

recommend her essay to every member of the Senate.

I feel strongly about the protection of this flag. It is a beacon to us—a reminder of those who died for us and the values that unite us. As we near U.S. Flag Day, I'd like to remind the Senate of the already-proposed amendment to protect our flag and ask all my colleagues to support this important matter. Kathy's feelings are shared by most Americans. Let's not ignore them. Let's support them and build our nation's pride! Let me now read Kathy's essay:

THE AMERICAN FLAG PROTECTION AMENDMENT: A RIGHT OF THE PEOPLE * * * THE RIGHT THING TO DO

I pledge allegiance, to the flag, of the United States of American. . . Every day, millions of voices speak these words first published in "Youth's Companion" on September 8, 1892: voices belonging to the men of the armed forces, school children, and the citizens of the United States of America. The pledge, written for the National Public Schools Celebration of Columbus Day, became enormously popular in a very short time. On Columbus Day of that year, only one month after its publication, more than twelve million school children took the pledge (Quaife 154). The birth of the pledge and its enormous success demonstrate the importance that the American populace place on the flag.

The pledge must hold some special meaning for such a great number of people to believe and repeat these words daily. No words could be clearer than those of the Pledge of Allegiance. Every man, woman, and child who repeats the words not only understands them, but also lives by them. The people are voicing their loyalty to and belief in the nation and its flag as they put their hands to their hearts. Even centuries after the nation's establishment, the flag remains a symbol of the United States and the freedom of the people who reside within.

Symbols have substantial importance in this world, but what exactly is a symbol? A symbol may be an object or idea which suggests some other more distinguished idea by reason of relationship, association, or convention. A Christmas tree or stockings, for example, are symbols heavily depended upon by most people. Few can imagine Christmas without a tree or stockings. The symbol relates the person to that event or object which would otherwise seem unimportant. Without the flag to represent the dedication, honor, and freedom of the United States, we the people will lose our faith in the country. The flag reminds the citizens of their freedom and the soldiers who fought and died for that freedom. The flag, so admirable fluttering in the air, must be preserved from the elements and protected from desecration. The thought of the flag torn and dirtied by carelessness or hatred turns the stomachs of the people who look to the flag with admiration. Not only can this behavior be labeled unjust to the flag, but also to the country and all its people. The need for a law to protect the flag from inequitable harm has arisen, for the flag is relied upon as the national symbol of freedom.

Old Glory, millions of times unraveled and sewn again since Independence Day, July 4, 1776, remains for the most part preserved and protected throughout the country (Quaife 109). People young and old care for the flag as if it were a delicate vase shielded from all harm for many centuries, carrying it in from the rain, never letting it touch the ground, and even guarding it with rifles. When the

flag rises, American citizens young and old stand and salute it to show their respect for what it represents: honor, nobility, and the individual soldiers who fought for our freedoms: of life, liberty, and the pursuit of happiness (Berkin 425). These freedoms are extremely important, yet often taken advantage of.

There remains an exception to the behavior that most possess around the flag; people may desecrate it without punishment. No law exists at this time to protect the flag from ill treatment. Those who desire to fight in the flag's honor can do so by joining forces with all our nations' people and fighting for the creation of a law to protect and preserve it. The Constitution and laws of the country are made by the people, and for the people; therefore, the people have the right to fight for the protection of the American flag. Not a law of one town or of one state, but a law of the nation should be created: an amendment to the United States Constitution guarding against desecration of our nation's symbol of freedom.

The American Flag remains protected from "disloyal utterances" by the Sedition Act, passed in 1918, but holds no personal amendment or act to prevent it from being physically damaged (Berkin 425). An amendment with strength will uphold the credibility of the flag, saving it the humility of desecration or desertion. A simple and unadorned, yet specifically detailed amendment will hold anyone disrespectful to the flag's rights in contempt of the nation. Any purposeful act of aggression against the flag, such as dragging it in the dirt or burning it, would result in heavy punishment. The guidelines of what exactly would be punishable would be stated in the Flag Amendment; the Supreme Court would have the authority to enforce punishment when these laws were violated.

A decision of the court may be based upon much of the same facts as was the case "United States vs. O'Brien, 1968" when four young men burned their draft cards in protest of the Vietnam War. The O'Brien case dealt with the issue of symbolic speech, whether or not certain actions should be allowed to fall under the First Amendment's guarantee of free speech (McClenaghan 118). Burning a flag or desecrating one in any other manner would follow the court ruling of the O'Brien case; a limitless variety of conduct cannot be labeled "speech"; therefore, unacceptable behavior toward the flag can be punishable by law. The flag, protected by the First Amendment under symbolic speech, would then also have an amendment that described the limits of what behavior would be acceptable in its handling and what punishment could be given in the event of its desecration.

The flag, for so many reasons, deserves and needs protection from desecration and misuse. Since the majority of the nation's people view the flag as a symbol of their freedom, it deserves an amendment to recognize and protect it. The need for this amendment exists because of the few people of the nation who cannot respect the flag or look to it as a symbol of their freedom. All citizens should support the cause of creating an amendment to protect the flag from dishonor. It is of great importance to have a symbol of the nation's freedom and unity so that the people do not forget or take advantage of the rights they possess by living in America.●

MEASURE PLACED ON THE CALENDAR—H.R. 3978

Mr. HAGEL. Mr. President, I understand that there is a bill at the desk due for its second reading.

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

The assistant legislative clerk read as follows:

A bill (H.R. 3978) to restore provisions agreed to by the conferees to H.R. 2400, entitled the "Transportation Equity Act for the 21st Century," but not included in the conference report to H.R. 2400, and for other purposes.

Mr. HAGEL. Mr. President, I object to further proceedings at this time.

The PRESIDING OFFICER. The bill will be placed on the calendar.

AMENDING THE CARL D. PERKINS VOCATIONAL AND APPLIED TECHNOLOGY EDUCATION ACT

Mr. HAGEL. Mr. President, I ask unanimous consent the Labor Committee be discharged from further consideration of H.R. 1853 and, further, that the Senate proceed to its immediate consideration.

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

The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 1853) to amend the Carl D. Perkins Vocational and Applied Technology Education Act.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 2704

Mr. HAGEL. On behalf of Senator JEFFORDS, I send a substitute amendment to the desk and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nebraska [Mr. HAGEL], for Mr. JEFFORDS, proposes an amendment numbered 2704.

Mr. HAGEL. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. HAGEL. I ask unanimous consent the amendment be agreed to.

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

The amendment (No. 2704) was agreed to.

Mr. HAGEL. Mr. President, I ask unanimous consent the bill be considered read the third time and passed, as amended, and the motion to reconsider be laid upon the table.

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

The bill (H.R. 1853), as amended, was passed.

Mr. HAGEL. Mr. President, I further ask unanimous consent the Senate insist on its amendment, request a conference with the House, and the Chair

be authorized to appoint conferees on the part of the Senate.

There being no objection, the Presiding Officer (Mr. KYL) appointed Mr. JEFFORDS, Mr. COATS, Mr. GREGG, Mr. FRIST, Mr. DEWINE, Mr. ENZI, Mr. HUTCHINSON, Ms. COLLINS, Mr. WARNER, Mr. McCONNELL, Mr. KENNEDY, Mr. DODD, Mr. HARKIN, Ms. MIKULSKI, Mr. BINGAMAN, Mr. WELLSTONE, Mrs. MURRAY, and Mr. REED conferees on the part of the Senate.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. HAGEL. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nomination on today's Executive Calendar: Calendar No. 579, Wilma A. Lewis, to be United States Attorney for the District of Columbia.

I further ask unanimous consent the nomination be confirmed, the motion to reconsider be laid upon the table, and the President be immediately notified of the Senate's action and the Senate then return to legislative session.

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

The nomination considered and confirmed is as follows:

DEPARTMENT OF JUSTICE

Wilma A. Lewis, of the District of Columbia, to be United States Attorney for the District of Columbia for the term of four years.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

ORDERS FOR MONDAY, JUNE 15, 1998

Mr. HAGEL. Mr. President, I ask unanimous consent when the Senate completes its business today it stand in adjournment until 1 p.m. on Monday, June 15. I further ask on Monday, immediately following the prayer, the routine requests through the morning hour be granted and the Senate then begin a period of morning business until 2 p.m., with Senators permitted to speak for up to 5 minutes each.

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

Mr. HAGEL. I further ask unanimous consent that following morning business, the Senate resume consideration of S. 1415, the tobacco bill.

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

PROGRAM

Mr. HAGEL. Mr. President, for the information of all Senators, the Senate will reconvene on Monday, June 15, at 1 p.m., and begin a period of morning business until 2 p.m. Following morning business, the Senate will resume consideration of the tobacco bill.

As a reminder to all Members, any votes ordered on Monday with respect to the tobacco bill will be postponed, to

occur Monday evening at 5 p.m. It is expected that no more than two votes will be ordered to occur on Monday. The Senate may also attempt to reach agreement to consider the Higher Education Act, the NASA authorization bill, drug czar office reauthorization bill, and any other legislative or executive items that may be cleared for action.

Any votes ordered with respect to any items other than the tobacco bill will be postponed, to occur on Tuesday morning at a time to be determined by the two leaders.

ADJOURNMENT UNTIL 1 P.M., MONDAY, JUNE 15, 1998

Mr. HAGEL. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 1:56 p.m., adjourned until Monday, June 15, 1998, at 1 p.m.

CONFIRMATION

Executive nomination confirmed by the Senate June 12, 1998:

DEPARTMENT OF JUSTICE

WILMA A. LEWIS, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF COLUMBIA FOR THE TERM OF FOUR YEARS.