

I further ask unanimous consent that following the use or yielding back of time, the Senate proceed to vote on the conference report, without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BYRD. Mr. President, has an order been entered for me to be recognized at this time?

The PRESIDING OFFICER. It has. The Senator is recognized for 20 minutes.

Mr. BYRD. I thank the distinguished Presiding Officer.

Mr. President, I may have to lengthen that.

I ask unanimous consent at this time that I may speak up to 30 minutes, if I need to.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CONVENING OF CONSTITUTIONAL CONVENTION, MAY 25, 1787

Mr. BYRD. Mr. President, today, May 25, in the year of our Lord 2000, marks the 213th anniversary of a monumental event, the most monumental event that ever occurred in American history. It was on May 25, 1787, that a sufficient number of State delegations convened in Philadelphia to begin their deliberations "to form a more perfect Union." Fifty-five delegates labored through that long, hot summer in Independence Hall in the very room where the Declaration of Independence had been signed 11 years earlier. By September 17 of that year, when they adjourned sine die, they had produced a remarkable document, the most remarkable document of its kind that was ever written, the Constitution of the United States.

I place only the King James version of the Holy Bible above this document, the Constitution of the United States. That is the remarkable document that established our Federal Government, that provided for a U.S. Senate, that provided for the equality of the small States with the large States. That is the document that made it possible for tiny, mountainous West Virginia to have two votes, to be equal to the great State of New York, to be equal to the great States of California, Florida, Illinois, Ohio, Indiana in the Senate. If it were not for this document which I hold in my hand, the Constitution of the United States, we wouldn't be here today. I wouldn't be here. The distin-

guished Presiding Officer who comes from the State of Illinois would not be here. He would not be presiding in that chair. These would not be the United States of America. In all likelihood, they would be the "Balkanized States of America."

This remarkable document has established our Federal Government. It is fitting, therefore, that we pause today, and I thought it fitting that someone take the floor to remark about the importance of this day in history and the importance of this document. It is fitting that we pause to reflect on what those men who met at the Constitutional Convention hoped to accomplish and to remark on what they achieved.

The fledgling United States was in dire straits in 1787. There were no automobiles. There were no airplanes, no diesel motor trains, no electric lights, no sulfa drugs, no antibiotics in 1787. It had become painfully apparent that the first National Government under the Articles of Confederation was not working.

Having thrown off the yoke of royal rule during the Revolution, Americans at first had been reluctant to establish another strong central government. Not many people, I wager, in this country remember much, if anything, about the Articles of Confederation, our first Constitution, but our forebears had created a Government under the Articles of Confederation that represented little more than a loose association of 13 States, with the States retaining the real power. Those States were the former Colonies.

The National Government consisted of a single legislative body. Most of the governments in the world today consist of unicameral legislative bodies, one legislative body. But there are 61 governments in the world today that have bicameral legislatures. Most of the larger countries have bicameral legislative bodies. There are 61 of them. And in only two, the United States and Italy, are the upper chambers not subordinate to the lower chambers.

Each State, under the Articles of Confederation, regardless of size—whether it was Pennsylvania, New York, tiny Delaware, Rhode Island, or Georgia—each State, regardless of size, had a single vote in the Congress, in that one body. Under the Articles of Confederation, Congress could raise money only by asking the States for it. Congress had no power to force a State to pay its share. At times, Congress lacked the funds to pay its soldiers' salaries and faced the threat of mutiny. General George Washington faced that threat of mutiny. The Nation's international credit remained weak because of its war debts, which went unpaid due to wrangling between and among the States.

This discouraged foreign investments—as one could imagine—and further complicated the efforts to fund the Government operations.

As economic conditions worsened, a band of farmers in western Massachu-

setts, led by the Revolutionary War veteran, Daniel Shays, shut down the State courts to stop their creditors from foreclosing on their lands. I wonder what Senator TED KENNEDY would think of that today. How would Senator JOHN KERRY feel about that—Shays' Rebellion? And not only did they close down the courts to stop their creditors from foreclosing on their lands, but they also attacked the Federal arsenal at Springfield. When Massachusetts appealed for assistance, Congress had neither an adequate army nor adequate funds to suppress Shays' Rebellion.

George Washington, who had retired to his estate at Mount Vernon after commanding American forces during the Revolutionary War, feared for the survival of his country and predicted "the worst consequences from a half-starved, limping Government, always moving upon crutches and tottering at every step." That was George Washington, the first President and the greatest President ever of the United States.

In 1785, a dispute over navigation rights on the Potomac River prompted the States of Virginia and Maryland to set up a meeting to settle their differences. Maryland's delegation went to Alexandria, VA, only to find that Virginia's delegates had not yet arrived. They had no interstate highways. They had no great bridges that spanned the river. They had no airplanes. There was no airport over at National in those days. There were only horses and buggies.

As I say, Maryland's delegation went to Alexandria, VA, only to find that Virginia's delegates had not yet arrived. Anxious for the conference not to fail, George Washington graciously invited the delegates to Mount Vernon. There the two delegations discussed tolls and fishing rights on the Potomac. Where does the Potomac rise? It rises in my State, in West Virginia. Of course, there was no West Virginia in those days, but there was Virginia. And other questions were raised that went beyond their immediate disputes. When the Virginia delegates submitted their report to the Virginia Assembly, it went to a committee chaired by James Madison, Jr.

Convinced that larger issues remained, Madison persuaded the assembly to pass a resolution calling for a convention in the States to deal with interstate commerce. In the fall of 1786, that convention met in Annapolis, MD. You see, if it were today, Senators BARBARA MIKULSKI and PAUL SARBANES would be there. But it was long before their time. That convention could do nothing, since only 6 of the 13 States sent representatives. Spurred by Madison of Virginia and Alexander Hamilton of New York, the Annapolis convention called for another convention the following year in Philadelphia to go beyond commercial disputes and consider creating a Federal Government strong enough to meet the needs of the new Nation.

On May 14, 1787, the date set for that convention to open, a quorum could not be attained. Not until May 25—213 years ago today—did delegates from a majority of the States arrive. That was an important day—the day that a quorum of delegates arrived. Eventually, all but Rhode Island would send delegates.

With a quorum established, they got down to business by unanimously electing George Washington as their Presiding Officer. Talk about a great President, one that all the subsequent Presidents—I am sure most of them—have tried to emulate, there was the greatest President of all, George Washington, first in the hearts of his countrymen. His great prestige, the delegates knew, would help to quiet public suspicion of the convention's intent. That convention closed its doors. They didn't open the doors to the public. They locked the doors and established sentries at the doors and conducted its proceedings in secret. That was a good thing.

According to James Madison's notes from May 25, Washington, "in a very emphatic manner . . . thanked the convention for the honor they had conferred on him, reminded them of the novelty of the scene of business in which he was to act, lamented his want of better qualifications, and claimed the indulgence of the House toward the involuntary errors which his inexperience might occasion." The convention then elected a secretary and appointed a committee to prepare its standing rules. The convention knew the importance of standing rules. The convention had learned that from the colonial legislatures, the State legislatures, and from Parliament in the motherland. Several of those forebears came from England, Scotland, and Ireland; they were all subjects of Great Britain, of course. They knew about Parliament. So, they prepared standing rules.

Over the next 3 months, the delegates crafted an entirely new Federal Government for the United States. Ever fearful of tyranny, they solved the problem of concentration of power by dividing responsibilities among three equal branches of Government. O, that more of our people today would study American history! I am not talking about social studies; I am talking about history—American history. O, that more of our Members would refresh their memories concerning American history! How many times have I reminded ourselves of the importance of the checks and balances, the separation of powers, the fact that there are three equal and coordinate branches of Government?

As pragmatists who doubted the perfectibility of human beings, they assumed—those delegates at the convention—that strong individuals and groups would always grasp for more power—and they were right—which would be dangerous, even if meant for good purposes. They, the delegates, believed that government evolved from

the people and, indeed, they began their document with the words: "We the People." But they also anticipated that public opinion would swing wildly—swing like a pendulum—wildly at times, and that public passions could get swept away in the frenzies of the moment. Some people glibly refer to our form of government as a democracy. When you hear someone say that form of government is a democracy, mark that person as not knowing what he is talking about. That person does not know what he is talking about when he says that this Government is a democracy. It is not. Rather than a democracy, the Framers created a representative government, a republic, with elaborate checks and balances.

If we want to understand the difference between a democracy and a republic, let James Madison explain the difference in Federalist No. 10 and Federalist No. 14.

As James Madison later explained in the Federalist: "If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: You must first enable the government to control the governed; and in the next place oblige it to control itself."

Mr. President, because the U.S. Constitution still functions essentially the way its authors intended, and because it has been amended only 27 times in the past two centuries, that Constitutional convention has sometimes been celebrated as the "Miracle at Philadelphia," and the delegates praised by none less than Thomas Jefferson as "demigods," suggesting that their work was divinely inspired. In point of fact, the convention was a long, hard, bitterly-debated ordeal that on several occasions came close to collapse. They did not have air-conditioning in those days. Those summers were just as hot as they are now, I suppose. The delegates needed to reach several crucial compromises before enough of them would agree to the new constitution. One of these compromises—known as the Great Compromise—created the U.S. Senate as a means of satisfying the smaller states' demands for equality, while the House of Representatives would grant more votes to the larger states by apportioning on the basis of population. Another pivotal compromise—the Three-Fifths Compromise—addressed the emotional issue of human slavery, by permitting slaves to be counted as three-fifths of a person for purposes of taxation and representation. Without the agreement, the Southern states would not have ratified the new constitution. Yet, it left in place the peculiar institution of slavery that eventually would tear the nation apart in civil war.

In other words, Mr. President, as remarkable as was the Constitution that emerged from Philadelphia in 1787, and

as much as it solved the problems that had festered under the Articles of Confederation, it was not a finished document. Despite the towering presence of George Washington, Benjamin Franklin, Alexander Hamilton, Madison, Mason, and other wise and trusted leaders at the Constitutional convention, there remained deep public suspicion over this new government, which after all had been debated entirely in secret session. Some delegates refused to sign the Constitution because it lacked protection of individual rights. This omission proved a major obstacle to the ratification of the Constitution, leading Madison to pledge his support for a series of amendments while the ink on the Constitution was still wet. During the First Congress, as a member of the House of Representatives, Madison proposed the first ten amendments, known as the Bill of Rights, and two other amendments not ratified at the time (one of which more recently resurfaced as the 27th amendment) and which we remember in our own time here in the Senate.

The late Justice Thurgood Marshall once commented that he could not admire the framers' decision to compromise with slavery, and that, therefore, he preferred to celebrate the Constitution as "a living document, including the Bill of Rights and other amendments protecting individual freedoms and human rights." Several amendments to the Constitution were more administrative in scope, designed to fix flaws in the Electoral College, change the calendar for congressional sessions and presidential inaugurations, and permit the levying of a federal income tax. But most of the amendments dealt with expanding democratic rights and freedoms, from the abolition of slavery to the extension of the right to vote to blacks, women, and 18-year-olds, and even for the right of the people to directly elect their United States senators. These few amendments have improved the original document. Yet, in so many respects the Constitution remains unchanged. Today, each branch of the government retains essentially the same powers it was given in 1787—albeit magnified to meet the challenges of subsequent centuries. Ours, as Justice Thurgood Marshall reminded us, is a living Constitution.

If the Holy Bible were small enough, I would carry that with me, too. This is the Constitution of the United States. Fortunately, it is a small document. It is a compact document that fits comfortably inside my shirt pocket, and several Senators in this body carry the Constitution in their pockets. It is far shorter than most State constitutions, including my own West Virginia Constitution. It does not take long to read. But each time one reads it, one will find something new in that Constitution—some thought that did not occur to that individual before.

It does not take long to read, and yet opinion polls show that many Americans have either never read it or have

forgotten most of what they learned about it in school. That may also go for a good many of the Members of this body, and the other body. It would be very well if all Members of the Senate and House reread the Constitution from time to time. It is vital that all Americans familiarize themselves with this document so that they know their constitutional rights and their constitutional responsibilities.

Let me suggest, therefore, that May 25, marking the anniversary of the day the Constitutional Convention got down to business, would be an appropriate day for all of us to once again read the Constitution and to appreciate the framers' efforts "to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity."

This coming Monday is Memorial Day, May 29. On that day, Edmund Randolph, Governor of the State of Virginia, presented his 15 resolves, his 15 resolutions to the convention. The debates in those ensuing days largely centered around Randolph's resolutions, or the so-called Virginia plan. So, I say to my colleagues, remember this coming Monday. That was the day when the convention first heard about the Virginia plan.

Long live the memories of the Framers of the U.S. Constitution!

WEDDING ANNIVERSARY CELEBRATION

Mr. BYRD. Mr. President, this is not quite as important a subject to my listeners, perhaps, as the words I have just spoken, but it is an important subject to me, because next Monday, the Lord willing—in the Book of James, we are told always not to say, I'll do this or I will do that tomorrow; I'll go here or I'll go there tomorrow; always say, "the Lord willing"—next Monday, the Lord willing, my wife and I will celebrate our 63rd wedding anniversary.

I have to frankly say that what little I have amounted to, if it is anything much, I owe for the most part to her. She saw to it that I earned a law degree. She virtually put me through law school by her caring ways. She fulfilled the responsibilities at home, rearing our children while I was busy. She went to the store, she did the buying, she did the washing, she did the ironing, she pressed my clothes. She mopped the floors, she vacuumed the carpets, she did the work. I have never seen a person who was a harder worker than my wife and the woman who raised me, my old foster mother, my aunt.

But Erma is the one to whom credit is due. She has set the kind of example for me over the years that I have not been able to emulate fully. This coming Monday, I am going to show her my appreciation by going back to the hills with her. On Monday, we will finish

reading the King James version of the Holy Bible together. We are down to where we lack four chapters. We try to read the Bible every Sunday—not that I am somebody who is good; the Bible says that no man is good; not that I am somebody good—but she and I read that Bible every Sunday. Three or four months ago, I counted the number of chapters remaining, and it came out to where if I divided them in a way that we would read six chapters every Sunday, we could finish the Bible, the reading of the Holy Bible, from beginning to end, the old testament and the new, on next Monday, our wedding anniversary. We lack four chapters, and God willing, we will finish those four chapters next Monday.

After that day, we will be on our way to our 64th wedding anniversary.

DETECTIVE JOHN EUILL

Mr. BYRD. Mr. President, as I am talking about the Bible, I want to call attention to a good man who works in this Capitol. He is a detective. His name is John Euill.

Every time this little publication comes out, he brings it to me. The title of it is, "Our Daily Bread." John Euill always brings that to me. Of course, we are not supposed to call attention to anyone in the galleries in the Chamber, but I am going to call attention to someone who is sitting on the Chamber bench on the Republican side right now. All of our Members have shaken his hand. He is courteous. John Euill is a wonderful man.

Let me read just a few words from "Our Daily Bread," which he gave me today. The chapter titled, "Building on the Bible":

What can be done to improve society? An MTV political correspondent had this unexpected but praiseworthy suggestion: "No matter how secular our culture becomes, it will remain drenched in the Bible. Since we will be haunted by the Bible even if we don't know it, doesn't it make sense to read it?"

Our culture is indeed "drenched in the Bible." Whether or not the majority of people realize it, the principles on which the United States was founded, and the values which still permeate our national life, were based on the Holy Scriptures.

If Senators don't believe that, go back and read the Mayflower Compact and many of the other great documents that form the basis of this great Nation.

Yet, God's Word no longer occupies the commanding place it held in the past.

And that is true.

Its ethics are sometimes still praised even though biblical morality is flagrantly violated. So I agree with the political correspondent's urging that people read the Bible.

We need to do more, however, than just read the Word of God. We need to believe the Bible and put its inspired teachings into practice. The psalmist reminded us that we are to walk in God's ways, to keep His precepts diligently, and to seek Him with our whole heart.

Psalm 119, the second through the fourth verses. I am going to read those

verses for the people who are watching through that electronic eye above the presiding chair. I want in my small way to dedicate them today to Detective John Euill.

Blessed are they that keep his testimonies, and that seek him with the whole heart.

They also do no iniquity: they walk in his ways.

Thou hast commanded us to keep thy precepts diligently.

I thank all Senators for their patience, and I yield the floor.

SPECIAL AGENT JOHN J. TRUSLOW

Mr. REED. Mr. President, I would like at this time to pay my respects to FBI Special Agent John Joseph Truslow. John Truslow, an FBI agent stationed in Providence, was more than "just an agent." He was a brave man, a Rhode Islander who cherished his home state and served its people with courage and distinction.

John grew up in Central Falls, Rhode Island and attended the University of Rhode Island, receiving a bachelor's degree in 1972 and a master's degree in 1978. In 1980, he joined the Federal Bureau of Investigation in New York, where he was assigned for eleven years.

In 1991, John Truslow transferred back home to Rhode Island, with his wife, Diane, and their two children, Catherine and David.

During the next nine years with the Bureau, John Truslow distinguished himself by leading several federal probes that attacked corruption in our cities and towns.

In 1996, when the North Cape barge ran aground at Moonstone Beach, spilling over 800,000 gallons of home heating oil into Narragansett Bay and killing millions of fish and wildlife, John Truslow was hard at work. Throughout that year and the next, he led a methodical investigation, which uncovered the corporate negligence that contributed to the disaster. Because of his work, a groundbreaking agreement was reached in which the owner of the North Cape agreed to pay \$9.5 million in criminal damages. Today, despite one of the worst environmental accidents in Rhode Island's history, Narragansett Bay is recovering, due, large part, to the work of Mr. Truslow.

Described by friends and co-workers as a man of substance and a man of honor, John continued to report to work each day, even after having been diagnosed with terminal brain cancer in August 1999. In fact, on April 5, one day after his twentieth anniversary with the FBI and after months of being physically ravaged by cancer and the effects of chemotherapy, John testified before a federal grand jury to present evidence which lead to the indictment on bankruptcy fraud charges of a Rhode Island traffic court judge. Twelve days later, on April 17, he was in court for that indictment.

John was a dedicated agent, working up until his final days. We are humbled by his courage, allegiance to duty and