

to the Committees on Energy and Natural Resources and Appropriations of the United States Senate and the Committees on Resources and Appropriations of the United States House of Representatives which (1) contains consensus recommendations on the appropriate relationship of State and Federal land management agencies in environmental, land management and regulation of activities subject to the Bureau's regulations at 43 C.F.R. 3809, (2) identifies current and proposed State environmental, land management and reclamation laws, regulations, performance standards and policies, applicable to such activities, including those State laws and regulations which have been adopted to achieve primacy in the administration of federally mandated efforts; (3) explains how these current State laws, regulations, performance standards and policies are coordinated with Federal surface management efforts; and (4) contains consensus recommendations for how Federal and State coordination can be maximized in the future to ensure environmental protection and minimize regulatory duplication, conflict and burdens.

AMENDMENT NO. 1209 TO EXCEPTED COMMITTEE
AMENDMENT BEGINNING ON PAGE 123, LINE 9,
THROUGH PAGE 124, LINE 20

(Purpose: To modify an antienvironmental rider to permit the Interior Department to revise environmental regulations governing hardrock mining on certain Federal land)

Mr. BUMPERS. Madam President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS] proposes an amendment numbered 1209 to excepted committee amendment beginning on page 123, line 9, through page 124, line 20.

Mr. BUMPERS. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike all after "SEC. 339," on page 123, line 9, of the pending Committee amendment and add the following:

"(a) No funds provided in this or any other act may be expended to develop a rule-making proposal to amend or replace the Bureau of Land Management regulations found at 43 C.F.R. 3809 or to prepare a draft environmental impact statement on such proposal, until the Secretary of the Interior certifies to the Committees on Energy and Natural Resources and Appropriations of the United States Senate and the Committees on Resources and Appropriations of the United States House of Representatives that the Department of the Interior has consulted with the governor, or his/her representative, from each state that contains public lands open to location under the General Mining Laws.

"(b) The Secretary shall not publish proposed regulations to amend or replace the Bureau of Land Management regulations found at 43 C.F.R. 3809 prior to November 15, 1998, and shall not finalize such regulations prior to 90 days after such publication."

Mr. BUMPERS. Madam President, this amendment has not only been agreed to, it has been microscopically fly-specked by all of the parties for the past 24 hours. I urge its adoption.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 1209) was agreed to.

Mr. BUMPERS. Madam President, I move to reconsider the vote. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BUMPERS. Madam President, I send an amendment to the desk.

The PRESIDING OFFICER. The question now occurs on the underlying committee amendment.

All those in favor, say aye.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. I suggest the absence of a quorum.

Mr. BYRD. Madam President, I don't yield the floor for that purpose. I yielded for 1 minute. I did not yield for that purpose.

The PRESIDING OFFICER. The Senator from West Virginia has 9 minutes, under the previous order.

Mr. BYRD. I thank the Chair. Madam President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate will be in order. The Senator from West Virginia.

THE UNITED STATES CONSTITUTION

Mr. BYRD. Madam President, today marks the 210th anniversary of the most successful political experiment in thousands of years of human history, because on this date in 1787, the United States Constitution was signed by a majority of delegates attending the Constitutional Convention in Philadelphia. This ingenious living document, thoughtfully crafted by our Founding Fathers more than two centuries ago, owes its enduring quality in great measure to one of its most basic, yet most ingenious and revolutionary ideas—namely, that the power and sovereignty of the United States Government ultimately rests in the hands of its citizens.

An active and educated citizenry, is therefore an essential component of the constitutional machinery that keeps our Government in tune. A citizen of the United States not only has the right to hold opinions, but he has a duty to work through his elected officials in behalf of those opinions. If the Government is not being run effectively, efficiently, and constitutionally, citizens of the United States have a responsibility to work to correct that course through the exercise of their right to vote. It is not only a right, it is a privilege. In other words, the Government that stands over us is ours to endorse or to change.

Unfortunately, however, a recent poll commissioned by the National Constitution Center, an organization established to better educate Americans about the Constitution, reveals that a shocking number of people in this country have virtually no knowledge of what is contained in this vital document, and, thus, have no clue about how it affects their everyday lives.

In fact, according to the survey, only 5 percent of Americans could correctly answer 10 rudimentary questions about the Constitution. That is an embarrassingly low percentage. How can citizens be expected to meet their Constitutional responsibilities when they lack even basic knowledge about how our Government operates?

While 84 percent of those polled felt that to work as intended, the U.S. Constitutional system depends on an active and informed citizenry, only 58 percent surveyed could name the three branches that comprise our Federal Government—only 58 percent. And, less than half knew how many Members make up the U.S. Senate.

These are not difficult questions, but basic knowledge taught to schoolchildren at a young age when I was coming along, and should be taught today to schoolchildren at a very young age. Yet, only 66 percent of those surveyed knew that the first ten amendments to the Constitution are called the Bill of Rights—only 66 percent. Some even responded that the first ten amendments to the Constitution are called the Pledge of Allegiance. Now, think of that.

I wonder how many listening right now to my voice know how many amendments have been added to the Constitution since 1787. Only 19 percent of those surveyed answered correctly. There have been 27 amendments.

The 27 amendments that have been added to the Constitution—which include the first 10 amendments, or the Bill of Rights—reflect the genius that our Founding Fathers demonstrated in the creation of the document, by equipping the document with the inherent flexibility to accommodate the changes of a growing nation. Such flexibility is intended to be part of a continuing process, which gives the Constitution life and relevance to the daily affairs of all Americans. A course of apathy, and an ignorance of our civic responsibilities and rights threatens to completely undermine the democratic principles on which our sacred Republic was founded—the very principles which Americans say they value so highly.

If there is anything encouraging to come from the results of the National Constitution Center's poll, perhaps it is that 9 out of 10 people surveyed said that they were proud of the U.S. Constitution. On this anniversary of the signing of the U.S. Constitution, I hope that more citizens will demonstrate that pride by taking it upon themselves to learn more about their Constitution and their Government, and teach their children, so that they can adequately perform the responsibilities which were conferred upon them in Philadelphia in 1787 by some of the greatest minds in history.

Our first Chief Justice John Marshall once stated "The people make the Constitution, and the people can unmake it. It is the creature of their own will, and lives only by their will." If that will is motivated mostly by ignorance

and misinformation our hard won, sacred freedoms appear to be in grave, grave peril indeed.

Madam President, I ask unanimous consent that the dismal results of the National Constitution Center's poll be placed in the RECORD at this point.

I thank Senators for listening and I yield the floor.

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

How People Answered the Constitution Poll

How do Americans feel about the Constitution?	Responses:
The U.S. Constitution is important to me	91% agree.
I am proud of the U.S. Constitution	89% agree.
The U.S. Constitution is used as a model by many countries	67% agree.
To work as intended, the U.S. Constitutional system depends on active and informed citizens	84% agree.
The U.S. Constitution doesn't impact events today	72% disagree.
The Constitution doesn't matter much in my daily life	77% disagree.
To understand the Constitution, you have to be a lawyer	77% disagree.
The question asked:	Percent of correct responses:
When was the Constitution written?	19%—1787.
Where was the Constitution written?	61%—Philadelphia, PA.
What are the first ten amendments to the Constitution called?	66%—the Bill of Rights.
Do you recall what the introduction of the Constitution is called?	55%—the Preamble.
How many branches of the Federal Government are there?	58%—three.
How many Senators are there in the U.S. Congress?	48%—100.
How many years are there in a Senate term?	43%—6 years.
How many voting members are there in the House of Representatives?	23%—435.
How many years are there in a Representative's term?	45%—2 years.
Who nominates the justices of the Supreme Court?	70%—the president.
According to the Constitution, a person must meet certain requirements in order to be eligible to be elected President. Can you name any of these requirements?	69%—born in the US. 51%—35 years of age. 8%—lived in the US 14 years.

How People Answered the Constitution Poll—Continued

Can you recall any of the rights guaranteed by the first amendment?	64%—speech. 41%—religion. 33%—press. 17%—assembly. 88%—US Citizens.
Whose rights are guaranteed by the Constitution?	29%—1-5 pages.
Approximately how long is the U.S. Constitution?	74%—the President.
Who is Commander-in-Chief of the U.S. Armed Services?	7%—the Constitutional Convention.
Can you name the group or any of the individuals who were responsible for drafting the U.S. Constitution?	19%—27 amendments.
How many amendments are there to the Constitution?	51%—legislative. 50%—executive. 56%—judicial. 15%—false.
What are the names of the three branches of the Federal government?	76%—true.
True or False: The Constitution states that all men are created equal	86%—true.
True or False: The U.S. Constitution can be modified	42%—false.
True or False: The Constitution is the supreme law of the land	69%—false.
True or False: The people can vote directly for President	48%—false.
True or False: When it was first written, the Constitution outlawed slavery	72%—true.
True or False: There are 10 Supreme Court Justices	75%—false.
True or False: Congressional Representatives are elected by the people	58%—false.
True or False: The Constitution states that Christianity is the official religion of the U.S	74% false.
True or False: The Constitution states that the first language of the U.S. is English.	
True or False: The text of the Constitution specifically protects a woman's right to have an abortion	

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The Senate continued with the consideration of the bill.

COMMITTEE AMENDMENT ON PAGE 96, LINE 12 THROUGH PAGE 97, LINE 8

The PRESIDING OFFICER. Under a previous order, the Senate will now re-

sume consideration of the committee amendment on page 96, line 12.

The Senator from Michigan is recognized to offer a second-degree amendment, on which there shall be 30 minutes of debate equally divided.

The Senator from Michigan is recognized.

AMENDMENT NO. 1206 TO EXCEPTED COMMITTEE AMENDMENT BEGINNING ON PAGE 96, LINE 12 (Purpose: To decrease funding for NEA)

Mr. ABRAHAM. Madam President, I would like to call up my amendment at this time, amendment No. 1206.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. ABRAHAM] proposes an amendment numbered 1206 to excepted committee amendment beginning on page 96, line 12.

Mr. ABRAHAM. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 96, line 16, strike "\$83,300,000" and insert "\$55,533,000".

On page 96, line 25, strike "\$16,760,000" and insert "\$11,173,000".

At the end of the amendment add the following:

SEC. . Notwithstanding any other provision of law, not more than \$10,044,000 of the funds appropriated for the National Endowment for the Arts under this Act may be available for private fundraising activities for the endowment.

SEC. . Notwithstanding any other provision of this Act, an additional \$32,000,000 is appropriated to remain available until expended for construction under the National Park Service, of which \$8,000,000 shall be transferred to the Smithsonian Institution and made available for restoration of the Star Spangled Banner, \$8,000,000 shall be transferred to the National Endowment for the Humanities and made available for the preservation of papers of former Presidents of the United States, of which \$9,000,000 shall be available for the replacement of the wastewater treatment system at Mount Rushmore National Memorial, of which \$2,000,000 shall be available for the stabilization of the hospital wards, crematorium, and immigrant housing on islands 2 and 3 of Ellis Island, and of which \$5,000,000 shall be transferred to the Smithsonian Institution and made available for the preservation of manuscripts and original works of great American composers".

Mr. ABRAHAM. Madam President, I just would state at the outset it is not my intention, given the lateness of the day and the other amendments still to come, to necessarily use all of the time on this issue. In fact, I intend to make a brief statement. I will stay here to discuss it at greater length if opponents of this amendment want to engage in more discussion, although I know today most people have expressed themselves already on these issues pertaining to the National Endowment for the Arts. So I am going to make a brief statement and I will then wait to see whether others wish to speak. If not, I am prepared at a certain point to yield back the remainder of the time.

This amendment seeks to accomplish several key objectives.