

JEFFREY ST. JOHN—JOURNALIST AND HISTORIAN

(By Paul Weyrich)

On January 3, 1997, a great American passed away at his home in Randolph, VA. Jeffrey St. John was a noted author, journalist, broadcaster, and historian. He was one of the first conservative news commentators aired on national radio and television; his career included work as business correspondent for the Today show, a long-time news commentator for CBS-TV, CBS Radio, and Mutual Broadcasting, and as a news director for ABC radio. He produced and moderated TV and radio shows for stations in Washington, San Francisco, and New York. He wrote and narrated Headlines and History, a daily radio feature translated into 26 languages and broadcast by the Voice of America. Over the years, he received two Emmy Awards for his work in television.

Mr. St. John was a prolific author and columnist. His commentaries were carried in the New York Times, the Wall Street Journal, Chicago Tribune, and Christian Science Monitor. He was a syndicated columnist for Copley News Service, and wrote regularly for Saturday Review, Barron's, and Nation's Business and other publications. He was the author of eight books.

One of Jeffrey St. John's greatest works was a trilogy on the formation and adoption of the Constitution, establishment of the first Congress, and drafting of the Bill of Rights. The trilogy was published during 1987-92 by Jameson Books. Former Chief Justice of the Supreme Court, Warren Burger, was so impressed with Mr. St. John's historical works that the Chief Justice wrote the foreword to each of the three volumes. Chief Justice Burger then, as chairman of the Bicentennial of the United States Constitution, distributed the set to every high school and college library in America. Jeffrey St. John used the unique approach of writing about these crucial historical events from the viewpoint of a reporter observing the developments.

His journalistic efforts earned for him numerous awards. He received the Benjamin Franklin National Press Foundation Award for his writings on the Constitution from the U.S. Press Foundation; and the George Washington Medal of Freedom from the Freedoms Foundation in Valley Forge for a radio series on the Life and Legacy of George Washington.

Mr. St. John covered the Korean War as a combat writer and photographer for Pacific Stars and Stripes and in 1956 was an on-the-spot reporter for the Suez crisis. He subsequently served as a correspondent at the United Nations and at the White House during the Eisenhower administration. In 1966, he was the Conservative Party candidate for Congress for the seat vacated for New York Mayor John Lindsay.

Jeffrey St. John loved his country. He proudly served in the Marine Corps. He cherished our Constitution and other documents of our Founding Fathers. His life and journalistic efforts provide unique documentation of high quality for the preservation of democracy. America has lost a true patriot and a journalistic giant.

Mr. HELMS. I thank the Chair.

I yield the floor.

Mr. KYL addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

#### FAMILY HERITAGE PRESERVATION ACT

Mr. KYL. Mr. President, last week, I introduced legislation to enhance the

economic security of older Americans and small businesses around the country. The bill, known as the Family Heritage Preservation Act, would repeal the onerous Federal estate and gift tax, and the tax on generation-skipping transfers. Fifteen Senators have joined me as cosponsors of this very important initiative.

Mr. President, most Americans know the importance of planning ahead for retirement. Sometimes that means buying a less expensive car, wearing clothes a little longer, or foregoing a vacation or two. But by doing with a little less during one's working years, people know they can enjoy a better and more secure life during retirement, and maybe even leave their children and grandchildren a little better off when they are gone.

Savings not only create more personal security, they help create new opportunities for others, too. Savings are really investments that help others create new jobs in the community. They make our country more competitive. And ultimately they make a citizen's retirement more secure by providing a return on the money invested during his or her working years.

So how does the Government reward all of this thrift and careful planning? It imposes a hefty tax on the end result of such activity—up to 55 percent of a person's estate. The respected liberal professor of law at the University of Southern California, Edward J. McCaffrey, observed that "polls and practices show that we like sin taxes, such as on alcohol and cigarettes." "The estate tax," he went on to say, "is an anti-sin, or a virtue, tax. It is a tax on work and savings without consumption, on thrift, on long-term savings. There is no reason even a liberal populace need support it."

At one time, the estate tax was required of only the wealthiest Americans. Now inflation, a nice house, and a good insurance policy can push people of even modest means into its grip. The estate tax is applied to all of the assets owned by an individual at the time of death. The tax rate, which starts at 37 percent, can quickly rise to a whopping 55 percent—the highest estate tax rate in the world.

As detrimental as the tax is for couples, it is even more harmful to small businesses, including those owned by women and minorities. The tax is imposed on a family business when it is least able to afford the payment—upon the death of the person with the greatest practical and institutional knowledge of that business' operations. It should come as no surprise then that a 1993 study by Prince and Associates—a Stratford, CT, research and consulting firm—found that 9 out of 10 family businesses that failed within 3 years of the principal owner's death attributed their companies' demise to trouble paying estate taxes; 6 out of 10 family owned businesses fail to make it to the second generation; 9 out of 10 never make it to the third generation. The estate tax is a major reason why.

Think of what that means to women and minority-owned businesses. Instead of passing a hard-earned and successful business on to the next generation, many families have to sell the company in order to pay the estate tax. The upward mobility of such families is stopped in its tracks. The proponents of this tax always speak of the need to hinder "concentrations of wealth." What the tax really hinders is new American success stories.

With that in mind, the 1995 White House Conference on Small Business identified the estate tax as one of small business's top concerns. Delegates to the conference voted overwhelmingly to endorse its repeal.

Obviously, there is a great deal of peril to small businesses when they fail to plan ahead for estate taxes. So many small business owners try to find legal means of avoiding the tax or preparing for it, but that, too, comes at a significant cost. Some people simply slow the growth of their businesses to limit their estate tax burden. Of course, that means less investment in our communities and fewer jobs created. Others divert money they would have spent on new equipment or new hires to insurance policies designed to cover estate tax costs. Still others spend millions on lawyers, accountants, and other advisors for estate tax planning purposes. But that leaves fewer resources to invest in the company, start up new businesses, hire additional people, or pay better wages.

The inefficiencies surrounding the tax can best be illustrated by the findings of a 1994 study published in the Seton Hall Law Review. That study found that compliance costs totaled a whopping \$7.5 billion in 1992, a year when the estate tax raised only \$11 billion.

The estate tax raises only about 1 percent of the Federal Government's annual revenue, but it consumes 8 percent of each year's private savings. That is about \$15 billion sidelined from the Nation's economy. Economists calculate that if the money paid in estate taxes since 1971 had been invested instead, total savings in 1991 would have been \$399 billion higher, the economy would have been \$46 billion larger, and we would have 262,000 more jobs. Obviously, the income and payroll taxes that would have been paid on these gains would have topped the amount collected by the Government in estate taxes.

There have been nine attempts to reform the estate tax during the last 50 years. Few would contend that it has been made any fairer or more efficient. The only thing that has really changed is that lobbyists and estate planners have gotten a little wealthier. Probably the best thing we could do is repeal the estate tax altogether. That is what I am proposing in the Family Heritage Preservation Act.

Mr. President, the National Commission on Economic Growth and Tax Reform, which studied ways to make the

Tax Code simpler, looked at the estate tax during the course of its deliberations just over a year ago. The Commission concluded that "it makes little sense and is patently unfair to impose extra taxes on people who choose to pass their assets on to their children and grandchildren instead of spending them lavishly on themselves." It went on to endorse repeal of the estate tax.

I invite my colleagues to cosponsor the Family Heritage Preservation Act.

#### SENATOR PAUL TSONGAS

Mr. BINGAMAN. Mr. President, with many of my colleagues, I traveled to Lowell, MA, last Thursday for the funeral of our friend, Paul Tsongas. He died at age 55. His battles were many, and so were his victories. His grace and courage will stand for many of us as beacons in our own lives.

Paul befriended me when I was running for the Senate. His desire to spend more time with his family caused him to retire at the close of his first term here, and our Senate days overlapped by only a couple of years. Still, he was an influence on my life, and certainly on my career.

There is no disagreement that Paul was one of the outstanding sons of Massachusetts. The affection for him and grief over his death which we all felt at the services are the kinds of emotions reserved for one of the family. The people of Massachusetts respected him, and valued what he stood for. We all did.

When he served in the Senate, one of the items in his office was a framed quotation from one of John Adams' many letters to his wife, Abigail. The Massachusetts College of Art had produced it in January 1980. I had admired it on visits to Paul's office and when Paul left the Senate, he sent it to me, with a handwritten note. I treasure them both, and the feeling behind John Adams' words:

I must study politics and war that my sons may have liberty to study mathematics and philosophy \* \* \* in order to give their children a right to study painting, poetry, and music \* \* \* May 12, 1780.

I believe Paul Tsongas took this message to heart, and that it guided much of what he did. The country is fortunate to have had such service from such a man.

#### TRIBUTE TO SENATOR PAUL TSONGAS

Mr. DODD. Mr. President, it is with a great sense of sadness that I rise today to pay tribute to a man who epitomized personal and political courage and a fervent commitment to public service—Senator Paul Tsongas.

Paul and I both came to Congress in 1974, as part of the so-called Watergate class and we were together in the Senate from 1981 to 1984. In all that time, while we didn't always see eye to eye on every issue, our deep friendship and

appreciation for each other never diminished.

Throughout his entire life, Paul Tsongas built on the strong belief in public service that he learned while a Peace Corps volunteer in Ethiopia and country director in the West Indies.

Whether it was in his hometown of Lowell, MA, where he served as a city councilor; or as a one-term Senator, who pushed through what President Carter called the most important conservation legislation of the century, the Alaska Lands Act of 1980; or even as a Presidential candidate and later cochairman of the Concord Coalition, preaching the gospel of a balanced budget, Paul Tsongas always had the best interests of his fellow citizens in mind.

In all the time I knew him, Paul Tsongas never wavered from the firmly held beliefs and principles that guided his public and private life. What is more, Paul was never afraid to speak his mind or voice an opinion, no matter how controversial or unpopular.

The courage was never more evident than in his hard fought battle to conquer the health problems that plagued him for more than a decade and eventually took his life. When Paul was diagnosed with cancer in 1983, he gave up what was then a promising political career in the U.S. Senate to undergo radical treatment and rehabilitation.

After his amazing recovery, Paul stayed close to his family arguing that no man ever died wishing he'd spent more time with his business.

But the pull of the arena was too strong for Paul Tsongas and after being cleared by doctors to resume his political career he began what most observers termed a futile campaign to unseat George Bush.

But, what he lacked in fiery oratory he made up for with a commonsense agenda that appealed to Democrats across the country. While Paul failed to gain the Democratic nomination he never lost his dignity or the trademark dry wit that always characterized him.

Teddy Roosevelt once said that of public service "It is not the critic that counts. \* \* \* The credit belongs to the man who is actually in the arena; whose face is marked by dust and sweat and blood; who strives valiantly; who errs and comes short again and again; who knows the great enthusiasm and great devotions, and spends himself in a worthy cause, who at the best, knows in the end the triumph of high achievement; and who at the worst, if he fails, at least fails while daring greatly; so that his place shall never be with those cold and timid souls who know neither victory nor defeat."

Paul Tsongas knew well both the joys of victory and the anguish of defeat. No matter what adversity befell him, be it personal or political, he never paused from his tireless efforts to improve the world around him. For all those in the Senate and throughout the country who valued his wise counsel and commitment to public service he will be sorely missed.

My thoughts and prayers go out to his wife Niki and his three daughters Ashley, Katina, and Molly.

Mr. President, I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 having arrived, the Senate will stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:30 p.m., recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. ENZI).

The PRESIDING OFFICER. The Senator from Virginia is recognized.

#### ORDER OF PROCEDURE

Mr. WARNER. The distinguished majority leader is approaching the Chamber at this moment, and I ask the indulgence of my colleagues to await his momentary arrival. He is going to make a brief statement, so I am informed, following which either the majority leader or the Senator from Virginia will ask unanimous consent that we proceed to a period of morning business wherein Senators can speak for not to exceed 10 minutes.

I see him right here. Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, I thank the Senator from Virginia for being here, Johnny-on-the-spot and ready to proceed with statements. I wish to say again how much we appreciate the great work he did as chairman of the Rules Committee in the inauguration. It was the best I have seen. I got very excited at one point; I thought the Senator from Virginia was going to take the oath of office. But I think he should be commended along with his friend and colleague, the ranking member, Senator FORD. It was an excellent effort and everybody was very blessed.

Mr. WARNER. Mr. President, I thank my distinguished leader. Coincidentally, I am going to give remarks thanking so many who made it possible and who contributed of their time and wisdom to make it a success and reflect credit upon the Congress of the United States, the Office of the Presidency and, indeed, the Federal judiciary. I thank the leader.

Mr. LOTT. I thank the Senator.

#### MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent there now be a period for the transaction of morning business with Senators permitted to speak for up to 10 minutes each.

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

#### ORDER FOR RECOGNITION OF SENATORS THOMPSON AND GLENN

Mr. LOTT. Mr. President, I ask unanimous consent that at 4 p.m. today,