

The McGovern-Dole program, which provides food for impoverished schoolchildren in other countries, receives \$100 million.

Overall, as I have previously stated, we were able to do everything that everyone wanted us to do. However, I think that Senator BENNETT has done a good job in making sure that this bill addresses the most important needs that we have. I would like to thank him again, as well as Jon Ziolkowski, Fitz Elder, Hunter Moorhead, Dianne Preece, and Stacy McBride on his staff for their hard work and dedication. They exhibited professionalism and a strong work ethic throughout this entire process, and worked seamlessly with my staff, for which I am also thankful.

I strongly support this bill, and I encourage all Senators to vote in favor of it.

I look forward to debating and passing this bill on the Senate floor and moving one step further toward providing USDA and FDA funds for fiscal year 2006 in the regular order. I encourage all Senators with amendments to this bill to file them early and to work with Senator BENNETT and myself and our staffs to deal with any and all amendments that come up.

I yield the floor.

Mr. BENNETT. 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. BENNETT. Mr. President, I ask further proceedings under the quorum call be dispensed with.

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

#### MORNING BUSINESS

Mr. BENNETT. I ask unanimous consent the Senate now proceed to a period for morning business with Senators permitted to speak for up to 10 minutes each.

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

The Senator from Delaware.

#### OUR CONSTITUTION

Mr. CARPER. Mr. President, I rise to talk about the importance of our Constitution. In Delaware, we are reminded of that every year, at least once a year, on December 7, because that is Delaware Day. In Delaware, we celebrate on December 7, the day in 1787 when Delaware became the first State to ratify the Constitution. For one whole week, Delaware was the entire United States of America. After a week or so, we opened it up and let other States in, including South Carolina. For the most part, we have been pleased with the way things turned out.

This year, Constitution Day is going to be commemorated not just in Delaware on December 7 but across the

country on September 17. That will be Saturday. That is actually the day the Constitution was apparently signed back in 1787, up in Philadelphia.

If you visit the Senate today and all this week and you come into one of the galleries, if you walk in, they will give you a copy of the Constitution. Today I was bringing in some visitors, from Dover, DE, and I was given a copy of the Constitution with the amendments thereto. I was reminded that this commemoration of our Constitution for this Saturday was made possible by one of our colleagues in the Senate, ROBERT BYRD, who carries with him every day a copy of the Constitution a little bit smaller than this one. You have probably seen it, Mr. President. He pulls it out every now and then and waves it in our faces to remind us what it is all about. It is because of his love, really devotion, to the Constitution that we will be having a special commemoration on Saturday. I thank Senator BYRD for doing that.

I am a Delawarean who treasures what our Constitution does. It is the basic law of our land, the law on which all the other laws are built. The Constitution which is becoming the longest lived Constitution in the history of the world and the Constitution most replicated by every nation on Earth is the one we celebrate this Saturday.

I wish to take a couple of moments to share and remind us again how the Constitution is introduced. It starts off—many of us know these words. In fact, many of us as schoolchildren, and our children as well, had to learn the preamble to the Constitution, which reads as follows:

We the People of the United States, in Order 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, do ordain and establish this Constitution for the United States of America.

"We the people," those three words encapsulate the very essence of what makes America so wonderful. By presenting a united front, our Founding Fathers told the world that they stood together when creating this great country. I believe we need to recapture their spirit of reconciliation and to focus our energies on healing the rift that has developed in our current political climate, a rift that goes back to the beginning of this administration, the previous administration, and, frankly, for some time before that.

We have seen how powerful America can be when all of our citizens unite to focus on a common goal. During this upcoming weekend, Saturday, September 17, I urge all Americans—not just my children who are in high school; not just other schoolchildren, but I urge all Americans from all walks of life to pause and contemplate principles that form the cornerstone of this great democracy of ours. By understanding our past, I believe we can navigate toward a better future and

truly honor the philosophy and spirit of our Founding Fathers.

The first 10 amendments to the Constitution are called the Bill of Rights. They lay out some of the liberties that we take for granted, but people in other places around the world would love to have these liberties. They do not and maybe they never will. I hope they will.

But our Constitution has, among other liberties, the freedom to bear arms. It has the right to say what is on our mind. In fact, there are newspapers, television stations, our radio stations—all of us enjoy freedom of speech. People can vote for whomever they want. If they like the job we are doing, they can reelect us; if they don't, they can throw us out and put somebody else in these seats. They can run for the job themselves.

They have a right to a jury by their peers. They have a right to be protected from unlawful searches without an order of a judge. There are all kinds of protections in our Constitution.

There is one given a little attention here lately, given a decision by a district court judge out in California. The question it raises is in the press of late, in the last 24 or 48 hours—again, I might add—the question of whether or not the Pledge of Allegiance to our flag, where we say "one nation under God," is indeed constitutional.

I would have us go back to the beginning of our Nation's history, when we were born as a nation. I would have us remember, when the first President, George Washington, was sworn into office and they finished the ceremony—I think it was in New York City—they didn't break up and go off to a bunch of inaugural balls. As I recall, they went to church.

Several years before that when they were up in Philadelphia and were trying to hammer out the Constitution itself, whenever they got into an especially difficult place, they would sometimes call a halt to what they were doing and pray about it. They actually began a lot of their sessions with prayers, much as we begin our session in the Senate and over at the House of Representatives.

The folks who gathered up in Philadelphia all those years ago did not want to have a State religion. They didn't want to have a "Church of America." They didn't want to have our version of the Church of England. They wrote that in the Constitution, literally in the first amendment. This is the way the first amendment starts:

Congress shall make no law respecting an establishment of religion.

If we go over the copy of the Constitution that we shared with the folks coming into the Senate today as visitors, we read the language alongside the raw language of the amendment and it says these words:

The first amendment protects religious freedom by prohibiting the establishment of an official or exclusive church or sect.

I am not a lawyer, certainly not a constitutional lawyer. But I think I

can read. When I read literally the words of the Constitution, I believe what our Founding Fathers were trying to do is to make sure we don't establish in this country a church that somehow is sanctioned by the Government. They just didn't want to go there. Seeing what happened in some other countries, they didn't want to have any part of that.

Having said that, our Founding Fathers were a religious people. They were people of faith, and they drew on their faith, frankly, in drawing up this document and trying to resolve their differences in reaching the core on this Constitution.

The Pledge of Allegiance, I don't believe, existed when those folks were working on the Constitution. In fact, the words "under God" were only added, I believe, in 1954, some 51 years ago. I would ask, given the reliance on faith and people calling on their faith in 1787 when drafting the Constitution, how would they feel about a Pledge of Allegiance that said, "one nation under God"? My guess is they would feel pretty good about it. Rather than saying that we ought to strike that language "under God," they would probably say we ought to keep that in, and I would have to agree with them.

We will hear more about this issue going forward, I am sure. Hopefully, when we do, we will think back not just about the Constitution and what the words actually say in the first amendment, but we will also think back to the way people comported themselves and how they drew on their faith in 1787 as they wrestled with drafting this document and coming to consensus on this document. I think they would want the words "one nation, under God" to be in the Pledge of Allegiance if we were to have one.

We have all said it hundreds, probably thousands, of times. I think we got it right in 1954, and I think we ought to leave it that way.

The PRESIDING OFFICER (Mr. BENNETT). The Senator from South Carolina.

#### PLEDGE OF ALLEGIANCE

Mr. DEMINT. Mr. President, I appreciate the Senator from Delaware speaking about our Constitution and religious freedoms because I would like to follow up on his remarks. This week, Americans watching the confirmation hearings of Judge John Roberts witnessed something unique about his character, something we had seen before but that is now undeniable—his humility. I believe humility is a virtue that we should all feel as Americans. We should be humble in light of the blessings that we have in this great country, humble in light of the courage of our Founders, and humble in light of the wisdom of the drafters of the Constitution.

This country was founded on religious freedom by our Founding Fathers, many of whom were deeply reli-

gious. They wanted to create a place where they could worship without fear of persecution. Unfortunately, the Federal district court declared yesterday that the phrase "under God" in our Pledge of Allegiance was unconstitutional. This is deeply troublesome and is no less irrational than it would be to declare the Constitution itself unconstitutional.

The ruling by the Federal court in California is yet another example of the hostility by many activist judges toward a time-honored tradition. This tradition has been defended by numerous Justices, including Justice O'Connor, who said that eliminating such references would sever ties to a history that sustains this Nation even today.

The Pledge of Allegiance began in 1892 as a patriotic exercise, expressing loyalty to our Nation. It is a part of an American tapestry of time-honored and historically significant traditions that have come under attack in this country. By international standards, we are a young country. Yet we seem so quick and so willing to throw out parts of our heritage that our Founders recognized as important. "One nation under God" is no more the establishment or endorsement of religion than our national motto, "in God we trust," which is here above our door and above the Speaker's chair on the other side of the Capitol; or the phrase "God bless America," the closing words often used by the President when making public comments or speeches.

The Declaration of Independence states that our rights are inalienable for one reason, because we are endowed by our creator with these rights. All of our references to God are the ways the Government properly and constitutionally acknowledges our religious heritage.

We are a great nation, but we are also one nation under God. We are filled with people who know how fortunate we are and how different our lives could be elsewhere.

This is why it is important that we are reminded and that our children are reminded to be humble. Reciting that the United States is one nation under God is a statement of humility, a way of acknowledging that even as a world superpower, we recognize there is something bigger than we are, that our freedoms in this country come from God—not from Government. If we expel God from our public life, and if we lose humility that comes with the belief in a creator, our children and grandchildren will inherit an arrogant nation that has little hope for the future.

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. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

#### CHURCH AND STATE

Mr. BENNETT. Mr. President, I have followed with interest the remarks of the Senator from Delaware about the Founding Fathers. Like him, I am unburdened with a legal education, but like him I believe I can read the English language, and that I have spent some time studying not only the Constitution but the history behind it. In the spirit of the remarks that have been made here, I add a few comments of my own.

It is very clear to me from studying the history of the first amendment that the primary concern of the Founders was to prevent the creation of State churches in the various States. There was never any movement to have a national church, but there were movements on the part of some of the individual States to have State churches. One of the reasons for the fact that there was not a national movement was that different States were dominated by different religions.

For example, the Puritans who came to what became the State of Massachusetts came to flee persecution they found in Europe. Then once they had established their colony in Massachusetts, they proceeded to persecute those who didn't agree with them. One of them, Roger Williams, went over to found what is now the State of Rhode Island, and created in Rhode Island a bastion of religious liberty about which the Senator from Rhode Island instructed a group of us at noon today. I found his presentation to be very interesting and worthwhile.

So a national religion covering all 13 States united in the United States of America was never in the cards. But there were some who felt that individual States might adopt a State church in that particular State, in one particular State or another. The Founding Fathers in the first amendment made it clear that there must not be a State church in any of the individual States. That was the driving force behind the words in the first amendment.

There are those in today's society who read the first amendment and its prescription of freedom of religion to mean that the Government should guarantee everyone freedom from religion, that the Government should vigorously put down any reference to religion that takes place in the public square.

I think that is a misreading of the Founders' intention, and I think that particular notion is behind the recent court ruling that has given rise to the speeches we have heard here on the floor.

I want to make one other observation about this, as long as I have the floor. America is known as a religious country. As I travel abroad and deal with some of our European friends, I find many of them to be perplexed by that. Indeed, one religious commentator said to me that if you are religious in Europe, you will be treated with disdain.