

The PRESIDING OFFICER. Does the Senator withhold his request?

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

The PRESIDING OFFICER. A quorum call has been requested.

Mr. WARNER. I urge us to proceed with the quorum call.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WARNER. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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. WARNER. Mr. President, we have had a discussion with the leaders on the other side of the aisle. I think there is a consensus that with the current objection to laying aside the Smith-McCain legislative package, which is the pending business, together with the Warner-Dodd amendment, which also needs a UC to lay aside, we cannot do either of those at this time. So the consensus is we go into a period of morning business, and at the hour of 11 o'clock the Senator from Virginia be recognized.

The PRESIDING OFFICER. Is there objection?

The Senator from Michigan.

Mr. LEVIN. Reserving the right to object, at the hour of 11 o'clock we would then return to the consideration of the matter that is now pending?

Mr. WARNER. Right, and that I be recognized.

Mr. LEVIN. And that the Senator from Virginia be recognized.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object, Mr. President, it is my understanding, of course—and I think it is our understanding collectively—that for the next 1 hour and 15 minutes, until 11 o'clock, there would be no substantive legislative issues that would be introduced in any manner.

Mr. WARNER. That is correct. I understand that is under the rules guaranteed. We should, I think to accommodate our distinguished colleagues who have been waiting—

Mr. REID. We should get that.

Mr. WARNER. Get the order entered. I was going to include a specific time for the President pro tempore, the former distinguished majority leader, and such others who want to be recognized during morning business.

Mr. President, I ask unanimous consent that 6 minutes be allocated to the distinguished senior Senator from South Carolina and—

Mr. REID. Twenty minutes.

Mr. WARNER. Twenty minutes be allocated to our distinguished colleague, Senator BYRD, and then the morning would flow in morning business until 11 o'clock.

Mr. REID. And all the reservations that were announced would be subject

to the unanimous consent request that has been propounded?

Mr. WARNER. That is correct.

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

#### MORNING BUSINESS

The PRESIDING OFFICER. The Senator from South Carolina, Mr. THURMOND, is recognized.

Mr. THURMOND. Mr. President, I ask unanimous consent to speak in morning business for 6 minutes.

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

#### COMMEMORATION OF FLAG DAY, JUNE 14, 2000

Mr. THURMOND. Mr. President, 223 years ago today, the United States was engaged in its war for independence. I note that the American Continental Army, now the United States Army, was established by the Continental Congress, just 2 years earlier on June 14, 1775. I express my congratulations to the United States Army on its 225th birthday.

At the start of that war, American colonists fought under a variety of local flags. The Continental Colors, or Grand Union Flag, was the unofficial national flag from 1775-1777. This flag had thirteen alternating red and white stripes, with the English flag in the upper left corner.

Following the publication of the Declaration of Independence, it was no longer appropriate to fly a banner containing the British flag. Accordingly, on June 14, 1777, the Continental Congress passed a resolution that "the Flag of the United States be 13 stripes alternate red and white, and the Union be 13 stars white in a blue field representing a new constellation."

No record exists as to why the Continental Congress adopted the now-familiar red, white and blue. A later action by the Congress, convened under the Articles of Confederation, may provide an appropriate interpretation on the use of these colors. Five years after adopting the flag resolution, in 1782, a resolution regarding the Great Seal of the United States contained a statement on the meanings of the colors: red—for hardiness and courage; white—for purity and innocence; and blue—for vigilance, perseverance, and justice.

The stripes, symbolic of the thirteen original colonies, were similar to the five red and four white stripes on the flag of the Sons of Liberty, an early colonial flag. The stars of the first national flag after 1777 were arranged in a variety of patterns. The most popular design placed the stars in alternating rows of three or two stars. Another flag placed twelve stars in a circle with the thirteenth star in the center. A now popular image of a flag of that day, although it was rarely used at the time, placed the thirteen stars in a circle.

As our country has grown, the Stars and Stripes have undergone necessary

modifications. Alterations include the addition, then deletion, of stripes; and the addition and rearrangement of the field of stars.

While our Star-Spangled Banner has seen changes, the message it represents is constant. That message is one of patriotism and respect, wherever the flag is found flying. Henry Ward Beecher, a prominent 19th century clergyman and lecturer stated, "A thoughtful mind, when it sees a nation's flag, sees not the flag only, but the nation itself; and whatever may be its symbols, its insignia, he reads chiefly in the flag the Government, the principles, the truths, and the history which belong to the nation that sets it forth."

Old Glory represents the land, the people, the government and the ideals of the United States, no matter when or where it is displayed throughout the world—in land battle, the first such occurrence being August 16, 1777 at the Battle of Bennington; on a U.S. Navy ship, such as the *Ranger*, under the command of John Paul Jones in November 1777; or in Antarctica, in 1840, on the pilot boat *Flying Fish* of the Charles Wilkes expedition.

The flag has proudly represented our Republic beyond the Earth and into the heavens. The stirring images of Neil Armstrong and Edwin Aldrin saluting the flag on the moon, on July 20, 1969 moved the Nation to new heights of patriotism and national pride.

Today we pause to commemorate our Nation's most clear symbol—our flag. An early account of a day of celebration of the flag was reported by the Hartford Courant suggesting an observance was held throughout the State of Connecticut, in 1861. The origin of our modern Flag Day is often traced to the work of Bernard Cigrand, who in 1885 held his own observance of the flag's birthday in his one-room schoolhouse in Waubeka, WI. This began his decades-long campaign for a day of national recognition of the Flag. His advocacy for this cause was reflected in numerous newspaper articles, books, magazines and lectures of the day. His celebrated pamphlet on "Laws and Customs Regulating the Use of the Flag of the United States" received wide distribution.

His petition to President Woodrow Wilson for a national observance was rewarded with a Presidential Proclamation designating June 14, 1916 as Flag Day. On a prior occasion President Wilson noted:

Things that the flag stands for were created by the experiences of a great people. Everything that it stands for was written by their lives. The flag is the embodiment, not of sentiment, but of history. It represents the experiences made by men and women, the experiences of those who do and live under the flag.

Flag Day was officially designated a national observance by a Joint Resolution approved by Congress and the President in 1949, and first celebrated the following year. This year then marks the 50th anniversary of a Congressionally designated Flag Day.

It is appropriate that we pause today, on this Flag Day, to render our respect and honor to the symbol of our Nation, and to review our commitment to the underlying principles it represents. Today, let us reflect on the deeds and sacrifices of those who have gone before and the legacy they left to us. Let us ponder our own endeavors and the inheritance we will leave to future generations.

Finally, as we commemorate the heritage our flag represents, may we as a nation pledge not only our allegiance, but also our efforts to furthering the standards represented by its colors—courage, virtue, perseverance, and justice. Through these universal concepts, We the People can ensure better lives for ourselves and our children, for these are the characteristics of greatness. In doing so, we can move closer to the goal so well stated by Daniel Webster at the laying of the cornerstone of the Bunker Hill Monument on June 17, 1825. On that occasion he said:

Let our object be our country, our whole country, and nothing but our country. And, by the blessing of God, may that country itself become a vast and splendid monument, not of oppression and terror, but of Wisdom, of Peace, and of Liberty, upon which the world may gaze with admiration forever.

I have long supported legislation which imposes penalties on anyone who knowingly mutilates, defaces, burns, tramples upon, or physically defiles any U.S. flag. I have also supported a constitutional amendment to grant Congress and the States the power to prohibit the physical desecration of the U.S. flag. I regret that earlier this year this Senate failed to adopt a Resolution for a flag protection Constitutional amendment.

I am pleased that last year the Senate adopted a Resolution to provide for a designated Senator to lead the Senate in reciting the Pledge of Allegiance to the Flag of the United States. This has added greatly to the opening of the Senate each day.

Mr. President, today I encourage my colleagues and all Americans to take note of the history and meaning of this 14th day of June. We celebrate our Flag, observing its 223rd birthday, and the 225-year-old Army which has so proudly and valiantly defended it and our great Nation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I thank Mr. WARNER, the distinguished senior Senator from Virginia, and Mr. HARRY REID, the distinguished Senator from Nevada, for accommodating the President pro tempore, Mr. THURMOND, and me at this time.

#### PRESIDENTIAL POWER

Mr. BYRD. Mr. President, on Friday, June 9, I noted with particular interest the headline in *The Washington Post* which read, "Bush Aims at 'Discord' in Capital." Not surprisingly, candidate

Bush's solution to too much partisanship in Washington is to increase the power of the Presidency.

We have heard that before. We have heard it from the current President, and we have heard it from previous Presidents. But now we hear it again. Imagine that. The solution to too much partisanship in Washington is to increase the power of the President.

Now imagine that! Among the "power grabs" the candidate advocates are biennial budgeting, a congressional budget resolution which would have to be signed by the President—get that—a version of the line-item veto—how preposterous—and a commission to recommend "pork-barrel projects for elimination." What a joke.

While I readily agree with candidate Bush that there is too much partisanship in Washington, and have said so repeatedly for years, the solutions candidate Bush proposes will do absolutely nothing to eliminate partisanship. In the highly unlikely event that any of these proposals will ever be enacted, their most likely impact would be to hand the next President a club with which to beat into submission members of Congress who might not be leaning the President's way on key issues of importance to him.

None of these reported Bush solutions to disharmony in Washington are new, nor are they "news." Every President in recent history has tried to wrest more power from the people's duly elected representatives and transfer it to the executive branch. The net effect of all such transfers would be that unelected executive-branch bureaucrats, and, the President, who is not directly elected by the people either, would enjoy an increased advantage in forcing their agenda on this Nation.

Make no mistake about it. The carefully crafted constitutional checks and balances between the branches of Government can slowly be subverted over time by just such proposals as these, which candidate Bush has made. While I agree that the climate in Washington these days is less than inspiring, the cure must never be to advocate a weakening of the constitutional checks and balances under the false colors of constructive reform.

Take, for instance, Mr. Bush's proposal to have a commission recommend certain pork-barrel projects for elimination. This is an idea which, conceptually, goes straight at the heart of representative democracy and at its most important tool, the power of the purse. It is a proposal which exposes an absolute ignorance and disregard of the constitutional grant of spending power to the representatives—and I am one of them—of the 50 States. Moreover, when examined closely, the arrogance of such an approach is close to appalling.

To suggest that an appointed commission could somehow understand the needs of the 50 States in terms of public works better than the men and women who are sent here to represent

those States, defies logic and denigrates the people's judgment in the choice of their own Members of Congress. Imagine a commission that would be set up to make judgments about appropriations concerning infrastructure, about bridges, roads, highways, canals, harbors, rivers in this country. That is why the people sent us here; that is our responsibility. No member of a commission can possibly understand the needs of the State I represent—I defy anyone to contend otherwise—and have been proud to represent for 54 years, better than I, and others in the West Virginia delegation. No commission can tell me or tell the people of West Virginia what they need by way of infrastructure, so-called "pork barrel" projects. The same can be said about the Members from other States. I defy anyone to claim that sort of wisdom to the satisfaction of myself or the citizens of my State. Such a claim would be sheer and utter nonsense!

I realize that the term "pork-barrel" has become symbolic in modern parlance of everything that is wrong with Government. But, in fact, one man's "pork-barrel" project is another man's essential road, another constituency's essential road or bridge or dam. What is totally forgotten is that many of these so-called "pork barrel" projects are the sort of infrastructure improvements which, State by State, combine to help to make this country the economic power house that it has become. Now, Webster debated with Hayne in 1830. That has all been plowed over by Webster at that time.

It is easy to oppose infrastructure projects in another Member's state. I wouldn't do it unless there was outright fraud involved. It is easy to claim that if a project does not benefit me or my State, then it must be wasteful. Of course, when it comes down to it, they don't benefit me personally. They benefit the people I represent. But, the Members of Congress on both sides of the aisle generally grant each other the expertise to know what is essential for their own State's well-being. I believe that I would be a poor judge, indeed, of what is good for California or New Mexico or Arizona, and so I generally rely on the Members of those States when it comes to projects which they deem important.

I also assume that the elected representatives of those states have the wisdom and integrity not to advocate foolish or wasteful endeavors. Federal dollars are and have been scarce for years. Congressional spending is watched closely by representatives of the media and by the voters who send us here. What is not watched so closely by the media or the voters who send us here or the voters who indirectly send the topmost occupant of the White House to his position is executive branch spending. Although the voters may be only dimly aware of waste and duplication vigorously advocated and defended each year by the executive