon the daily lives of our people. That is a solemn responsibility. And it is more important than political popularity, or winning the next election or marching lockstep to the orders of one political party, or another.

Especially in the case of amending the Constitution, that responsibility weighs more heavily. For in that instance we are contemplating changes in our basic, fundamental organic law—changes that, when once implanted in that revered document, can only be removed at great difficulty, and which will impact, quite possibly, upon generations of Americans who, yet unborn, must trust us to guard their birthright as Americans.

Once the Constitution is amended, it takes quite a while to repeal that amendment, as we saw in the case of the 18th amendment—the prohibition

amendment—which became a part of the Constitution in January 1919, and it was not removed from the Constitution until December 1933. In other words, it was in the Constitution for 15 years before it could be repealed. So we have to be very, very careful when it comes to amending the Constitution. It is most unlike passing a law, or amending a law, which can be repealed within the same calendar year here in the Congress.

The suggestion has been made on this floor that to change one's mind and to go against a statement made in a campaign is somehow a disservice to this country. Well, I differ, and I differ strongly. What I think I am hearing on the floor of this Senate is nothing more than an effort to use an individual Member's vote against a popular, but fatally flawed proposal, to cut politically against that Member, and further to use the Senate floor for the crass political purpose of meddling in the politics of several of the sovereign States.

A campaign pledge is one thing, but may I remind all of those who worship at the altar of campaign pledges that there is another pledge that each of us makes as we stand before this body and before we assume the office of United States Senator. That pledge is a solemn oath taken with one hand on the Bible and ending in the words "so help me God."

Now, that is a pledge that will trump all of the campaign pledges. Forget about the campaign pledges. Those who make pledges in campaigns, if it is their first campaign for the Senate, they have not been in the Senate and they have not heard the debate on a given matter. They haven't listened to their colleagues in the Senate. Oh, they have been Members of the House, as I was a Member of the House at one time. But once they enter this body, they are a Member of the United States Senate, the only forum of the States that exists in this great Government of ours. It is a different body. They then represent a different constituency—usually. And so it is quite a different thing.

It is our oath of office that is overriding. In it we swear before the Creator to "support and defend the Constitution of the United States against all enemies foreign and domestic."

A Member of this body having so sworn to uphold that sacred trust is then obligated to do his best to adhere to it according to his best intellectual efforts and the dictates of their own conscience. One does not surrender his or her independence upon becoming a United States Senator. One does not swear allegiance to a political party when he takes that oath of allegiance to the Constitution. That Member is then answerable to God and, under law, to his own constituents. They know about Senators' votes. We don't have to trumpet the votes for the benefit of the constituents of another Senator. Constituents of Senators know about the votes of their Senators, and a Senator is answerable, not to any political

party or person, not to any colleague, not to any organization, but answerable only to his own constituents, to his own conscience, and to his own God. He is answerable to his own constituents—the people who trusted his judgment enough to send him here in the first place.

The suggestions which have been made on this floor about the dubious honesty of some Members are more than regrettable. They represent the kind of judgmental rigidity that really has no place in a body such as this.

Let me also say at this point that the threats to run down that last remaining vote so badly desired by the proponents of this amendment by tinkering with language are empty fulminations because this proposal is fatally flawed. It is flawed in a way that cannot be mended because its enactment would forever shift the artful balance of powers crafted by the framers. That is where it is fatally flawed. No language fix can cure the terminal illness of the attempt to write fiscal policy and political ideology into a national charter intended to serve as a guideline for generations. This Senator, for one, will never be a party to grafting this pock-marked monstrosity, largely aimed at adding a star to the crown of one party's political agenda, to the body of our organic law. Now, I realize that several Democrats voted for this amendment. But I don't attempt to be the judge of their vote. Their constituents have that responsibility.

The eagerness to tinker belies the obvious insincerity behind the effort, and the remarks on this floor over the past several days should be enough to convince us all that what is really wanted by some in this body is not the amendment itself, but an issue with which to whip its opponents. This is simple politics, my colleagues. And it is politics at its most unappealing and destructive level.

It is easy to do the obvious thing. It is easy to do the popular thing. What it is not easy to do is to have the courage of one's convictions and to stand up for those convictions. So I say again, thank God for Members such as those who have been so roundly chastised in recent days. Throughout our history, men of courage have made the difference. Cloned sheep who cower at the suggestion of independent thought and action were not what the framers of the Constitution had in mind when they created "the greatest deliberative body" in the history of the world. They had in mind men of courage. Andrew Jackson said, "One man with courage makes a majority." John F. Kennedy wrote a Pulitzer prize-winning book about those Senators who had the courage, on matters of principle, to follow their own convictions. If the advice of some of those who have taken to the floor in recent days had been followed, the pages of that book would be blank and this Senate and this country of ours would never have endured.

Let me close, Mr. President, with the words of Senator William Pitt

Fessenden of Maine, from a eulogy delivered upon the death of Senator Foot of Vermont in 1866, just 2 years before Senator Fessenden's vote to acquit Andrew Johnson brought about the fulfillment of Fessenden's own political prophecy.

When, Mr. President, a man becomes a member of this body, he cannot even dream of the ordeal to which he cannot fail to be exposed;

of how much courage he must possess to resist the temptations which daily beset him;

of that sensitive shrinking from undeserved censure which he must learn to control;

of the ever-recurring contest between a natural desire for public approbation and a sense of public duty;

of the load of injustice he must be content to bear, even from those who should be his friends;

the imputations of his motives; the sneers and the sarcasms of ignorance and malice;

all the manifold injuries which partisan or private malignity, disappointed of its objects, may shower upon his unprotected head.

All this, Mr. President, if he would retain his integrity, he must learn to bear unmoved, and walk steadily onward in the path of duty, sustained only by the reflection that time may do him justice, or if not, that after all his individual hopes and aspirations, and even his name among men, should be of little account to him when weighed in the balance against the welfare of a people of whose destiny he is a constituted guardian and defender.

Mr. President, I yield the floor.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, am I to be recognized for 15 minutes in morning business under a previous order?

The PRESIDING OFFICER. Yes. Without objection, the Senator from North Dakota is recognized for 15 minutes.

Mr. DORGAN. Mr. President, I thank you.

I enjoyed listening to my distinguished colleague from West Virginia, Senator BYRD.

Edmund Burke said something similar to the words used by Senator BYRD when he closed, and I do not know them exactly, but he was talking about what a representative in a representative government owes to his or her constituency. And Edmund Burke said something like: Your representative owes you not only his industry but also his judgment, and he betrays rather than serves if he always sacrifices it to your opinion.

I do not know if that is an exact statement, but it is close to the expression of Mr. Burke and I think describes the requirement of someone serving in public office in this country to do what they think is right—not to be a weather vane to analyze what is the prevailing wind on Tuesday or Thursday, but to do what they think is right. That is especially important when we are talking about altering the Constitution of the United States.

Mr. BYRD. Mr. President, will the Senator yield?

I thank him for reciting this jewel by a great Irish statesman, Edmund Burke, who I believe lost the next election after he had made that statement. He may have foreseen that, but nevertheless he made the statement. It still lives, and it is a very appropriate guiding charter, in my judgment, for those of us in this Chamber today.

U.S. MERCHANDISE TRADE DEFICIT

Mr. DORGAN. Mr. President, I come to the floor today because we will be taking up an issue dealing with the confirmation of a nominee for U.S. Trade Ambassador. In conjunction with that will be an issue raised by the Senator from South Carolina [Mr. HOLLINGS] on a matter relating to the negotiation of international trade agreements and whether in those negotiations, agreements can be reached that effectively change U.S. law. I intend to support the amendment offered by the Senator from South Carolina. I think he is absolutely correct, and I hope to be able to come and speak to that point when he offers his amendment.

As we begin talking about the nomination of the U.S. Trade Ambassador, I want to take a moment to mention something that occurred about 2 weeks ago which passed almost unnoticed in this town, and it relates to the issue of trade. It relates to the kind of trade ambassador we have and relates to the kind of trade policies we employ.

A couple of weeks ago, we learned that in this last year the merchandise trade deficit experienced by the United States of America was \$188 billion—a \$188 billion trade deficit. This makes 21 consecutive years of U.S. merchandise trade deficits, with a cumulative total of nearly \$2 trillion.

We have spent a lot of time in recent days with books stacked on books 8 feet high in this Chamber showing fiscal policy and budgets. Perhaps we should have a chair or a table that stacks piles and piles of trade agreements and trade deficits one on top of another to show what we owe others in the world from an accumulation of nearly \$2 trillion in trade deficits.

That is the other deficit, the deficit no one wants to talk about, the deficit no one wants to address. And yet, it is a deficit that predicts a weakness and a continual weakening in America's manufacturing base. That which we used to produce at home is now all too often produced abroad. That which was manufactured here is manufactured somewhere else. Good jobs that paid well with good benefits here are now offshore. And that is what this deficit spells.

No country in history that I am aware of has long remained a strong, dominant world power without retaining its core manufacturing base, for economic health in any country is not what you consume but, rather, what