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No. 1

Senate

The seventh day of January being the day prescribed by House Concurrent Resolution 230, as amended, for the meeting of the 1st session of the 105th Congress, the Senate assembled in its Chamber at the Capitol, at 12 noon.

PRAYER

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

Almighty God, Your glory fills this hallowed Senate Chamber. We exalt You as Sovereign of our beloved Nation, and we are exhilarated as we prepare to witness the divine encounter between You and the Senators-elect as they are sworn in. You have destined them for greatness as leaders of our Nation. They are here by Your choice and are accountable to You for how they lead this Nation under Your guidance. May the awesome vows that they take and the immense responsibilities they assume bring them to the knees of their hearts with profound humility and an unprecedented openness to You. Save them from the seduction of power, the addiction of popularity and the aggrandizement of pride. Lord, keep their priorities straight: You and their families first; the good of our Nation second; consensus around truth third; party loyalties fourth; and personal success last of all.

May they never forget that they are here to serve and not to be served. Consistently replenish the reserves of strength and courage so often drained by pressure and stress. Anoint their minds with Your spirit and guide them as they seek to know and do Your will in the crucial issues before our Nation. This can be America's finest hour awaiting leaders imbued with Your power. May it be, Lord, in Your holy name. Amen.

CERTIFICATE OF ELECTION AND CREDENTIALS

The VICE PRESIDENT. The Chair lays before the Senate one certificate of election to fill an unexpired term and the credentials of 33 Senators elected for 6-year terms beginning on January 3, 1997.

All certificates, the Chair is advised, are in the form suggested by the Senate or contain all the essential requirements of the form suggested by the Senate. If there be no objection, the reading of the above-mentioned certificates will be waived and they will be printed in full in the RECORD.

The documents ordered to be printed in the RECORD are as follows:

STATE OF COLORADO

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM *To the President of the Senate of the United States:*

This is to certify that on the 5th day of November, 1996, Wayne Allard was duly chosen by the qualified electors of the State of Colorado a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January 1997.

Witness: His excellency our governor Roy Romer, and our seal hereto affixed at the City and County of Denver this 6th day of December, in the year of our Lord 1996.

By the governor:

ROY ROMER,
Governor.

STATE OF MONTANA

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM *To the President of the Senate of the United States:*

This is to certify that on the 5th day of November, 1996, Max Baucus was duly chosen by the qualified electors of the State of Montana a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning the 3rd day of January, 1997.

Witness: His excellency our Governor Marc Racicot, and our seal hereunto affixed at the City of Helena, the Capital, this 2nd day of December, in the year of our Lord 1996.

By the Governor:

MARC RACICOT,
Governor.

STATE OF DELAWARE

To the President of the Senate of the United States:

Be it known, an election was held in the State of Delaware, on Tuesday, the fifth day of November, in the year of our Lord one thousand nine hundred and ninety-six, that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution of the United States and the Laws of the State of Delaware, in that behalf, for the election of a Senator for the people of the said State, in the Senate of the United States.

Whereas, the official certificates or returns of the said election, held in the several counties of the said State, in due manner made out, signed and executed, have been delivered to me according to the laws of the said State, by the Superior Court of the said counties; and having examined said returns, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for such Senator, I have found Joseph R. Biden, Jr., to be the person highest in votes, and therefore duly elected Senator of and for the said State in the Senate of the United States for the Constitutional term to commence at noon on the third day of January in the year of our Lord one thousand nine hundred and ninety-seven.

I, Thomas R. Carper, Governor, do therefore, according to the form of the Act of the General Assembly of the said State and of the Act of Congress of the United States, in such case made and provided, declare the said Joseph R. Biden, Jr., the person highest in votes at the election aforesaid, and therefore duly and legally elected Senator of and for the said State of Delaware in the Senate of the United States, for the Constitutional term to commence at noon on the third day of January in the year of our Lord one thousand nine hundred and ninety-seven.

Given under my hand and the Great Seal of the said State, in obedience to the said Act of the General Assembly and of the said Act of Congress, at Dover, the 14th day of November in the year of our Lord one thousand nine hundred and ninety-six and in the year of the Independence of the United States of America the two hundred and twenty-first.

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



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By the Governor:

THOMAS R. CARPER,
Governor.

STATE OF KANSAS

CERTIFICATE OF ELECTION FOR UNEXPIRED
TERM

To the President of the Senate of the United States:

This is to certify that on the fifth day of November, nineteen hundred ninety-six, Sam Brownback was duly chosen by the qualified electors of the State of Kansas a Senator to succeed Sheila Frahm for the unexpired term beginning on the sixth of November, nineteen hundred ninety-six, and ending at noon on the third day of January, nineteen hundred ninety-nine, to fill the vacancy in the representation from said State in the Senate of the United States.

Witness: His Excellency our governor Bill Graves, and our seal hereto affixed at Topeka, Kansas, this twenty-seventh day of November, in the year of our Lord, nineteen hundred ninety-six.

By the Governor:

BILL GRAVES,
Governor.

STATE OF GEORGIA

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1996, Max Cleland was duly chosen by the qualified electors of the State of Georgia a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1997.

Witness: His excellency our Governor Zell Miller, and our seal hereto affixed at the Capitol, in the City of Atlanta, this 18th day of November, in the year of our Lord 1996.

By the Governor:

ZELL MILLER,
Governor.

STATE OF MISSISSIPPI

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1996, Thad Cochran was duly chosen by the qualified electors of the State of Mississippi, a Senator from this State to represent the State of Mississippi in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1997.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of Mississippi to be affixed.

Done at the Capitol in the City of Jackson, this the 11th day of December, in the year of our Lord nineteen hundred and ninety-six, and of the Independence of the United States of America, the two hundred and twenty-first.

By the Acting Governor:

Lt. and Acting Governor.

STATE OF MAINE

Know ye, that Susan M. Collins of Bangor in the County of Penobscot on the fifth day of November, in the year One Thousand Nine Hundred and Ninety-Six, was chosen by the electors of this State, a United States Senator in the One Hundred Fifth Congress of the United States of America to represent the State of Maine in the United States Senate, for the term of six years, beginning on the third day of January, in the year Nineteen Hundred and Ninety-Seven.

In testimony whereof, I have caused the Great Seal of the State to be affixed, given

under my hand at Augusta this fourth day of December in the year One Thousand Nine Hundred and Ninety-Six.

ANGUS S. KING, Jr.,
Governor.

STATE OF IDAHO

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1996, Larry Craig was duly chosen by the qualified electors of the State of Idaho a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1997.

Witness: His excellency our governor Philip E. Batt, and our seal hereto affixed at Boise this 20th day of November, in the year of our Lord 1996.

By the Governor:

PHILIP E. BATT,
Governor.

STATE OF NEW MEXICO

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1996, Pete Domenici was duly chosen by the qualified electors of the State of New Mexico a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1997.

Witness: His excellency our governor Gary Johnson, and our seal hereto affixed at Santa Fe this 9th day of December, in the year of our Lord 1996.

By the Governor:

GARY JOHNSON,
Governor.

STATE OF ILLINOIS

To the President of the Senate of the United States:

This is to certify that on the fifth day of November, nineteen hundred and ninety-six, Richard J. Durbin was duly chosen by the qualified electors of the State of Illinois, a Senator from said State, to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred and ninety-seven.

Witness: His excellency our governor, Jim Edgar, and our seal hereto affixed at the City of Springfield this twenty-fifth day of November, in the year of our Lord nineteen hundred and ninety-six.

By the Governor:

JIM EDGAR,
Governor.

STATE OF WYOMING

CERTIFICATE OF ELECTION

Whereas according to the official returns of the General Election held in the State of Wyoming on the 5th day of November 1996, regularly transmitted to the office of the Secretary of State and duly canvassed by the State Canvassing Board, it appears that Michael B. Enzi has been duly elected for the office of United States Senator.

Now, therefore, I, Jim Geringer, Governor of Wyoming, do hereby certify that he is elected for the term of six years from the third day of January 1997.

In witness whereof, I have hereunto set my hand and caused the Great Seal of Wyoming to be affixed. Given at Cheyenne this 20th day of November 1996.

JIM GERINGER,
Governor.

STATE OF TEXAS

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1996, Phil Gramm was duly chosen by the qualified electors of the State of Texas a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1997.

Witness: His excellency our governor George W. Bush, and our seal hereto affixed at Austin, Texas this 4th day of December, in the year of our Lord 1996.

By the Governor:

GEORGE W. BUSH,
Governor.

STATE OF NEBRASKA

At an election held on the 5th day of November, 1996 Chuck Hagel was elected to the office of United States Senator for the term of 6 years.

Given at Lincoln, Nebraska this 11th day of December, 1996.

BENJAMIN NELSON,
Governor.

STATE OF IOWA

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1996, Tom Harkin was duly chosen by the qualified electors of the State of Iowa a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1997.

In testimony whereof, I have hereunto subscribed my name and caused the Great Seal of the State of Iowa to be affixed. Done at Des Moines this 6th day of December in the year of our Lord one thousand nine hundred ninety-six.

TERRY E. BRANSTAD,
Governor.

STATE OF NORTH CAROLINA

To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1996, Jesse Helms was duly chosen by the qualified electors of the State of North Carolina a Senator from said state to represent said state in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1997.

Witness: His excellency our governor James B. Hunt, Jr., and our seal hereto affixed at Raleigh this 11th day of December, in the year of our Lord 1996.

By the Governor:

JAMES B. HUNT, Jr.,
Governor.

STATE OF ARKANSAS

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1996, the Honorable Tim Hutchinson was duly chosen by the qualified electors of the State of Arkansas as a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1997, the vote being:

| | |
|----------------------|---------|
| Tim Hutchinson | 445,942 |
| Winston Bryant | 400,241 |

Total votes cast 846,183

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State

of Arkansas to be affixed this 4th day of December, 1996.

MIKE HUCKABEE,
Governor.

STATE OF OKLAHOMA

CERTIFICATE OF ELECTION FOR SIX YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 5th day of November 1996, James M. Inhofe was duly chosen by the qualified electors of the State of Oklahoma a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1997.

Witness: His excellency our Governor Frank Keating and out seal hereto affixed at Oklahoma City, Oklahoma this 14th of November in the year of our Lord 1996.

By the Governor:

FRANK KEATING,
Governor.

STATE OF SOUTH DAKOTA
CERTIFICATE OF ELECTION

This is to Certify, That on the fifth day of November, nineteen hundred ninety-six, at a general election Tim Johnson was duly chosen by the qualified voters of the State of South Dakota to the office of United States Senator for the term of six years, beginning the third day of January, nineteen hundred ninety-seven.

In witness whereof, We have hereunto set our hands and caused the Seal of the State to be affixed at Pierre, the Capital, this 27th day of November nineteen hundred ninety-six.

WILLIAM J. JANKLOW,
Governor.

THE COMMONWEALTH OF MASSACHUSETTS
To the President of the Senate of the United States:

This is to certify that on the fifth day of November, nineteen hundred and ninety-six John F. Kerry was duly chosen by the qualified electors of the Commonwealth of Massachusetts a Senator from said Commonwealth to represent said Commonwealth in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred and ninety-seven.

Witness: His Excellency, our Governor, William F. Weld, and our seal hereto affixed at Boston, this twenty-seventh day of November in the year of our Lord nineteen hundred and ninety-six.

By His Excellency the Governor:

WILLIAM F. WELD,
Governor.

STATE OF LOUISIANA
ELECTION PROCLAMATION

To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1996, Mary L. Landrieu was duly chosen by the qualified electors of the State of Louisiana a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1997.

Witness: His excellency our Governor M.J. "Mike" Foster, Jr., and our seal hereto affixed at the City of Baton Rouge this 20th day of November, 1996.

By the Governor:

M.J. "MIKE" FOSTER, Jr.,
Governor.

STATE OF MICHIGAN

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1996, Carl Levin was duly chosen by the qualified electors of the State of Michigan a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd of January, 1997.

Given under my hand and the Great Seal of the State of Michigan this 6th day of December, in the Year of our Lord, One Thousand Nine Hundred Ninety-Six.

By the Governor:

JOHN ENGLER,
Governor.

COMMONWEALTH OF KENTUCKY

To all to Whom These Presents Shall Come, Greeting:

Know Ye, That Honorable Mitch McConnell having been duly certified, that on November 5, 1996, was duly chosen by the qualified electors of the Commonwealth of Kentucky a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning the 3rd day of January 1997.

I hereby invest the above named with full power and authority to execute and discharge the duties of the said office according to law. And to have and to hold the same, with all the rights and emoluments thereunto legally appertaining, for and during the term prescribed by law.

In testimony whereof, I have caused these letters to be made patent, and the seal of the Commonwealth to be hereunto affixed. Done at Frankfort, the 25th day of November in the year of our Lord one thousand nine hundred and 96 and in the 205th year of the Commonwealth,

By the Governor:

PAUL E. PATTON,
Governor.

STATE OF RHODE ISLAND AND PROVIDENCE
PLANTATIONS

CERTIFICATE OF ELECTION

To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1996, John F. Reed was duly chosen by the qualified electors of the State of Rhode Island and Providence Plantations a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1997.

Witness: His Excellency our Governor Lincoln D. Almond, and our seal affixed on this 27th day of November, in the year of our Lord 1996.

LINCOLN C. ALMOND,
Governor.

STATE OF KANSAS

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the fifth day of November, nineteen hundred ninety-six, Pat Roberts was duly chosen by the qualified electors of the State of Kansas a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third of January, nineteen hundred ninety-seven.

Witness: His Excellency our governor Bill Graves, and our seal hereto affixed at Topeka, Kansas, this twenty-seventh day of November, in the year of our Lord, nineteen hundred ninety-six.

By the Governor:

BILL GRAVES,
Governor.

STATE OF WEST VIRGINIA

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the fifth day of November, 1996, Jay Rockefeller was duly chosen by the qualified electors of the State of West Virginia a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, 1997.

Witness: His excellency our Governor Gaston Caperton, and our seal hereto affixed at Charleston this 12th day of December, in the year of our Lord 1996.

By the Governor:

GASTON CAPERTON,
Governor.

STATE OF ALABAMA
CERTIFICATE OF ELECTION

To the President of the Senate of the United States:

For a six-year term in the United States Senate.

This is to certify that on the fifth day of November, 1996, the Honorable Jeff Sessions was duly chosen by the qualified electors of the State of Alabama as a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, 1997.

Witness: His excellency our governor the Honorable Fob James, and our seal hereto affixed at the Alabama State Capitol this sixth day of December, in the year of our Lord 1996.

FOB JAMES,
Governor.

STATE OF NEW HAMPSHIRE

To the President of the Senate of the United States:

This is to certify that on the fifth day of November, nineteen hundred and ninety six Bob Smith was duly chosen by the qualified electors of the State of New Hampshire a Senator from said State to represent said State in the Senate of the United States for the term of six years beginning on the third day of January, nineteen hundred and ninety-seven.

Witness: His Excellency, Governor Steve Merrill and the Seal of the State of New Hampshire hereto affixed at Concord, this twentieth day of November, in the year of Our Lord nineteen hundred and ninety-six.

By the Governor, with advice of the Council:

STEVEN MERRILL,
Governor.

STATE OF OREGON

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1996, Gordon Smith was duly chosen by the qualified electors of the State of Oregon a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1997.

Witness: His excellency our Governor, John Kitzhaber, and our seal hereto affixed at Salem, Oregon this 5th day of December, in the year of our Lord 1996.

By the Governor:

JOHN KITZHABER,
Governor.

STATE OF ALASKA

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that in an election held on the 5th day of November, 1996 and certified on the 27th day of November, 1996, Ted Stevens was duly elected by the qualified voters of the State of Alaska to serve as Senator from Alaska to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1997.

Witness: His excellency our Governor Tony Knowles, and our seal hereto affixed at Juneau, Alaska this 4th day of December, in the year of our Lord 1996.

TONY KNOWLES,
Governor.

STATE OF TENNESSEE

CERTIFICATE OF ELECTION TO UNITED STATES SENATOR

This is to certify, That at the General Election held on the 5th day of November, A.D., 1996, Fred Thompson was duly elected to this office as appears from the official returns and certificates on file in the Office of Secretary of State.

In testimony whereof I, Don Sundquist, Governor of the State of Tennessee, have hereunto set my hand and caused the Great Seal to be affixed, at the Capitol, in Nashville, on this 9th day of December, A.D., 1996.

DON SUNDQUIST,
Governor.

STATE OF SOUTH CAROLINA

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the Secretary of the Senate of the United States:

This is to certify that on the fifth day of November, 1996, Honorable Strom Thurmond was duly chosen by the qualified electors of the State of South Carolina as Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January 1997.

Witness: His excellency our Governor, David M. Beasley, and our seal hereto affixed at Columbia, South Carolina this twenty-first day of November, in the year of our Lord, 1996.

By His Excellency:

DAVID M. BEASLEY,
Governor.

STATE OF NEW JERSEY

CERTIFICATE OF ELECTION FOR A SIX YEAR TERM

This is to certify that on the fifth day of November, 1996, Robert G. Torricelli, was duly chosen by the qualified electors of the State of New Jersey, a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning the 3rd day of January, 1997.

Given, under my hand and the Great Seal of the State of New Jersey, this twenty-seventh day of November in the year of Our Lord one thousand nine hundred and ninety-six and of the Independence of the United States, the two hundred and twentieth.

By the Governor:

CHRISTINE TODD WHITMAN,
Governor.

COMMONWEALTH OF VIRGINIA

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1996, John W. Warner was duly chosen by the qualified electors of the Commonwealth of Virginia a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd of January, 1997.

Witness: His excellency our Governor, George Allen, and our lesser seal hereto af-

fixed at Richmond this 26th day of November, in the year of our Lord 1996.

By the Governor:

GEORGE ALLEN,
Governor.

STATE OF MINNESOTA

To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1996, Paul David Wellstone was duly chosen by the qualified electors of the State of Minnesota a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1997.

Witness: His excellency our governor Arne H. Carlson, and our seal hereto affixed at St. Paul, Minnesota this 19th day of November, in the year of our Lord 1996.

ARNE H. CARLSON;
Governor.

The VICE PRESIDENT. The majority leader.

WELCOME AND CONGRATULATIONS TO SENATORS

Mr. LOTT. Mr. President, first I wish to extend my welcome and congratulations to all of the newly elected Senators. We look forward to working with you in a bipartisan way for the best interests of our country. I know that we have a few of our retiring Senators here and we want to wish them a fond adieu and the very best in the future. Senator JOHNSTON there from Louisiana needs to be careful; he might change his mind and raise his hand and try to get sworn in again.

This is a magnificent occasion, and it is an honor to serve as the majority leader in this great body and to work with my friend, Senator DASCHLE, from South Dakota.

THE OATH WE TAKE

Mr. LOTT. Mr. President, today marks the 105th time since 1789 that newly elected Senators have stood before this body's Presiding Officer at the start of a new Congress to pledge their support for the Constitution of the United States. I would like to take advantage of this special event in the life of each new Congress to comment briefly about the origins of the oath we take.

There is a good deal of confusion about the oath and its origin. Some believe that the Constitution prescribes its specific text and that all Senators since 1789 have taken and signed the oath in the form that we know today. Neither is true. While the Constitution specifies a separate oath for the President, it leaves to Congress the responsibility of preparing an oath for its Members and all other Federal officeholders.

The Oath Act of June 1, 1789, was the first legislation passed by the Senate and the first law signed by President George Washington. It prescribed the following simple oath: "I _____ do solemnly swear (or affirm) that I will support the Constitution of the United States." On June 4, 1789, Senate Presi-

dent John Adams administered that new oath to all Senators, setting a pattern that future Presiding Officers followed, without controversy, for the next 74 years.

The outbreak of the War Between the States quickly transformed the act of oath-taking, which had become a routine procedure after 1789, into one of enormous significance. At a time of uncertain and shifting loyalties, President Abraham Lincoln ordered all Federal civilian personnel to retake the prewar oath of allegiance. When Congress convened for a brief emergency session in the summer of 1861, Members supplemented the President's action by passing a law requiring civil officers to take an expanded oath in support of the Union. Although Congress did not then apply this August 1861 oath to its own Members, its text is the earliest direct predecessor of the oath we take today.

When Congress returned for its regular session in December 1861, Members who believed that the Union had more to fear from northern traitors than from southern soldiers fundamentally revised the August 1861 statute in July 1862 by adding an "Ironclad Test Oath" provision. This war-inspired test oath required civil servants and military officers to swear not only to future loyalty, as required by the existing oaths, but also to affirm that they had never previously supported hostilities against the United States. Those who failed to take the 1862 test oath would not receive a salary; those who swore falsely would be prosecuted for perjury and forever denied Federal employment.

The 1862 oath's second section incorporated a more polished and graceful rendering of the hastily drafted 1861 oath in language that is identical to the oath we take today.

Early in 1864, the Senate adopted a rule specifying that all newly elected Members must not only orally agree to the test oath, but also "subscribe" to it by signing a printed copy. This condition reflected a wartime practice in which military and civilian authorities required anyone wishing to do business with the Federal Government to sign a copy of the test oath. The requirement included Confederate prisoners of war seeking parole and southerners who wished to be reimbursed for goods confiscated by foraging Union troops. Our modern practice of signing the oath comes from this period.

At the end of the war in 1865, the test oath stood as a formidable barrier to President Andrew Johnson's moderate reconstruction policies, designed to allow residents of the South to participate in their own government. While the President pushed for a rapid reintegration of Southern States, those in Congress who wished to impose a harsh peace insisted on the test oath, which had been created in part to prevent ex-Confederates from taking Federal positions. Many of the oath's