

I think it is a good effort. I hope we get it done. But I am willing to stand on this line right here. Those who just voted against cloture can live with it, as far as I am concerned, and they can explain it to their constituents—big businesses, small businesses, farmers, people who are going to get sued if we don't do this, when it is not even necessary.

So if this bill dies on this line, it is OK with me, because I think the blame is clear. But I am not going to be a part of shenanigans here, to have an agenda dumped on this bill that would result in killing it. We are not going to keep spinning our wheels. We are going to come up with a legitimate compromise solution, and we are going to vote and move or not—either way. If anybody in this Chamber thinks the solution to the Y2K problem is more lawsuits, I don't believe they have talked to the people in America.

Mr. KYL addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

(The remarks of Mr. KYL, Mrs. HUTCHISON, and Mr. HOLLINGS pertaining to the introduction of S. 912 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. HOLLINGS. Mr. President, let me thank the distinguished Senator from Texas. She is right on target. We have graduated over 2,000 agents from the finest school down there for Border Patrol agents. Two who trained there have already been killed.

I have visited from time to time. The matter of pay is the issue. We advertise and we solicit in the local area over the entire State—and nationally—and it is a pay problem.

I hope we can confront it.

Mr. President, I will say a word about the majority leader's rejoinder relative to this legislation.

He points out specifically that without litigation, we have time; it gives an avenue, gives 90 days in time, to fix the problem.

Mr. President, this Senator knows, rather than fixing the problem, they are trying to fix the defendants and see if, on a cost-benefit basis, they can move the problem out to India or some other supplier that is indigent or bankrupt or otherwise; that is what they do during the 90 days.

We do not need in law a 90-day waiting period before you can file. Nobody is filing immediately. Nobody wants to get to court. These businesspeople don't run down and get a lawyer. They do as the doctor did in his testimony before the Commerce Committee: He called and called, and he wasn't called back; then he wrote the letter; he spent \$16,000 for a computer, and in a year's time he had to pay \$25,000 just to be Y2K compliant.

We live in the real world. Why is this gimmick on all legal proceedings all of a sudden given a 90-day extension for fixing the problem? For an individual running a little corner grocery store

with a computer that goes down, if they call the company and don't have the money to make it Y2K compliant, in 90 days they are out of business. They are still waiting around while they are maneuvering with their lawyers.

These manufacturers who are sued have lawyers on retainer sitting up on the 32nd floor wondering when they can get off to play another golf game or when they can get another continuance. They think about how to stay out of the courtroom and how to get the clock running. It is a bad provision.

Let me agree with the distinguished majority leader and say I agree that no bill is needed. We find out after all of the debate, here comes the Washington Post that says, wait a minute, the market is fixing it now. On January 1, if there is a real problem that the States can't handle, there are courts in all the States, and if they can't handle it, we have a national problem, fine. But don't use Y2K as an instrument to distort the tort system and get through what they haven't been able to get through for the past 20 years.

I yield the floor.

#### GUIDANCE FOR THE DESIGNATION OF EMERGENCIES AS A PART OF THE BUDGET PROCESS

The PRESIDING OFFICER (Mr. BUNNING). The Senate will now resume consideration of S. 557, which the clerk will report.

The bill clerk read as follows:

A bill (S. 557) to provide guidance for the designation of emergencies as part of the budget process.

The Senate resumed consideration of the bill.

Pending:

Lott (for Abraham) amendment No. 254, to preserve and protect the surpluses of the social security trust funds by reaffirming the exclusion of receipts and disbursement from the budget, by setting a limit on the debt held by the public, and by amending the Congressional Budget Act of 1974 to provide a process to reduce the limit on the debt held by the public.

Abraham amendment No. 255 (to Amendment No. 254), in the nature of a substitute.

Lott motion to recommit the bill to the Committee on Governmental Affairs, with instructions and report back forthwith.

Lott amendment No. 296 (to the instructions of the Lott motion to recommit), to provide for Social Security surplus preservation and debt reduction.

Lott amendment No. 297 (to amendment No. 296), in the nature of a substitute.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I ask unanimous consent I be permitted to proceed as in morning business not to exceed 15 minutes.

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

(The remarks of Ms. COLLINS pertaining to the introduction of S. 913 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. SMITH of New Hampshire. I thank the Chair.

(The remarks of Mr. SMITH of New Hampshire, pertaining to the introduction of S. 914 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent for an additional 5 minutes.

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

#### TED GUY, AN AMERICAN HERO

Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to an American hero. We could use some heroes today, of all days, considering the last few days we have had in America. But I rise today to pay tribute to retired Col. Theodore Wilson Guy, United States Air Force, from Missouri. Ted Guy, nicknamed the "Hawk" by those who knew him best, was a genuine American hero. He was best known for having sacrificed his freedom for his country as a U.S. POW during the Vietnam war. But aside from being a hero, perhaps more importantly, Ted would say he was a husband, a father, a brother, and a friend to many, including myself. Last Friday, April 23, 1999, Ted passed away only 6 months after discovering symptoms associated with leukemia.

I will always remember Ted Guy for the encouraging faxes and e-mails he used to send to my office, especially during the investigation conducted by the Senate Select Committee on POW/MIA Affairs, which I cochaired in the early 1990s. I gained a lot of strength from those inspiring messages from this hero. Ted will never know, but I want his family to know how much those messages meant to me.

Ted felt strongly that our Government needed to do more to account for his missing comrades from the Vietnam war. He traveled at his own expense to Washington, DC, to the Halls of Congress, to make this point.

Ted was right to be concerned about our Government's handling of the issue of POWs and MIAs, and with his support, and the support of his fellow veterans and family members of POWs and MIAs, we have made significant progress in opening the books, declassifying the records, and pressing foreign governments for answers over the last decade.

However, as Ted continued to maintain up until his last days with us, there is still much work to be done with our accounting effort, and I, for one, am committed to seeing this issue through, in part because of people like Ted.

I commit to you, Ted, we will keep working. We owe it to you.

I say to the youth of America, if you want a role model to aspire to and to inspire you, they do not come any better than men like Ted Guy. When looking for a hero, oftentimes young people

look to professional athletes or others. You want to remember that a hero is not only somebody you care for, but if they are a real hero, that person will care about you, too.

Ted joined the Air Force in 1947. He served his country as an Air Force fighter pilot for the next 26 years. He served in both the Korean and Vietnam wars flying the F-84 in the Korean theater and the F-4 in the Vietnam theater. On March 22, 1968, while attacking an automatic weapons position near the Vietnamese-Laotian border during the battle of Khe Sanh, Ted's plane was shot down and he was captured by the Communist forces.

Ted Guy was subsequently marched up the Ho Chi Minh Trail and then held in several POW camps in the Hanoi area, to include the infamous Hanoi Hilton. He was brutally tortured by the North Vietnamese to the point where he would pass out from severe beatings. He also was forced to spend nearly 4 years in solitary confinement.

He was one tough guy—Ted Guy. He did not talk about it much, though. You could not get him to talk about it. He was not looking for sympathy.

When he was finally removed from solitary confinement, he was put in a prison with more than 100 other U.S. military and civilian prisoners. He became the senior officer among them and was responsible for maintaining order, the chain of command, and the code of conduct among his fellow POWs.

His leadership and guidance helped his fellow POWs survive their ordeal. Many have said just that. Many referred to themselves as "Hawks' Heroes" in honor of Ted Guy.

To the code of conduct, Ted added his own personal code that consisted of two points. The first point was to resist until unable to resist any longer before doing anything to embarrass his family or his country. The second point was to accept death before losing his honor.

Ted once said:

Honor is something that once you lose it, you become like an insect in the jungle. You prey upon others and others prey upon you until there is nothing left. Once you lose your honor, all the gold in the world is useless in your attempt to regain it.

Mr. President, Ted Guy never, never lost his honor. What an inspiration he was to all Americans. I wish more Americans could have known him personally. I wish more Americans knew more about Ted Guy. He leaves behind his wife Linda of 26 years, four sons and two stepdaughters. He touched a lot of people—so many people.

However, his unselfish and patriotic sacrifices for America and his heartfelt concerns about efforts to account for his missing comrades from the Vietnam war who never made it home were huge accomplishments. I was proud to call him a friend, and I already miss him.

As with other POWs, Ted used a tap code in Hanoi to communicate through the walls with other POWs. It was an

alphabet matrix—five lines across, five lines down. Ted used to end his messages by tapping the code "GBU," or "God bless you," and "CUL" for "See you later."

I end my tribute with the same message to Ted: "GBU CUL, Ted."

Mr. President, I ask unanimous consent that the tributes to Ted Guy from his son, his POW-MIA supporters, and his dear friend and fellow POW, "Swede" Larson, and also a copy of the tapping code, as Ted Guy used it, be printed in the RECORD.

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

A TRIBUTE TO TED GUY, SR. FROM HIS SON,  
TED GUY, JR.

On Friday, April 23rd, my dad passed away. Col. Ted Guy was a man of tremendous conviction, determination and patriotism. As his son, I would like to share with you a picture of my Dad you might not have been aware of. Please read this as a tribute from a son to his Dad.

It was a little over six months ago that Linda alerted me to the fact that Dad was not feeling well and he would be undergoing some tests. The test showed the seriousness of Dad's illness. I knew Dad would do everything he could to fight the cancer, as his five year experience in POW camp had provided a glimpse of his determination. However, my concern became that he would finish well. To finish well would be to be right with God. To be right with God would be to understand and accept God's word, the Bible. To accept God's word would be to receive Jesus Christ as one's savior.

When I visited with Dad shortly after Christmas, I gave him a copy of the book "Mere Christianity" by C.S. Lewis. On the cover of the book I had written, "Dad, I desire more than anything in life that you would spend eternity with me in heaven. I ask you to read this book with an open mind as it is written by a 'wanna be' fighter jock, C.S. Lewis."

Prior to giving this book to Dad, we had had discussions about Jesus Christ, but Dad felt he was pretty much a self made man and could make it on his own. But when your Dad is dying, you tend to again go the extra mile as my greatest concern was where he would spend eternity.

I am so pleased to report that Dad read the book. As he was fighting the cancer, his loving wife, Linda, would read from "Mere Christianity" to Dad every night before he went to bed. In addition, I gave Dad an audio cassette about the "proof of Christ." About two months ago, Dad called me and said he had listened to the tape and "it made a lot of sense." He also told me not to worry as he and God were going to be O.K.

Throughout these past four months, I have had the great privilege of seeing Dad do everything he could to beat the cancer. I believe he received outstanding care. I also believe the love and care shown Dad by Linda in helping him fight the cancer is a real example of loving and serving at its very best.

I have also seen Dad's heart towards God change. This change was reflected not only in what he said to people about the things of God, but this change was also reflected in the warmth and love he expressed to so many in his last days. He understood the love of Christ and the beauty of Christ's gift on the cross. But more than understanding, he accepted the gift of God through his Son Jesus Christ.

My wife, Rita, and my sons, David and Jeremy, will miss Dad. David and Jeremy will

miss fishing with Granddad as well as being the only two people on the planet that could humble him. (A 4 and 5 year old have that amazing ability.) We are so proud of the great American he was, the lives he touched and the causes he fought. His legacy of patriotism and determination will live on, we promise.

While we are proud, we are also very thankful. We are thankful Dad received Jesus Christ as Lord and Savior. Perhaps, the Lord has placed dad in a place of great need in having cancer. A place where dad could completely understand his need for Jesus Christ. If I could say one thing to my dad, it would be: "Dad, you served, you fought, but most of all, you finished well. I am proud to be Ted Guy, Jr."

Knowing my Dad, he would have wanted you to know he died with peace in his heart. He knew he was loved and cared for; but more than anything, he would want you to know he knew the love of God.

POW-MIA INTERNETWORK TRIBUTE TO TED GUY

Re Colonel Ted 'Hawk' Guy Passes.

Date: April 25, 1999.

From the flight lines of Korea and Vietnam, to a cell in the Hanoi Hilton, to the hallowed halls of Congress . . . Ted Guy never failed to speak his mind, do his job and command respect, awe and admiration from all who crossed his path.

And now he has passed on to a final freedom and peace.

After duty in Korea and stateside, he was transferred to Vietnam where he bailed out over Laos after one of his bombs prematurely exploded and was captured by the North Vietnamese. From the jungles of Laos, Ted was marched to Hanoi, repeatedly exposed along the way to Agent Orange. Upon reaching the Hanoi Hilton, he spent 3 years in solitary confinement and upon release to the general population, assumed his role as Senior POW Officer (SRO).

He was badly beaten, tortured and as a result of extreme mistreatment during captivity, he was retired shortly after his release during Operation Homecoming.

Ted rallied family members, activists and Ex-POWs the same way he rallied his men . . . With compassion, strength and passion. He openly spoke of his confinement, the politics of POWs and was a resounding voice of reason in an unreasonable issue and world.

The continued saturation of Agent Orange took its final toll . . . Ted was diagnosed with Leukemia as a result of AO exposure and within a scant 6 months, passed from this world.

There are no words to express how much he is respected and how much he will be missed. His voice may have been silenced, but his message will endure.

In closing he always signed his letters and e-mails to us with the POW tap code, GBU and CUL, and we were and we did . . . and we will, one day.

May your flight be swift and the winds carry you high Ted.

GBU-CUL

NATIONAL ALLIANCE OF POW/MIA FAMILIES  
TRIBUTE TO TED GUY

It is with deep sadness that we inform you of the passing, on April 23rd, 1999 of Korean and Vietnam War Vet and former Vietnam Prisoner of War—Col. Ted Guy. For those unaware, Col. Guy was with us, from the very beginning of the Alliance. He spoke at our first forum back in July 1990. When our website started ([www.nationalalliance.org](http://www.nationalalliance.org)), he agreed to write the foreword for our Vietnam Pages.

Col. Guy was a strong supporter of the Live POW issue. He was never afraid to speak his mind and he stood by his convictions.

All of us in the POW/MIA issue will miss him. We have lost a dear friend and our POW's have lost a strong advocate.

A MESSAGE FROM COL "SWEDE" LARSON,  
FORMER POW—HANOI VIETNAM

It is with deep regret, that I inform you of the death of Col. Ted Guy. He passed away today, 23 April 1999, from complications associated with Leukemia. He only lived 6 months from the time of his first symptoms. He is survived by his wife Linda, two step daughters, four son's, and a brother.

Since most of you did not know Ted, and a few misunderstood him, I am going to ask your indulgence, and tell you a little about him, since I was his very close friend for 44 years.

We first met at Luke Air Force base in 1955 as young Captains instructing fighter gunnery. He had previously completed a combat tour in Korea, flying F-84's. He and I had three things in common. We both loved to fly, party, and fish. Over the years we stayed in close touch, and after his retirement, we fished together many times.

He was assigned to South Vietnam in F-4's while I was in Thailand flying out-country missions, in F-105's. When he showed up in Hanoi, I couldn't fathom how he had gotten there. After we were released, I learned that he was shot down during the battle at Khe Sanh, bailed out and captured in Laos by the North Vietnamese (they were never in Laos! -yah, right!). On the second day of his capture while he was starting his walk to Hanoi, he was heavily sprayed with Agent Orange. In the ensuing days, he walked through many areas that had been previously defoliated.

As he was captured in Laos, he was kept away from the rest of us and spent his first 3 years in solitary confinement. He was then put in with the 100 plus, Army and civilian prisoners and was the Senior Officer. He had his hands full with a group of very young, non-motivated and rebellious enlisted men. Unlike our group, (after the death of HO), he was badly treated by his captors, almost up to our release. He was badly beaten during this time for acting as SRO and on one occasion, suffered severe head injuries, which several years later resulted in his being medically discharged from the service. He had been on the "fast track" prior to shoot down, and had been promoted to Lt. Col. below the zone. To my knowledge, he was the only POW promoted (to 06) below the zone while a POW. Those concussions he suffered forced his early retirement.

He was not an active member of our group, primarily because he did not know or serve with any of us in Hanoi. He also felt that even though our group elected to be non-political, we should have made an exception and taken a prominent stand as a potential powerful lobby group, to demand a full accounting of the MIA's. He was an individual of deep loyalties, and a boundless love of his country and flag. He stood up tall against those he felt were in the wrong.

His medical specialists felt that his Leukemia was a direct result of his repeated heavy exposures to Agent Orange. The Veterans Administration however, in their infinite wisdom felt otherwise, and denied his emergency claim for Agent Orange disabilities. (Hence no DIC for his wife).

He ended up loosing a promising military career and suffered an early end to his life, in his service to his country. I shall truly miss him. Thanks for your indulgence.

GBU Ted.

SWEDE LARSON.

OBITUARY FOR TED GUY

Theodore Wilson Guy, 70, of Sunrise Beach, Missouri, died April 23, 1999, at St. Marys Health Center.

He was born April 18, 1929, in Chicago, a son of Theophilus W. and Edwina LaMonte Guy.

He was married October 18, 1973, to Linda Bergquist, who survives at the home.

A 1949 graduate of Kemper Military College, he served as a pilot in the Air Force until his retirement in 1973 as a colonel. A veteran of the Korean and Vietnam wars, he received a Silver Star, the Distinguished Service Medal, the Distinguished Flying Cross, the Air Medal and a Purple Heart. He was a POW for five years in Laos and North Vietnam. After his retirement from the Air Force, he became National Adjutant for the Order of Daedalians.

In 1977, he became associated with TRW, assigned to Iran as Senior Tactical Adviser to the Commander, Iranian Tactical Air Command.

He was a member of St. George Episcopal Church, Camdenton.

Other survivors include: two sons, Ted Guy Jr. and Michael Guy, both of Phoenix; two stepdaughters, Elizabeth Thannum, Los Angeles, and Katherine Roth, Chicago; one brother, Donald Guy, state of Alabama; and three grandsons.

Services will be at 3 p.m. Friday at St. George Episcopal Church. The Rev. Tim Coppinger will officiate. The remains were cremated. Inurnment, with military honors, will be at a later date in Arlington National Cemetery, Arlington, Virginia.

Memorials are suggested to the Leukemia Society of America.

POW TAP CODE IN HANOI HILTON

	1	2	3	4	5
1	A	B	C	D	E
2	F	G	H	I	J
3	L	M	N	O	P
4	Q	R	S	T	U
5	V	W	X	Y	Z

Mr. SMITH of New Hampshire. I thank the Chair for his courtesy. I yield the floor.

Mr. GRAMS. Mr. President, I ask unanimous consent that I be allowed to speak for up to 10 minutes as in morning business.

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

The remarks of Mr. GRAMS pertaining to the introduction of S. 916 and S. 917 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions."

Mr. GRAMS. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. VOINOVICH). Without objection, it is so ordered.

Mr. BROWNBACK. Mr. President, I ask unanimous consent to speak as in morning business for a period of up to 15 minutes.

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

VIDEO VIOLENCE AND THE CULTURE OF KILLING

Mr. BROWNBACK. Mr. President, I rise to address the body today on another aspect of our culture. I have spoken several times this week about different aspects of our culture in areas that I think need desperate reform, which certainly has been highlighted by what took place in Colorado.

Today, I want to speak of video games. I have examples to show people in this body and I hope around the country of what is being marketed to our children, what is being put out there, what they are receiving.

I have kids who are in this age range. My oldest daughter is 12, my son is 11, and my youngest daughter is 9. They have some exposure to some of these notions. I rise to address one aspect of our society that I think demands attention, particularly in the wake of these tragic events.

Yesterday, I addressed the rise in popularity of music with hyperviolent, often misogynistic lyrics. More and more kids are tuning in to music which glorifies and glamorizes violence and viciousness. As the popularity and profitability of music depicting murder, torture, and rape grows, the music industry is making a killing off our kids.

The problem is not unique to the music industry. It is found in many entertainment fields. This coming Tuesday, we will hold a hearing in the Commerce Committee to examine marketing violence.

Today, I will talk about another equally troubling trend in pop entertainment, the rising popularity of gory, graphic video games. The video game industry has received far less attention than television or movies but is among the fastest growing entertainment media in the country.

Last year, the video game industry was worth more than \$6 billion. Its profitability is climbing steadily and rapidly. The rise in profitability is fueled by the rise in popularity of these games. Video games are being played more often by more people and particularly more kids.

Even industry executives acknowledge that video games are a growing part of the cultural landscape. I want to put this in the context of the cultural landscape. One executive of the industry went so far as to assert in a recent Wall Street Journal article that:

Games are a primary vehicle for popular culture.

These games are.

As a father with a young son who plays a lot of video games, I can tell you, they get to spend more time with him a lot of times than anybody else does, as he plays the video games.

Although many video games are non-violent, a growing number of companies are producing and promoting unimaginable gory, interactive video games. They are gory and they are interactive.