

bring those bills forward if members of the minority cannot seek amendments which are nongermane or irrelevant.

We all know what Robert's Rules provide. Those are not the rules of the Senate, but we all understand why we have to have rules such as that, and that is to keep the process moving along so that we can do the important business we have to do.

I am very frustrated today, Mr. President. It is obvious because I do not ordinarily come to the floor, and I do not like to criticize in a partisan way. But people have to understand today or tomorrow we are probably going to begin the Memorial Day recess, which means there will be another 12 or 13 days of nonaction in the Senate, the net result of which will be we are way behind getting our business done, especially the appropriations bills to run the Government.

The danger is that there are not very many opportunities for us to get these bills done before the Senate has to adjourn for an election this year, and we will end up, instead of focusing on each of the appropriations bills, in turn having to put it all into one giant appropriations bill.

What happens when we do that? Every Member comes back to the Senate months later and says: I didn't know they put that in the bill. Nobody has a chance to read these giant omnibus bills. So we vote on bills we haven't even had an opportunity to read. Staff gets all kinds of things inserted. People on the inside get all kinds of things inserted in the legislation. We find out weeks later about the mistakes we have made. It is impossible to have a good, informed vote on a bill.

The other danger, of course, is that it is easier; that instead of resolving disputes and prioritizing spending, by off-setting this spending with this savings—for example, in those last days to put together these giant omnibus appropriations bill—you don't make those hard decisions; you just add more money. So you resolve the dispute by saying: we are taking care of you, and we are taking care of you. And pretty soon we have busted the budget. Most importantly, we may make the mistake of spending Social Security surplus money.

This past year, we did not spend a dime of Social Security surplus money. The previous year, we saved most of that Social Security surplus from being spent. Republicans, this year, are committed not to spending any of the Social Security surplus. But, unfortunately, I will make this prediction: If we get into this giant omnibus appropriations process at the end because we could not do our business during the weeks we have now to do that business, we are going to end up spending Social Security surplus money. I will never vote for such a bill. I think, therefore, we ought to be very careful about getting ourselves into that box.

Mr. President, I appreciate the opportunity to speak to this issue. I hope

people with goodwill can work it out, so when we come back from our recess, we can begin to get the people's business done and get it done on time. It is important for the future of this country.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2001—Resumed

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2603) making appropriations for the legislative branch for the fiscal year ending September 30, 2001, and for other purposes.

Pending:

Mikulski Amendment No. 3166, to express the sense of the Senate commending the United States Capitol Police.

AMENDMENT NO. 3166

The PRESIDING OFFICER. There are 10 minutes available for debate on the pending amendment.

The Senator from Maryland.

Ms. MIKULSKI. Mr. President, yesterday I offered an amendment to the legislative branch appropriations bill commending the Capitol Police, and all the employees of the legislative branch, and recommending that we keep the Senate funding levels in conference.

I also complimented the outstanding leadership provided by Senator BENNETT, the Chair of the legislative appropriations subcommittee, as well as Senator FEINSTEIN, the ranking member of the subcommittee, who really moved this legislation in a way that I think meets the responsibilities we have to the American people.

The best way we can show our responsibility to the American people is to really let them know that the men and women who work at the U.S. Capitol are needed and valued.

My amendment is not about money, it is about morale. We want to say to the men and women who work at the U.S. Capitol that we know who you are and we value what you do. You are the men and women who work in this building for the American people. You serve the Nation.

The Capitol Police protect this building, which is a symbol of freedom and democracy the world over. The Capitol Police ensure that everyone who comes to the U.S. Capitol is safe and secure, including Members of Congress and staff.

The Capitol Police are brave. They are resourceful. They are tough. They are gallant. They protect you whether you are a foreign dignitary, such as Nelson Mandela, or a member of a Girl Scout troop from Maryland.

We need to make sure they have their jobs, they have their pay, they

have their pension, and they have our respect. That is what my amendment is all about: To support the Capitol Police and the other employees of the legislative branch.

I was deeply disturbed at the House bill which cut over 1,700 employees of the legislative branch. This isn't about bureaucracy. The people we are talking about are the 117 people from the Congressional Research Service. That is the body that is absolutely dedicated to giving us unbiased, unpolitical, accurate information so we can make the best decisions in our approach to forming public policy. We turn to them for models for the Older Americans Act and for ideas on new technology breakthroughs to be pursued. We have to make sure we have the Congressional Research Service and that they have the staff they need to do their job.

Also under the House bill, 700 jobs would be cut from GAO. Every Member of the Senate who is fiscally prudent knows we need the GAO. It is not about keeping the books, but it is about keeping the books straight. We continually turn to the GAO to do investigations of waste and abuse, to give us insights on how to better manage and be better stewards of the taxpayers' funds. People with those kinds of skills could leave us in a nanosecond and move to the private sector. They could be "dot.comers" with no hesitation.

If we are going to be on the broadband of the future, we need to make sure we have the skills to run a contemporary Congress. We need to make sure they have security in their jobs and security in health benefits and in their pensions. We need to be sure we let those workers know we are on their side.

In addition to that, we want to make sure we acknowledge the role our own staffs play in constituent service and in helping us craft legislation.

Two years ago, we all endured a very melancholy event here in the Congress. Two very brave and gallant police officers literally put themselves in the line of fire to protect us. Their names were Officer Chestnut, from Maryland—his wife still lives over there at Fort Washington—and Detective Gibson, of Virginia, father of three—teenagers, college students. We mourn them. We consoled their families and said a grateful Congress will never forget.

We should not forget the men and women who work here, but the way we remember is with the right pay, the right benefits, and the right respect.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I will just take about 2 minutes in support of the Mikulski amendment to say how proud I am to be an original sponsor. I have probably given 15 or 20 speeches about this, so I do not want to take any time except to emphasize two points.

First of all, I thank the Senator for mentioning Officer Chestnut and Detective Gibson. It has really been almost 2 years ago that we lost those two fine officers. I do think the best way we honor them is by supporting the police.

I think what happened on the House side was really unconscionable because whereas we really need to do even better by way of making sure we get two police officers at each post, making sure we have the security for them, much less the security for the public and ourselves, instead, what we saw was actually a slashing of the budgets, which means hundreds of officers losing their jobs and not really having police officers working under the right conditions for themselves, their families, for the public, and for us.

We really have done well on the Senate side. I thank Senators BENNETT, FEINSTEIN, MIKULSKI, and others for their commitment. I hope every single Senator will support this amendment. Like other Senators, I am not always wild about sense-of-the-Senate amendments—I offer a fair number of them myself—but sometimes they are really important. Sometimes they are, while symbolic, really powerful and really important.

I do think we need to convey the message, in light of what happened on the House side, in light of how demoralized and how angry and indignant some police officers are, that we fully support them.

This amendment is a very important one. I hope it will have the full support of the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Alaska is recognized and controls the rest of the time.

Mr. STEVENS. I yield a portion of my time to Senator FEINSTEIN. I do wish a couple minutes before we come to the vote.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I want to, from the Democratic side, more or less conclude the debate on the legislative branch appropriations bill.

We believe it is a good bill. We are very supportive—both Senator BENNETT and I—of Senator MIKULSKI's amendment. I am delighted she offered it.

The men and women of the Capitol Police perform a vitally important job. Unfortunately, sometimes we hardly notice them. This is an opportunity to give them notice, respect, commendation, and say we are proud of you.

The legislative branch appropriations bill restores the damaging cuts contained in the House bill and reaffirms our commitment to ensuring security in the Capitol and of the Capitol Police.

I reiterate what a delight it has been to work with our chairman, Senator BENNETT. My tenure as ranking member on this subcommittee has been marked by a sense of comity and eq-

uity which has really made this work a great pleasure.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I thank Senator FEINSTEIN. I commend Senators BENNETT and FEINSTEIN for managing this bill. It is a significant bill.

With regard to the police, this bill increases support for our Capitol Police by 26 percent. In fact, in addition to that, we have in the Agriculture bill, awaiting Senate action, \$2.3 million in overtime costs to implement the two-men-per-door policy and \$10 million to provide additional facilities to support police functions. The 2001 appropriations bill provides \$5.2 million in overtime to continue the two-men-at-each-door policy.

I commend Senator MIKULSKI for her amendment. I deem it as a remembrance sense of the Senate, and we should remember these men who lost their lives in guarding this building and the functions of the Congress.

I hope we will have the support of all Members for the basic bill. We support Senator MIKULSKI's amendment, as a sense-of-the-Senate amendment, that recognizes what is in the bill, that is, increasing support for the security functions for the Capitol and those who work in it.

Mr. President, I believe we have scheduled the time to commence the vote.

The PRESIDING OFFICER. The vote is scheduled for 10:45.

Mr. STEVENS. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have.

Mr. STEVENS. Mr. President, there are three votes in succession?

The PRESIDING OFFICER. There are two.

Mr. STEVENS. Two votes. Very well. Does Senator FEINSTEIN wish any more time? Senator MIKULSKI?

Ms. MIKULSKI. Mr. President, my amendment in no way is a criticism of Senators BENNETT and FEINSTEIN. They did a fantastic job, not only in moving the bill but the way they have conducted the hearings and worked with Members on very sensitive issues. I commend them. Had the House done what Senators BENNETT and FEINSTEIN did, my amendment would not have been necessary.

Mr. STEVENS. I thank the Senator.

If it is in order, I yield back the remainder of the time and ask for the vote.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3166. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER (Mr. ALLARD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 113 Leg.]

YEAS—100

Abraham	Feingold	Mack
Akaka	Feinstein	McCain
Allard	Fitzgerald	McConnell
Ashcroft	Frist	Mikulski
Baucus	Gorton	Moynihan
Bayh	Graham	Murkowski
Bennett	Gramm	Murray
Biden	Grams	Nickles
Bingaman	Grassley	Reed
Bond	Gregg	Reid
Boxer	Hagel	Robb
Breaux	Harkin	Roberts
Brownback	Hatch	Rockefeller
Bryan	Helms	Roth
Bunning	Hollings	Santorum
Burns	Hutchinson	Sarbanes
Byrd	Hutchison	Schumer
Campbell	Inhofe	Sessions
Chafee, L.	Inouye	Shelby
Cleland	Jeffords	Smith (NH)
Cochran	Johnson	Smith (OR)
Collins	Kennedy	Snowe
Conrad	Kerrey	Specter
Coverdell	Kerry	Stevens
Craig	Kohl	Thomas
Crapo	Kyl	Thompson
Daschle	Landrieu	Thurmond
DeWine	Lautenberg	Torricelli
Dodd	Leahy	Voinovich
Domenici	Levin	Warner
Dorgan	Lieberman	Wellstone
Durbin	Lincoln	Wyden
Edwards	Lott	
Enzi	Lugar	

The amendment (No. 3166) was agreed to.

The PRESIDING OFFICER. The pending question is, Shall the bill be engrossed and advanced to third reading?

Mr. COCHRAN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER (Mr. ALLARD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 2, as follows:

[Rollcall Vote No. 114 Leg.]

YEAS—98

Abraham	Feingold	Lugar
Akaka	Feinstein	Mack
Allard	Fitzgerald	McCain
Ashcroft	Frist	McConnell
Baucus	Gorton	Mikulski
Bayh	Graham	Moynihan
Bennett	Gramm	Murkowski
Biden	Grams	Murray
Bingaman	Grassley	Nickles
Bond	Gregg	Reed
Boxer	Hagel	Reid
Breaux	Harkin	Robb
Bryan	Hatch	Roberts
Bunning	Helms	Rockefeller
Burns	Hollings	Roth
Byrd	Hutchinson	Santorum
Campbell	Hutchison	Sarbanes
Chafee, L.	Inhofe	Schumer
Cleland	Inouye	Sessions
Cochran	Jeffords	Shelby
Collins	Johnson	Smith (OR)
Conrad	Kennedy	Snowe
Coverdell	Kerrey	Specter
Craig	Kerry	Stevens
Crapo	Kohl	Thomas
Daschle	Kyl	Thompson
DeWine	Landrieu	Thurmond
Dodd	Lautenberg	Torricelli
Domenici	Leahy	Voinovich
Dorgan	Levin	Warner
Durbin	Lieberman	Wellstone
Edwards	Lincoln	Wyden
Enzi	Lott	

NAYS—2

Brownback

Smith (NH)

The PRESIDING OFFICER. The clerk will read the bill for the third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill is now returned to the calendar.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will now be in a period of morning business for not to exceed 1 hour, with the time controlled by the Senator from Kansas, Mr. ROBERTS, and the Senator from Georgia, Mr. CLELAND.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I yield 2 minutes to the distinguished Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent that Senator BYRD from West Virginia be allowed to speak for up to 20 minutes and Senator REED from Rhode Island to speak for up to 5 minutes following the Senator from Kansas and the Senator from Georgia.

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

#### TRIBUTE TO VICTIMS OF GUN VIOLENCE

Mrs. MURRAY. Mr. President, I thank my colleague for yielding to me.

I come to the floor for a brief moment to pay tribute to the victims of gun violence who were killed one year ago today.

We are all familiar with the incidents of gun violence in our schools; from Columbine to Springfield, OR, to Paducah, KY, and unfortunately to so many other schools and communities.

Gun violence is particularly disturbing when it happens in a school.

But gun violence happens everywhere. A member of my staff lost a son to gun violence. Her son was simply stopping at a convenience store when he was robbed and killed.

How many families have to suffer unnecessarily before this Congress passes commonsense gun control legislation?

The U.S. Conference of Mayors has maintained a list of the thousands of Americans have been killed by gunfire since the Columbine tragedy.

Until we act, Democrats in the Senate will read some of the names of those who lost their lives to gun violence in the past year.

We will continue to do so every day that the Senate is in session until this Republican Congress acts on sensible gun control legislation.

Here are the names of a few Americans who died due to gun violence one year ago today:

Antwan Brooks, 26, Pittsburgh, PA;  
James A Brown, 22, Chicago, IL;  
Kenneth Cork, 46, Houston, TX;

Marsha Cress, 32, Fort Worth, TX;  
Kenneth L. Mack, 49, Chicago, IL;  
Michael Powers, 29, Atlanta, GA;  
Howard Rice, 31, Baltimore, MD;  
Fernando Rojas, 17, Chicago, IL;  
Rodney Wayne Smith, 33, Washington, DC;

Rolando Williams, 17, Pittsburgh, PA; and

Earlwin Wright, 22, Chicago, IL.

The PRESIDING OFFICER. The Senator from Kansas.

#### EMPLOYMENT OF U.S. MILITARY FORCES

Mr. ROBERTS. Mr. President, I thank my friend from Georgia, Senator CLELAND, for his role in our ongoing, bipartisan foreign policy dialog. As we approach Memorial Day, I also thank him for his personal sacrifice and example for our great country.

This is our fourth foreign policy dialog. It is called the employment of U.S. military forces or what could be better described as the use of force. It couldn't come at a better time, the week prior to the Memorial Day celebration, a day of solemn celebration and reflection, a day to remember our fallen family members, our friends, and our fellow Americans, a day that always makes me very proud of our country and humbled by the self-sacrifice of our men and women who paid the ultimate price so that we may live free.

As my good friend from Georgia has seen with his own eyes, it is not the U.S. Constitution that really keeps us free, for it is merely a piece of paper. The marble headstones at Arlington National Cemetery and cemeteries all across America and throughout the world mark what truly has kept us free. And our freedoms will continue to be secured by the brave men and women of our Armed Forces.

Samuel P. Huntington, the renowned author and historian in the 1950s, articulated in his book "The Soldier and the State" two important military characteristics. The first is expertise to prevail at the art of war; the second is the responsibility for protecting our freedoms, similar to the responsibility that lawyers have to protect American justice and the rule of law and that doctors have to save lives and protect the health of their patients. Quite simply: The role of our Armed Forces is to fight and to win the Nation's wars.

Eleven times in our history the United States has formally declared war against foreign adversaries. There have been hundreds of instances, however, in which the United States has utilized military forces abroad in situations of military conflict or potential conflict to protect our U.S. citizens or to promote our U.S. interests. Of those hundreds of uses of military force where the U.S. did not declare war, some have obviously been successful and some obviously have not.

Today, I am not going to discuss the use of military force for the purpose of protecting our vital national interests.

Those uses of force in our history have occurred rarely and usually without much opposition due to the future of the Nation. Our forces are equipped and train every day to carry out this task. Those types of conflicts of national survival have easily been defined in terms of the political objectives, clear military strategies to achieve those objectives, and the definition of victory or success is the capitulation of the enemy.

The U.S. Armed Forces are no stranger to limited contingency operations, military operations other than war, but the changes in political context of the commitments pose new problems of legitimacy, mission creep, operational tempo, and multilateral cooperation. Although limited contingency operations may produce short-term benefits, history has shown the lasting results of long-term commitments are very limited at best.

The ideas developed by Carl von Clausewitz, famous military theorist of the early 19th century, are profoundly relevant today. The criteria of appropriateness and proportionality are crucial concerns in any military operation other than war.

Clausewitz identified any protracted operation that involves enlargement or lengthening of troop commitment is likely to cause multiple rationales for the intervention. When a marine landing party went ashore at Port-au-Prince in Haiti in 1915, neither the Wilson administration nor the Marine Corps nor the Congress would have predicted that they began an operation to protect the foreign lives and property and to stop a civil war that would end 30 years later with an admission of failure in reforming the public institutions of Haiti.

Does this sound familiar? Currently, the United States has troops in 141 nations and at sea; 55 percent of the nations of the world have U.S. troops stationed within their borders. From 1956—that is the second term of President Eisenhower—to 1992, the United States used military forces abroad 51 times. Since 1992, the U.S. has used military force 51 times.

During that same timeframe of roughly a 400-percent increase in the use of the military as an instrument of power, the military has been forced to downsize and decrease force structure by 40 percent. That type of planning and management of the military reflects poorly on the civilian leadership. All of our services are at the breaking point. I fear there is no more give or elasticity in the force structure of our most valued treasure, the men and women who serve.

The can-do, never-say-die attitude of the military and its leadership and the very competence that the U.S. military has displayed in successfully responding to a wide variety of contingencies seems to have encouraged its further use by this administration, acquiesced to by this Congress.

A recent study from the Center for Strategic and International Studies of