

hope that we will have an opportunity to address these, and many other issues that demand attention. If it fails to, this Senate's mark in history will be no more permanent than a shadow.

Mr. President, I yield the floor.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. REID. Mr. President, the junior Senator from Alabama is on the floor. I want to express publicly my appreciation. We had a Senator over here who had some time problems. He graciously allowed him to go first, for which I am very grateful, something he did not have to do. He did it because he is a southern gentleman. I appreciate it very much.

The PRESIDING OFFICER. The Senator from Nevada.

#### MEASURE READ THE FIRST TIME—S.J. RES. 54

Mr. REID. Mr. President, I understand that S.J. Res. 54, introduced earlier today by Senator KENNEDY and others, is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill for the first time.

The assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 54) expressing the sense of Congress with respect to the peace process in Northern Ireland.

Mr. REID. I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader.

#### UNANIMOUS CONSENT AGREEMENT—S. 2045

Mr. LOTT. Mr. President, with regard to the H-1B legislation, I now ask unanimous consent that notwithstanding rule XXII, following the previously ordered morning business speeches, the Senate resume consideration of S. 2045, the H-1B bill, and the following pending amendment Nos. 4214, 4216, and 4217, be withdrawn and the motion to recommit be withdrawn in order to offer a managers' amendment containing cleared amendments limited to 5 minutes equally divided in the usual form.

I further ask consent that following the adoption of the managers' amendment, no further amendments be in order, and amendment No. 4177, as amended, be agreed to, the committee

substitute, as amended, be agreed to, the bill be advanced to third reading, and final passage occur at 10 a.m. on Tuesday, without any intervening action or motion or debate, and that paragraph 4 of rule XII be waived. I further ask consent that the time between 9:30 and 10 a.m. on Tuesday be equally divided between the two managers for closing remarks.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT. Let me just say, Mr. President, we have one additional part of this H-1B request we hope to be able to clear momentarily. But the interested parties are reviewing the language of the substitute. When we get that reviewed, then we will ask consent that the bill be laid aside until 9:30 a.m. on Tuesday and that the Senate proceed to the visa waiver bill. But we will clarify that in just one moment.

#### UNANIMOUS CONSENT AGREEMENT—ENERGY/WATER APPROPRIATIONS CONFERENCE REPORT

Mr. LOTT. Now, with regard to the energy and water appropriations conference report, I ask unanimous consent that notwithstanding rule XXII, following H-1B consideration, the Senate proceed to the energy and water appropriations conference report and that the report be considered as having been read and considered under the following agreement: 1 hour equally divided between the chairman and the ranking member of the Appropriations subcommittee, 20 minutes equally divided between the chairman and ranking member of the full committee, and 10 minutes under the control of Senator MCCAIN.

I further ask consent that following the use or yielding back of time, the vote occur on adoption of the conference report immediately, without any intervening action or debate.

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

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Because of the lateness of the day, I ask unanimous consent that any time I have been returned to the Chair, I will submit a written statement setting forth my views on the bill.

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

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. Majority Leader, might I ask a question? Did you get some time for the Senator from New Mexico?

Mr. LOTT. We do have time equally divided between the chairman, the Senator from New Mexico, and the ranking member.

Mr. DOMENICI. I will yield back my time to the Chair. I have a statement I will submit shortly.

Mr. LOTT. All right. We still have 10 minutes under the control of Senator MCCAIN. We will call and see if he wants to take advantage of that.

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

Mr. LOTT. We will come back to that later.

#### UNANIMOUS-CONSENT REQUEST—H.R. 4986

Mr. LOTT. Mr. President, with regard to H.R. 4986, I ask unanimous consent that notwithstanding rule XXII, the Senate now turn to the consideration of Calendar No. 817, which is H.R. 4986, relating to foreign sales corporations, and following the reporting of the bill by the clerk, the committee amendments be agreed to, with no other amendments or motions in order, and the bill be immediately advanced to third reading and passage occur, all without any intervening action or debate.

I further ask consent that the Senate then insist on its amendment, request a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate, which will be Senators ROTH, LOTT, and MOYNIHAN.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I know everyone has worked hard on this. We do have a number of Senators who want to offer amendments. Until we get that worked out, I object.

The PRESIDING OFFICER. Is there objection?

Without objection—

Mr. LOTT. No. He did object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. Let me just say, Mr. President, that I did ask for consent on this bill out of the Finance Committee dealing with foreign sales corporations. And, of course, this is the result of WTO decisions, trying to get the U.S. laws to comply with that decision.

We did clear it on this side. I understand there are some Senators on the Democratic side who wish to offer amendments. A lot of the amendments on the list I saw were the usual suspects that have now been offered that do not relate to the bill. I understand that has to be worked out. Senator REID and others will be trying to clear up those objections based on those amendments.

But I do want to say, if there is any germane or relevant amendment to this bill, certainly we will work to make sure that will be included in the agreement.

Failing that, this is something we need to do, and I hope we can get it cleared up in the next few days.

# UNANIMOUS-CONSENT REQUEST— S. 2015

Mr. LOTT. Mr. President, with regard to the Stem Cell Research Act of 2000, Senator SPECTER has been very energetic in pursuing the opportunity to offer this legislation.

As I had agreed earlier, I now ask unanimous consent that notwithstanding rule XXII, the HELP Committee be discharged from further consideration of S. 2015, and the Senate proceed to its immediate consideration under the following terms: 3 hours on the bill to be equally divided in the usual form; that there be up to one relevant amendment in order for each leader, that they be offered in the first degree, limited to 1 hour equally divided and not subject to any second-degree amendments; that no motions to commit or recommit be in order.

I further ask unanimous consent that following the conclusion or use of the debate time and the disposition of the above-described amendments, the bill be advanced to third reading and a vote occur on passage of the bill, as amended, if amended, all without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object, Mr. President, I have a number of questions under my reservation. First of all, we were of the understanding that this unanimous consent that was proposed had not been cleared on the majority leader's side earlier today.

Mr. LOTT. There very well could be objections on this side, too.

Mr. BROWNBACK. I will object to this proposal.

Mr. LOTT. I think there are objections on both sides to this, but I made a commitment to do everything I could to try to get this issue to be considered by the full Senate. Senator SPECTER feels very strongly about it, is committed to it, and has been reasonable in waiting for an opportunity to offer it. I know there are objections to it on both sides, and there is no question that there is objection on this side. I felt constrained to make this effort. It is a serious effort.

Mr. REID. If I may say to the leader, Senator SPECTER has spoken to me. I know how intensely he feels about the issue. I said the same thing to him that the leader has said, that I would do everything I could to get this worked out. Whoever is not allowing it to be cleared, it is not being cleared now.

The PRESIDING OFFICER. Is there objection?

Mr. BROWNBACK. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. I yield the floor, Mr. President.

The PRESIDING OFFICER. Under the previous order, the Senator from Alabama is recognized.

## JAMES MADISON COMMEMORATION COMMISSION ACT

Mr. SESSIONS. Mr. President, March 16, 2001, will mark the 250th anniversary

of the birth of James Madison, who clearly earned the title: Father of our Constitution.

This great American devoted his life to the service of his country and his fellow man, and that service played an essential role in creating and protecting the constitutional liberty that we enjoy today.

Accordingly, I intend to offer the bipartisan James Madison Commemoration Commission Act to celebrate the life and contributions of this small man who was a giant of liberty.

James Madison was born on March 16, 1751 in Port Conway, VA. He was raised at Montpelier, his family's estate in Orange County, VA. He attended the College of New Jersey, now known as Princeton University, where he excelled academically and graduated in 1771. Shortly after his graduation, Madison embarked on a legal career. In 1774, at the age of 23, Madison entered political life. He was first elected to the Orange County Committee of Safety. Following that, he was elected as delegate to the Constitutional Convention of Virginia in 1776. He next served as a member of the Continental Congress from 1780 to 1783. This provided him marvelous insight into the nature of our early American government and ideals.

After America won its freedom at Yorktown, the country looked to strengthen the government that had proven too helpless under the Articles of Confederation. A Constitutional Convention was called in Philadelphia. It was here that Madison was to play the most important role of his life, dwarfing, in my view, his subsequent excellent service to his country.

From 1784 to 1786, Madison was a member of the Constitutional Convention. He served as a primary draftsman of the Constitution. Thomas Jefferson, who was in France at the time, and who did not participate in the Constitutional Convention, did suggest a number of books that would aid the young draftsman in preparing for his historic task. With these books and others, Madison engaged in an extensive study of the ancient governments of Greece and Rome and of the more modern governments of Italy and England, among others. No one came to Philadelphia so intentionally, practically, and historically prepared to create a new government.

Madison posed his task as follows:

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.

This he wrote in Federalist No. 51.

At the convention, delegates made impassioned arguments regarding the relative powers of big States, small States, Northern States, Southern States, and there were those who feared that a strong national govern-

ment might dominate all States. In month after month of untiring argument, careful persuasion, and creative compromise, Madison reached answers upon which the delegates could agree. There would be a Federal Government of separated and enumerated powers. Large States would have their votes based on population in the House of Representatives. Small States would have equal, two-vote, representation in this body, the Senate.

Further, the powers of the Federal Government would be limited to enumerated objects in order to protect all the States from Federal overreaching. Madison described the Federal Republic, states and federal governments, that the Constitution envisioned as follows:

In the compound republic of America, the power surrendered by the people is first divided between two distinct governments, and then the portion allotted to each subdivided among distinct and separate departments. Hence a double security arises to the rights of the people. The different governments will control each other, at the same time that each will be controlled by itself.

He was writing that in Federalist No. 51.

In addition to playing a leading role in framing this new government, Madison also made detailed notes on the proceedings of the Constitutional Convention. Madison's notes on the Constitutional Convention have proven the most extensive and accurate account of how our Founding Fathers framed the greatest form of government in the history of mankind.

Once the Constitutional Convention reached an agreement, the States had to ratify the Constitution and make it binding fundamental law. Madison contributed to that fight for ratification in three ways. It was a critical, tough fight.

First, he joined with Alexander Hamilton and John Jay in drafting the Federalist Papers which were circulated among New York newspapers under the pseudonym Publius.

These papers contained perhaps the most vivid and profound pages of practical political philosophy ever produced. They answered with force and eloquence the arguments of the anti-federalists and helped sway public opinion toward ratification.

Second, Madison fought in the Virginia ratification convention for the adoption of the Constitution.

It was critical that Virginia ratify the Constitution. Joining with John Marshall, the future great Chief Justice of the Supreme Court, Madison argued against the fiery orator, Patrick Henry. Henry, who argued so forcefully for declaring independence from Great Britain, charged that the new Constitution would vest too much power in the Federal Government. Madison countered that the powers of the Federal Government would be limited to enumerated objects and subject to the control of people.

Third, Madison helped to develop the Bill of Rights which limited the power