BREAST CANCER AWARENESS STAMP

Mr. D'AMATO. I thank my colleague and friend. Let me commend Senator MACK and Senator BRADLEY for their extraordinary efforts in this area of education, of bringing about public awareness of not only the disease but the horrible impact it has not only on women but the families of America.

Mr. President, I rise today to commend the Susan G. Komen Breast Cancer Foundation for sponsoring the sixth annual national Race for the Cure, which will take place this coming Saturday, June 17, here in our Nation's Capital.

This annual event raises critically needed funds to combat breast cancer—a horrible disease that, unthinkably, has become the most common form of cancer in women, and the leading cause of cancer death for all women between the ages of 35 and 54. It is a disease that—with no known cure and no known cause—can only be understood, and eventually conquered, through increased research.

In addition to raising funds for research, this race helps raise the level of public awareness of this disease, while bringing needed public attention to the importance of early detection.

We must continue to seek new and creative ways to promote breast cancer awareness. I want to take a moment to recognize the efforts of one of my Long Island constituents, Diane Sackett Nannery, who has proposed the creation of a special pink ribbon postage stamp to help bolster breast cancer awareness in our Nation. Such a stamp would serve as a strong reminder of the magnitude of this disease, while reinforcing public health officials' efforts to promote the benefits of early detection.

I believe this stamp deserves the strong and immediate support of the United States Postmaster General. Today I am forwarding a letter to the Postmaster General—signed by all 100 U.S. Senators—urging his support for the prompt approval of the important breast cancer awareness stamp. I am hopeful that the voice of our Nations' women will be heard through this unanimous statement by their elected officials, and that this stamp will soon become a reality.

Just as I am heartened by the overwhelming support for this stamp, I am likewise encouraged by the tremendous public response the Race for the Cure has received over its short history. In just 6 years, the national Race for the Cure has grown to become the largest 5K race in the country, with close to 20,000 participants expected in 1995. True to its name, those who enter run not to win the race to the finish line, but to help our Nation win the race against the clock to discover a cure for this devastating disease.

Mr. President, I want to commend all those involved in planning, organizing, supporting, and, not least of all, running in this important event. I hope that it will exceed all expectations, and that it will bring us closer to the day when the horrible ravages of breast cancer are a thing of the past.

Madam President, this great race, Race for the Cure, which is going to take place Saturday here in our Nation's capital, is just a small part of what my colleagues are attempting to do, and I am proud to be associated with them in this endeavor.

Let me also say that yesterday I was able to obtain the signature of every single Member of this body, 100 Senators, within a matter of several hours that would ask of the Postmaster General that a stamp be commemorated to bring about breast cancer awareness.

One of my constituents, Diane Sackett Nannery, proposed that there be the creation of a special pink ribbon postage stamp to help bolster breast cancer awareness in our Nation. And as I said I am very proud of my colleagues for the manner in which all of them were so supportive of this attempt to create a greater awareness in our Nation so that we can do more in our efforts to find not only the cure but also to do more in detection and prevention.

I can say to you that there has probably been no area in our Nation that has been harder hit than Long Island, my hometown, Nassau County, where we have the highest rate of breast cancer in the United States, a sad distinction to have.

So I want to commend my colleagues for their leadership, and I want to say that I am tremendously encouraged by the tremendous public response for the Race for the Cure, not only here but I think nationwide. We have brought people together with this magnificent endeavor.

I yield the floor and thank my colleagues.

Mr. BRADLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. BRADLEY. Madam President, how much time do I have?

The PRESIDING OFFICER. One minute fifty-five seconds.

Mr. BRADLEY. I yield all my time to the Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington is recognized.

BREAST CANCER—A THREAT TO WOMEN'S HEALTH

Mrs. MURRAY. Madam President, I rise today to join my colleagues in expressing support for research on breast cancer and the Race for the Cure. This frightening disease has taken the lives of far too many women, and the long list of those who have died include many of my own friends.

As has been stated, breast cancer is a growing public health problem in this Nation and a great threat to women's health. Many women are very confused about the mixed messages being sent to us today about breast cancer. One year we are told to have annual mammograms beginning at the age of 40. The next year, after we faithfully comply with that, we are told something else. We remain worried and confused, and it is time for better research on the issue.

Clearly, research has to be done. More needs to be done in prevention and treatment of breast cancer, and the Race for the Cure is a way for all of us to express our desire to do better in this and to bring this to the public's attention.

I think it is an opportune time also for this Senate to recognize that it has been 6 months without a Surgeon General. Dr. Foster has the ability, if appointed, to bring this issue to the forefront of this Nation, and I hope that the majority leader brings Dr. Foster's nomination to the Senate expeditiously so that we can, again, have another way of making sure that women's health diseases are brought to the Nation's forefront.

I will be joining my husband and my children this weekend in the Race for the Cure. I urge all of my colleagues to not only walk the walk but talk the talk and get some good research done on this issue.

I thank my colleague from New Jersey.

Mr. BRADLEY. Madam President, as we conclude this morning business on the Race for the Cure, I simply pay tribute to a member of my staff, Katie Konnorton, who has coordinated the 56 people who will come from my office, associated with it, family members and staff members, to make the race on Saturday. She deserves a lot of credit.

I think because of her and because of the commitment of other people on the staff, we will have a tremendous turnout, and I hope that other Senators' offices—I am very pleased the Senator from Washington is going to be there with her family, I respect that—I hope other Senators might check off that Saturday is the day for them to be counted for the cure for breast cancer: The Race for the Cure, Saturday, Senators' offices here in Washington. It sends the message of early detection and fight for a cure. I thank the Chair.

COMMENDING JACKSON HOLE SKI AREA

Mr. THOMAS. Madam President, I would like to take a minute to commend the Jackson Hole ski area in my State of Wyoming. Recently this ski area received the prestigious Golden Eagle Award, sponsored by the Skiing Co. which is part of Times Mirror Magazines and publisher of Ski, Skiing, and TransWorld Snowboarding magazines. The Golden Eagle Award was established by the Skiing Co. and Times Mirror to recognize exceptional environmental excellence in ski area management by North American ski areas. It was presented at the annual meeting of the National Ski Areas Association in Palm Springs, CA, last month.

The Jackson Hole Ski Corp. won the top award for overall environmental excellence. The resort was commended by a panel of judges for downsizing its mountain master plan by a third, in order to provide a better ski experience

while adhering to environmental values. It was also recognized for its vehicle maintenance shop management program, for a sensitive revegetation plan, an aggressive recycling program, and for establishing a land trust to preserve the resort's scenic and natural character. Three years ago, at a series of training seminars, employees of Jackson Hole Ski Corp. chose ''Respect for the Environment'' as their highest corporate value. Jim Gill, vice president of the area, believes that economic growth and environmental protection can complement each other, because most resort guests consider themselves environmentalists who enjoy the outdoors and appreciate its natural beauty. According to Francis Pandolfi, president and CEO of Times Mirror Magazines and who presented the award,

> Our judges called Jackson Hole's initiative very broad-based and far-reaching—from its downsizing of the mountain to its outreach programs, its educational accomplishments and the preservation of the area's character through its land trust. The area has done superb environmental work on virtually every front.

In addition to Jackson Hole, five other ski areas won Silver Eagle Awards for environmental excellence in the following categories:

Snowbird, UT, for water conservation and wastewater management;

Heavenly, CA, for fish and wildlife habitat protection;

Sierra-at-Tahoe, CA, for environmental education;

Winter Park, CO, for community outreach; and

Beaver Creek, CO, for area design.

Madam President, too often we only hear from critics about how ski areas destroy the wilderness. Skiing is a wonderful sport which millions of people from around the world enjoy, and the Golden Eagle Award program confirms what we all know; that it can coexist with environmental protection of the highest degree. Industry surveys show that skiers are very environmentally aware and involved, and that any perception of skiing as being antienvironmental exists only in the minds of a few. These success stories not only educate the American public about what a good job many ski areas are doing to conserve and protect the environment, but they also serve as excellent examples for other ski areas to emulate.

Congratulations to Jackson Hole Ski Corp. and to all the other winners.

FLAG DAY—JUNE 14, 1995

Mr. HATCH. Madam President, today is Flag Day. Utahns, and indeed Americans all across our great country revere the flag as a unique symbol of the United States and of the principles, ideals, and values for which our country stands.

Congress has, over the years, reflected the devotion our diverse people have for Old Glory. During the Civil War, for example, Congress awarded the Medal of Honor to Union soldiers who rescued the flag from falling into rebel hands.

In 1931, Congress declared the Star Spangled Banner to be our national anthem. In 1949, Congress established June 14 as Flag Day. Congress has established ''The Pledge of Allegiance to the Flag'' and the manner of its recitation. Congress designated John Philip Sousa's ''The Stars and Stripes Forever'' as the national march in 1987.

Congress has also established detailed rules for the design of the flag and the manner of its proper display. Congress, along with 48 States, had regulated misuse of the American flag until the Supreme Court's 1989 decision in Texas versus Johnson.

As I say, these congressional actions reflect the people's devotion to the flag; Congress did not create these feelings and deep regard for the flag among our people.

The 104th Congress will have a chance to do its part to reflect our people's devotion to Old Glory by sending to the States for ratification Senate Joint Resolution 31, a constitutional amendment giving Congress and the States power to prohibit physical desecration of the flag of the United States.

I recognize that, in good faith, some of my colleagues oppose this constitutional amendment. They love the flag no less than supporters of the amendment.

I do hope those who have opposed the amendment in the past will reconsider their position. We can protect the flag without jeopardizing freedom of expression. Freedom of expression was extremely robust when the 49 flag desecration statutes were enforceable. And there is no danger of a slippery slope here because there is no other symbol of our country like the flag. We do not salute the Constitution or the Declaration of Independence, and no one has ever suggested a ban on burning copies of these hallowed documents. Numerous other methods of protest, including marches, rallies, use of placards, posters, leaflets, and much more clearly remain available. I hope we will send this amendment to the States for ratification.

On June 6, Senator HANK BROWN, chairman of the Subcommittee on the Constitution, Federalism, and Property Rights held a hearing on the flag amendment. The subcommittee heard from 11 witnesses, including opponents of the amendment. I hope those of my colleagues inclined to vote against Senate Joint Resolution 31 will review the very fine testimony of its supporters. I ask unanimous consent that two of the statements, that of Prof. Richard Parker and former Assistant Attorney General for Legal Counsel, Charles J. Cooper, be printed in the CONGRESSIONAL RECORD following my remarks, along with my opening statement from that hearing.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT OF RICHARD D. PARKER, PROFESSOR OF LAW, HARVARD LAW SCHOOL

I am a civil libertarian. I believe that, in a democracy, freedom of speech must be ''robust and wide-open''. Indeed I believe it ought to be more robust and wide-open than, in some respects, it is now and than the Supreme Court has been willing, on some occasions, to grant. It's because of that belief that I urge the Congress to propose to the states a new constitutional amendment, one that would permit the people—if, through the democratic process, they so choose—to protect the flag of the United States against physical desecration.

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Let me begin with general principles. It is, after all, at the level of fundamental value that discussion of constitutional provisions—meant ''to endure for ages to come''—should be (and has traditionally been) conducted.

My basic proposition is this: Whether freedom of speech is, in fact, robust and wide-open does not depend solely, or even primarily, on case-by-case adjudication by the courts. It depends most of all on conditions of culture. First, it depends on the willingness and capacity of people—in our democracy, that means ordinary people—to express themselves energetically and effectively in public. Second, it depends on acceptance as well as tolerance, official and unofficial, of an extremely wide range of viewpoints and modes of expression. And, third, it depends on adherence to very basic parameters that, like constitutional provisions in general, help structure democratic life the better to release its energies.

This last condition is the one that concerns us now. Everyone agrees that there must be ''procedural'' parameters of free speech—involving, for example, places and times at which certain modes of expression are permitted. Practically everyone accepts some explicitly ''substantive'' parameters of speech content as well. Indeed, despite talk of ''content-neutrality,'' the following principle of constitutional law is very clear: Government sometimes may sanction you for speaking because of the way the content of what you say affects other people.

What is less clear is the shape of this principle. There are few bright lines to define it. The Supreme Court understands the principle to rule out speech that threatens to cause imminent tangible harm: face-to-face fighting words, incitement to violation of law, shouting ''fire'' in a crowded theater. And it does not stop there. It understands the principle, also, to rule out speech that threatens certain intangible, even diffuse, harms. It has, for instance, described obscenity as pollution of the moral ''environment.'' But what about ''political'' speech critical of the government? Isn't there a bright line protecting that, at least so long as no imminent physical harm is threatened? The answer is: No. The Court has made clear, for instance, that statements criticizing official conduct of a public official may be sanctioned if they are known to be false and damage the reputation of the official. There has been no outcry against this rule. It was set forth by the Warren Court—in an opinion by Justice Brennan, the very opinion that established freedom of speech as ''robust and wide-open.''[1] It has been reaffirmed ever since. Our constitutional tradition, therefore, leaves plenty of room for debate about the necessary and proper scope of the ''substantive'' parameters of the content of free speech.

Footnotes at end of article.