

with a national sales tax is that it would energize our economy by encouraging savings. The bottom line is that as a nation, we do not save enough. Savings are vital because they are the source of all investment and productivity gains—savings supply the capital for buying a new machine, developing a new product or service, or employing an extra worker.

The Japanese save at a rate nine times greater than Americans, and the Germans save five times as much as we do. Today, many believe that Americans inherently consume beyond their means and cannot save enough for the future. Few realize that before World War II, before the income tax system developed into its present form, Americans saved a larger portion of their earnings than the Japanese.

A national sales tax would reverse this trend by directly taxing consumption and leaving savings and investment untaxed. Economists agree that a broad-based consumption tax would increase our savings rate substantially. Economist Laurence Kotlikoff of Boston University estimates that our savings rate would more than triple in the first year. Economist Dale Jorgenson of Harvard University has concluded that the United States would have experienced one trillion dollars in additional economic growth if it had adopted a consumption tax like the national sales tax in 1986 instead of the current system.

As I have outlined here today, I believe the national sales tax is the best tax system to replace the income tax. If we enact a tax system that encourages investment and savings, billions of dollars of investment will flow into our country. This makes sense—America has the most stable political system, the best infrastructure, a highly educated workforce and the largest consumer market in the world. Our economic growth and prosperity would be unsurpassed. I am committed to bringing this message of hope to all Americans, and I look forward to working with my colleagues on advancing this important endeavor.

SENATE RESOLUTION 25—TO REFORM THE BUDGET PROCESS BY MAKING THE PROCESS FAIRER, MORE EFFICIENT, AND MORE CLEAR

Mr. MCCAIN (for himself and Mr. KYL) submitted the following resolution; which was referred to the Committee on Rules and Administration.

S. RES. 25

SECTION 1. REQUIREMENT OF AUTHORIZATION FOR PROGRAMS OVER \$1,000,000.

(a) IN GENERAL.—Paragraph 1 of rule XVI of the Standing Rules of the Senate is amended by inserting "in excess of \$1,000,000," after "new item of appropriation,".

(b) 60 VOTE POINT OF ORDER.—Rule XVI of the Standing Rule of the Senate is amended by adding at the end the following:

"9. Paragraph 1 may be waived or suspended only by the affirmative vote of three-

fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under paragraph 1."

SEC. 2. PROCEEDING TO APPROPRIATIONS BILLS IN THE SENATE.

Rule XVI of the Standing Rules of the Senate is amended by adding at the end the following:

"10. On any day after June 30 of a calendar year, a motion to proceed to the consideration of an appropriations measure shall be decided without debate."

ADDITIONAL STATEMENTS

OPENNESS ON THE IMPEACHMENT TRIAL

• Mr. FEINGOLD. Mr. President, I rise today in strong support of opening Senate deliberations to the public during the course of the impeachment trial against President Clinton. I will therefore support the motion to be offered by Senators HARKIN and WELLSTONE to suspend the rules in order to open these proceedings to public scrutiny.

In this trial, the United States Senate is charged by the Constitution with deciding whether to remove from office a President twice elected by the American people. Although I am certain that every member of the Senate will undertake this Constitutional responsibility with the utmost gravity and perform "impartial justice" as our oath commands, I am concerned that the American people will be shut out of this process at some of its most crucial moments.

America's great experiment in democracy trusts the people to elect a President in a process that consists of months of public discussion, primaries, caucuses, debates, and finally an election open to everyone who chooses to participate. In stark contrast, the Senate's rules preclude the public from seeing its deliberations on whether an impeachment case will be dismissed, whether witnesses will be called or further evidence introduced, and even the ultimate debate regarding the guilt or innocence of the President. In short, Mr. President, the Constitution trusts the people to elect a President, but our current Senate impeachment rules do not trust them to have even the most passive involvement in our deliberative process, even when the debate might result in overturning the people's judgment in a national election.

Let me take a moment to describe again for my colleagues how our current impeachment rules work. The Senate is not only the trier of fact in this case, but it also acts as the ultimate arbiter of law. It can overturn the Chief Justice's rulings on evidentiary questions and make decisions, which cannot be appealed to any court, on motions. But the Senate's impeachment rules, which were first drafted in connection with the Andrew Johnson impeachment and most recently revis-

ited in 1986, do not permit the Senate to debate any of the decisions that it must make, except in closed session. In fact, the rules provide that decisions on evidentiary rulings are to be made with no debate whatsoever.

Other motions can be debated, but only in private. So, for example, we expect that after the presentations are made on both sides, a motion will be made to dismiss the case against the President. Under our current rules, the House managers and the President's lawyers will argue that motion, but the Senate cannot debate it in open session. In fact, if a majority of the Senate wants to preclude debate entirely, it can do that by simply voting against a motion to take the Senate into private session for deliberations. Thus, before we vote on what could be a dispositive motion in this case, our only options are to discuss it behind closed doors or not discuss it at all.

I think this is wrong. We need a chance to debate this motion as Senators. I want to hear from my colleagues before I vote, not just afterward on television. I intend to carefully and respectfully entertain my colleagues' arguments, and I refuse to rule out the possibility that a well-reasoned argument offering a different perspective will influence my decision. But the American people also deserve to hear what we say to each other as we debate this motion. I see little to be gained from closing these deliberations and much to be lost. We must do everything we can to ensure public confidence in our fairness and impartiality. How can we expect the public to have faith in us if we close the doors at the very moment when we finally will speak on the dispositive questions of this historic trial?

Opponents of openness argue that in the only Presidential impeachment trial in our nation's history, that of Andrew Johnson, the Senate's deliberations were closed. While it may be tempting to rely on the precedent of the one previous Presidential impeachment trial, which occurred one-hundred and thirty years ago, I believe we should take a fresh look at this issue. In particular, we should consider how drastically the rules of the Senate and the composition of the Senate have changed.

The Senators who presided over President Johnson's impeachment were not elected by the American people directly, but were chosen by the various state legislatures, and thus were not directly responsive to the popular will. Today, we as Senators represent the citizens of our state directly and we are accountable to them at the ballot box. Furthermore, until 1929, the Senate debated nominations and treaties in closed sessions; and until 1975, many committee sessions took place in private. Today, all of our proceedings are open to the public, except in rare cases involving national security. The rules governing membership in the Senate as well as the openness of Senate proceedings have consistently evolved

throughout our history toward greater public involvement. The rules governing impeachment trial deliberations must move in that direction as well.

Opening these proceedings as Senators HARKIN and WELLSTONE have proposed will make the American public feel more involved in the process. With the percentage of voters who cast their ballot on election day declining in each succeeding election and polls showing that the public feels increasingly alienated from the political process; and with people openly questioning the relevance of their elected representatives and the Congress as a whole to their daily lives, we must lay open to the American people our deliberations on the most crucial decision short of declaring war that the Constitution ultimately entrusts to us. Democracy can only flourish when the people feel that they have a stake in the process. Conducting our impeachment deliberations in private sends the message that when the really important decisions need to be made, the American public is not welcome to observe. This is precisely the wrong message to send.

Thus far in the impeachment process, there has been little to celebrate. Most Americans have concluded that the House of Representative's inquiry was plagued by partisanship. Many fear that the Senate will do the same. With the eyes of the country upon it, the Senate has an opportunity to restore America's trust in the constitutional process. Open deliberations will enhance the public's understanding and discussion of this case. It may even serve to chip away some of the pervasive cynicism in our country as Americans watch how their elected representatives conduct themselves during consideration of the articles. I trust that my colleagues will reach their decisions on the merits after careful, reasoned and informed consideration of the evidence and the arguments presented. If my trust in my colleagues is justified, our deliberations will be thoughtful, high-minded, vigorous, and non-partisan. And if we have that deliberation in the open, it will be remembered as one of the Senate's finest hours.●

KAYANN ELIZABETH HAYDEN

● Mr. COVERDELL. Mr. President, I rise today to commend Kayann Elizabeth Hayden for her commitment to excellence in academics and as an outstanding young person. Kayann is a senior at Gilmer High School in her hometown of Ellijay, Georgia. Throughout Kayann's schooling, she has maintained an A average and is President of the Beta Club. Her peers have voted her Most Likely To Succeed Senior Superlative for 1998-1999 school year.

In addition to maintaining an outstanding academic record, Kayann has been involved in several sports, organizations, and other extracurricular activities. Currently serving as senior

class president, she has been a leader in student government. Kayann is also a member of the Gilmer High 4-H and the Future Homemakers of America where she is Co-President of the local chapter. In sports, she participated on the high school cross country and track teams. Finally, she was named Miss Apple for the 1994-1995 Gilmer County Apple Festival Pageant and Miss Apple Princess for the 1995-1996 Pageant.

Kayann's commitment to excellence also extends to the community. She is a student member of the Gilmer Teen Pregnancy Awareness Board as well as an active member of First Baptist Church in Ellijay, Georgia. She has volunteered for the Gilmer County Chamber of Commerce, American Cancer Association's Relay for Life, and the Gilmer Arts and Heritage Association.

Once again, Mr. President, I would like to thank Kayann Elizabeth Hayden for her commitment to both academic and civic excellence. As we discuss possible education reform, we can use Kayann as a model for the type of student our schools should be producing.●

CLARK CLIFFORD

● Mr. MOYNIHAN. Mr. President, at a time when we risk the ever coarsening of our public affairs, we would do well to remember a man whose service to this country was distinguished as no other for civility and elegance. I ask that this tribute to Clark M. Clifford by Sander Vanocur be printed in the RECORD.

The tribute follows.

TRIBUTE TO CLARK CLIFFORD

(By Sander Vanocur)

The following anonymous poem was sent to Clark Clifford's daughters, Joyce and Randall, by their sister, Faith, who could not be here today:

Think of stepping on shore
and finding it Heaven,
Of taking hold of a hand
and finding it God's,
Of breathing new air,
and finding it celestial air,
Of feeling invigorated
and finding it immortality,
Of passing from storm and tempest
to an unbroken calm,
Of waking up,
and finding it Home.

In the secular sense, Clark Clifford found that home in Washington more than fifty years ago. And having found that home, let it be said that while he was here, he graced this place.

It was a much different place when he and Marny came here, smaller in size but larger in imagination, made larger in imagination by World War II. It may have been, then and for a good time after, as John F. Kennedy once noted, a city of Southern efficiency and Northern charm. But it was also, at least then, a place where dreams could be fashioned into reality. Being an intensely political city, dreams, as always, had to be fashioned by reality. And it was in this art of political compromise where Clark Clifford flourished. He was known as the consummate Washington insider. Quite often the term was used in the pejorative sense. It

should not have been. If you believe as he did in what George Orwell meant when he wrote that in the end everything is political, it should be a case for celebration rather than lamentation that he played the role, for if he had not played this role who else of his generation could have played it quite so well, especially when the time came to tell a President of the United States, who was also a very old friend, that the national interests of this nation could no longer be served by our continuing involvement in Vietnam?

We know of his public triumphs. Some of us also know of his personal kindnesses. Many years ago, at a very bleak period in both my personal and professional life—you know in this city it is bleak when your phone calls are not returned by people you have known for years—there were two individuals in this city who faithfully returned my calls. One was Ben Bradlee. The other was Clark Clifford. When Clark first invited me to his office during this bleak period to offer encouragement and guidance, he closed the door, took no phone calls, sat behind his desk, his hands forming the legendary steeple and listened and advised. On that first visit to his office I looked down on his desk where there appeared to be at least fifty messages, topped by what seemed to be inaugural medallions. I thought to myself on that first visit that Clark Clifford had put the word on hold just to listen to me. But the third time I came to his office, it occurred to me that it was just possible those messages had been there for twenty years.

Clark Clifford's final years were not what he would have wished for himself nor what his friends would have wished for him and his family. They seemed to echo the first lines in Chapter Nine of Henry Adams' novel "Democracy," perhaps the best novel ever written about this city. The lines are: "Whenever a man reaches to the top of the political ladder, his enemies unite to pull him down. His friends become critical and exacting." On this occasion, I cannot speak of his enemies, but I can say that his friends will not be critical or exacting. We will think, instead, of Othello's words just before he dies:

Soft you; a word or two before you go.
I have done the state some service, and they know it—

No more of that. I pray you, in your letters,
When you shall these unlucky deeds relate,
Speak of me as I am; nothing extenuate,
Nor set down aught in malice.

We who loved Clark Clifford will do that and more. We will say now and henceforth: Clark Clifford did the state some service and we know it.●

RETIREMENT OF DEAN CALDWELL

● Mr. COCHRAN. Mr. President, I am pleased to bring to the attention of Senators the retirement of Dean Caldwell, Civilian Deputy to the President of the Mississippi River Commission.

Mr. Caldwell has accumulated over 37 years of Federal Service, 23 of which have been at the Mississippi Valley Division and the Mississippi River Commission of the Corps of Engineers. The Corps of Engineers has undergone several reorganizations and restructures over the past few years, during which Dean Caldwell's experience and dedication have ensured that the mission of the Corps has not been compromised.

Mr. Caldwell oversaw the integration of two new Corps of Engineers districts