

(1) To provide a measure of justice to survivors of the Holocaust all around the world while they are still alive.

(2) To authorize the appropriation of an amount which is at least equal to the present value of the difference between the amount which was authorized to be transferred to successor organizations to compensate for assets in the United States of heirless victims of the Holocaust and the amount actually paid in 1962 to the Jewish Restitution Successor Organization of New York for that purpose.

(3) To facilitate efforts by the United States to seek an agreement whereby nations with claims against gold held by the Tripartite Commission for the Restitution of Monetary Gold would contribute all, or a substantial portion, of that gold to charitable organizations to assist survivors of the Holocaust.

#### SEC. 102. DISTRIBUTIONS BY THE TRIPARTITE GOLD COMMISSION.

(a) DIRECTIONS TO THE PRESIDENT.—The President shall direct the commissioner representing the United States on the Tripartite Commission for the Restitution of Monetary Gold, established pursuant to Part III of the Paris Agreement on Reparation, to seek and vote for a timely agreement under which all signatories to the Paris Agreement on Reparation, with claims against the monetary gold pool in the jurisdiction of such Commission, contribute all, or a substantial portion, of such gold to charitable organizations to assist survivors of the Holocaust.

(b) AUTHORITY TO OBLIGATE THE UNITED STATES.—

(1) IN GENERAL.—From funds otherwise obligated in the Treasury of the United States, the President is authorized to obligate subject to subsection (2) an amount not to exceed \$30,000,000 for distribution in accordance with subsections (a) and (b).

(2) CONFORMANCE WITH BUDGET ACT REQUIREMENT.—Any budget authority contained in paragraph (1) shall be effective only to such extent and in such amounts as are provided in advance in appropriation Acts.

#### SEC. 103. FULFILLMENT OF OBLIGATION OF THE UNITED STATES.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the President such sums as may be necessary for fiscal years 1998, 1999, and 2000, not to exceed a total of \$25,000,000 for all such fiscal years, for distribution to organizations as may be specified in any agreement concluded pursuant to section 102.

(b) ARCHIVAL RESEARCH.—There are authorized to be appropriated to the President \$5,000,000 for archival research and translation services to assist in the restitution of assets looted or extorted from victims of the Holocaust and such other activities that would further Holocaust remembrance and education.

#### TITLE II—WORKS OF ART

##### SEC. 201. FINDINGS.

Congress finds as follows:

(1) Established pre-World War II principles of international law, as enunciated in Articles 47 and 56 of the Regulations annexed to the 1907 Hague Convention (IV) Respecting the Laws and Customs of War on Land, prohibited pillage and the seizure of works of art.

(2) In the years since World War II, international sanctions against confiscation of works of art have been amplified through such conventions as the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, which forbids the illegal export of art work and calls for its earliest possible restitution to its rightful owner.

(3) In defiance of the 1907 Hague Convention, the Nazis extorted and looted art from individuals and institutions in countries it occupied during World War II and used such booty to help finance their war of aggression.

(4) The Nazis' policy of looting art was a critical element and incentive in their campaign of genocide against individuals of Jewish and other religious and cultural heritage and, in this context, the Holocaust, while standing as a civil war against defined individuals and civilized values, must be considered a fundamental aspect of the world war unleashed on the continent.

(5) Hence, the same international legal principles applied among states should be applied to art and other assets stolen from victims of the Holocaust.

(6) In the aftermath of the war, art and other assets were transferred from territory previously controlled by the Nazis to the Union of Soviet Socialist Republics, much of which has not been returned to rightful owners.

#### SEC. 202. SENSE OF THE CONGRESS REGARDING RESTITUTION OF PRIVATE PROPERTY, SUCH AS WORKS OF ART.

It is the sense of the Congress that consistent with the 1907 Hague Convention, all governments should undertake good faith efforts to facilitate the return of private and public property, such as works of art, to the rightful owners in cases where assets were confiscated from the claimant during the period of Nazi rule and there is reasonable proof that the claimant is the rightful owner.

#### NATIONAL WEEK OF RECOGNITION FOR DOROTHY DAY AND THOSE WHOM SHE SERVED

Mr. NICKLES. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Senate Resolution 163 introduced earlier today by Senator MOYNIHAN, D'AMATO, and others.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 163) expressing the sense of the Senate on the 100th anniversary of the birth of Dorothy Day, and designating the week of November 8 through November 14, 1997 as "National Week of Recognition for Dorothy Day and those whom she served."

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

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

Mr. MOYNIHAN. Mr. President, I rise today to introduce a sense of the Senate resolution commemorating the 100th anniversary of the birth of Dorothy Day, a woman who embodies the very idea of service to others. I am pleased to be joined by Senators D'AMATO, WELLSTONE, LEVIN, DODD, TORRICELLI, REED, DURBIN, MIKULSKI, and KENNEDY in paying tribute to her life.

The life of Dorothy Day is central to modern Catholic social thought. Hers was a radical brand of discipleship, akin to what the German theologian Dietrich Bonhoeffer described as "costly grace" in *The Cost of Discipleship*. She lived a life of voluntary poverty and hardship, forsaking material com-

fort and opting to live among the poor whom she served. Just as Jesus befriended the tax collector and the prostitute, Dorothy Day embraced the drug addicted and the disenfranchised. She saw Christ in everyone—especially in the poor and the oppressed—and treated people accordingly. In short, she lived the Gospel.

In 1933, Dorothy Day and Peter Maurin joined to found the Catholic Worker Movement and the Catholic Worker newspaper "to realize in the individual and society the express and implied teachings of Christ." That same year, they opened the first Catholic Worker Hospitality house, St. Joseph's House, in Manhattan's Lower East Side. The country was, by then, in the throes of the Great Depression, a period of suffering unknown to this country before or since. Dorothy Day ministered to the physical and spiritual needs of the legions of poor who arrived on the doorstep at St. Joseph House. Today, some 64 years after its creation, the Catholic Worker Movement remains a vibrant legacy to her life. There are now more than 125 Catholic Worker "Houses of Hospitality" in the United States and around the world.

Perhaps Dorothy Day's life was summed up best by those at the University of Notre Dame who bestowed the Laetare Medal upon her in 1972 for "comforting the afflicted and afflicting the comfortable virtually all of her life." Indeed she did and we are all the better for it.

I ask unanimous consent that the text of a tribute by Patrick Jordan, who knew Dorothy Day from his days living at the Catholic Worker, from Commonweal and the text of the Resolution be printed into the RECORD.

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

[From the Commonweal, Oct. 24, 1997]

AN APPETITE FOR GOD

(By Patrick Jordan)

Dorothy Day was born on Pineapple Street in Brooklyn Heights on November 8, 1897. On the hundredth anniversary of her birth, her spirit is alive in the Catholic Worker movement she and Peter Maurin founded in 1933. The movements is still building, a rather remarkable feat in the history of American religious communities, now with over 125 houses and farming communes in the United States and in seven other countries. There are a variety of Catholic Worker publications that display strong writing and intellectual vitality: critical voices in the midst of the capitalist state, and lively antidotes to the spirit of bourgeois Christianity. Day and Maurin would be pleased.

In a real sense, Day was an Augustinian figure. She was a captivating, commanding presence, full of personal paradoxes (vulnerable and yet like steel) and inconsistencies (patient but fretful), who nonetheless cohered and remained consistently stalwart. She had been around (as she attests in her classic spiritual autobiography, *The Long Loneliness*), knew the full joys and sorrows of life from her harsh experience, and had gone through a life-searing conversion. She possessed marvelous observational skills and wrote with uncommon beauty and alacrity about her times: describing the challenge of

living good, and yes, holy lives in an era of warring empires. She loved heroic figures, and aspired to be one. She hoped that her books would be read by millions and would lead to nonviolent, revolutionary change. She had a sense of humor about herself and her work, and told the story of having been asked to speak at a college on the topic "Saints and Heroes." She was greatly surprised (and delighted) when she found the lecture hall packed. Only later did she discover the reason: her talk had been mistakenly billed "Saints and Eros."

For me, Dorothy Day was the most engaging and engaged person I have ever met. Even now, seventeen years after her death in 1980, I think of her almost daily, with deep affection. What would she have thought of this moral dilemma, this political situation, this church teaching? How would she have approached a certain crisis, dealt with that obnoxious persons? If the problem happens to be several-sided and particularly dicey, I can be sure her response would be challenging, distinct, and unpredictable. Not that it would necessarily come as a surprise (she used to love to repeat the phrase, based on her sense of the Gospels. "There are always answers; they are just not calculated to soothe"). Her principles were doggedly clear: The admonitions of the Gospels, the Psalms, and Saint Paul. These ran so deeply in her that they seemed to issue from her marrow. When TV newsman Mike Wallace asked her, "Does God love murderers, does he love a Hitler, a Stalin?" she responded reflexively: "God loves all men, and all men are brothers".

In person, even in her seventies, Day was physically striking: tall, lean, her pale blue eyes keen but not intrusive. In the ideal movie of Dorothy's life, Jessica Lange would be cast in the part. Dorothy was one of those individuals whose presence can affect the tone of whole gatherings. When she entered a crowded room, people with their backs to the door would turn spontaneously. Yet she was unfailingly modest, and almost painfully shy in public.

Dorothy's mind, while not that of a trained intellectual, was one of the most acute and supple I have seen at work; she was highly intuitive, shrewd when it came to money, morally rugged. She seemed to know herself with perfect clarity, the fruit of a lifetime of self-examination: "Cleanse us of our unknown faults," she would repeat often. Lecturing about the Catholic Worker, she would say of herself: "There is always a subtle self-aggrandizement. One may not intend it, yet there it crops out to humiliate one. Perhaps it is good to have this come out in the open." Both spiritually and personally, she was the genuine article.

If you went to talk to Dorothy in her small room on the third floor of the East First Street house, where she lived from 1968-76, you might be ensnared for hours. She would regale you with stories. In her early years as a reporter she had interviewed everyone from Trotsky to Jack Dempsey. She knew Eugene O'Neill and Dos Passos, and had inspired Auden. She had testified before Congress on conscientious objection, and while in Moscow in 1971, had defended Solzhenitsyn before the Soviet writers' group, breaking up their meeting. She had been shot at for her civil rights protests, been thrown into solitary confinement; she had taken on both church and state, loved both the opera and folk singer Joan Baez, was a doting mother, grandmother, great-grandmother, received Communion from the hands of the pope, and was a voracious reader. Yet for all that, when you were with her you felt perfectly at home; so much so you wanted to stay, maybe forever—at least I wanted to.

Even after over forty years of the hard Catholic Worker life, Dorothy's voice was

young and there was merriment in her laughter. Vivian Gornick, the feminist writer, did a perspective on Day for the *Village Voice* in November 1969. At one point during their four-hour conversation, Gornick sensed that Dorothy had read her thoughts—a not uncommon experience if you spent time with her. While Day had not been critical of Gornick, the experience had raised questions for the latter. According to Martin Buber, the zaddik (or righteous teacher) responds to people's needs but first elevates them. Sitting there in the soup kitchen at 36 First Street, Gornick observed in Day "a love that categorically refuses to deny the irreducible humanity" of each person. "I felt in her a woman who has done many things she would wish not to have done; . . . been alone a long, long time in a curious, exalted, exhausting manner; and more important, that all of this was not a comfortable matter of the past; all of this was an ongoing affair . . . [in which Day's] faith is put through the fires daily." What comes through in Gornick's article is the journalist's keen respect for the older woman.

Dorothy once told Robert Coles—in a different context—"I have never wanted to lecture people; I have hoped to act in such a way that I will be reaching out to many others who will never be part of the Catholic Worker movement." It seems to have worked with Gornick and countless others.

I recently asked Tom Sullivan and Nina Polcyn Moore, both old friends and Catholic Workers, what made Day tick.

Sullivan, now in his eighties and in poor health in New York City, told me "her spirituality is basic. She started with the saints, and was oriented to the early Christians." For Moore, who now lives in Illinois, it was a matter of "love, divine and human." Dorothy "was not content with anything but the best," Moore told me. "She loved God with all her heart."

But it was Day's constancy in the hard vocation she had chosen that most amazed Moore: "Her availability to people and events, her fidelity to the Gospels, and her embracing the precariousness of the Worker life are keys to her greatness." According to Moore, who traveled with her here and abroad, Day evolved from a young radical to a person of international significance "because she was on fire with the love of God."

In *From Union Square to Rome*, Dorothy's first book about her conversion, she defines a mystic as someone in live with God: "Not one who loves God, but who is *in love with God*." Years later, she quoted with relish Sonya's last line in *Uncle Vanya*: "I have faith Uncle, I have fervent, passionate faith."

That faith was evident in every aspect of Day's life, I suppose it is what attracted so many of us to her: In seeing her faith we experienced our own hoped-for faith being validated and strengthened. "Every act of faith increases your faith," she instructed me over and over. But her faith was not a cold series of propositions or legalisms. It was rather a vital relationship. "More and more I see [that] prayer is the answer," she wrote in 1970. "It is the clasp of the hand, the joy and keen delight in the consciousness of the Other. Indeed, it is like falling in love." Not many people can write or speak of prayer that way because we don't practice it. C.S. Lewis advised that we develop not simply a spirituality, but an "appetite for God."

To see Dorothy at prayer was to observe someone completely engrossed. I can vividly picture her praying, off to the left side in one of the pews at Nativity Church in Manhattan. Coupled with this memory is another of my walking into her room one Saturday afternoon as she was listening to the opera. It was Wagner and Dorothy's face was trans-

fixed. She didn't know I was there, and I retreated hastily, almost embarrassed to have intruded at such a private moment. But from those instances I learned something about the intercourse between prayer and ecstasy, and how they relate to beauty and love, human and divine.

For Nina Moore, it was Day's constancy in prayer, study, and reading that explained what could be explained about her continued spiritual growth. Lacking the structure of a formal monastic regimen (she was a Benedictine oblate and attached to the Jesu Caritas fellowship), Day had to steal the early morning hours for her spiritual exercises. She did this almost daily, year in and out: "My strength . . . returns to me with my cup of coffee and the reading of the psalms," she said.

Dorothy's take on life of the soul was anything but "spiritualized." It was sacramental and sensual, but it was not romantic. "I can't bear the romantics," she told Gornick. "I want a religious realist. I want one who prays to see things as they are and do something about it." Her own faith had required a terrible price: the end of her marriage and the breakup of her family: "For me, Christ was not bought for thirty pieces of silver," she wrote forty years after her conversion, "but with my heart's blood. We buy not cheap in this market."

What was essential for Dorothy—and what a popular mid-century retreated movement and the Catholic Workers fostered (see box)—was the serious attention and self-discipline required for growth in the life of the spirit. In this matter, I believe, Dorothy's mentor was Friedrich von Hügel, who wrote, in Victorian style, of the "costingness" of such growth. "Plant yourself," von Hügel counseled, "on foundations that are secure: God, Christ, suffering, the Cross." I often saw Dorothy with his short classic, *The Life of Prayer*.

But the life of the spirit has to be cultivated, not merely for the sake of one's own self-improvement, but for the well-being of the whole church. As Dorothy prayed in Rome in 1965: "Give us, O Lord, peace, strength, and joy, so that we in turn may give them to others."

Theologically, Dorothy Day's chief contributions have to do with the issues of freedom, poverty, and violence.

Freedom. Perhaps her deepest personal, intuitive insight. Without freedom, there can be neither faith nor love.

When Dorothy first met Peter Maurin in 1932, she was impressed that he was carrying two books in his building pockets: Saint Francis and Peter Kropotkin. Kropotkin known as the anarchist prince, was, like Charles de Foucauld, a soldier and scientist. He had forsaken his title and had been jailed and exiled for agitating for reform in Czarist Russia. Even before meeting Maurin, Day held nonviolent anarchist views (she was a decentralist who felt more at home with the Wobblies than the Communists). The theoretical value Day saw in anarchism was its emphasis on personal freedom and responsibility, and on developing social patterns that foster them.

On the spiritual level, the highest rung of being, God gives freedom so that men and women can become human; thus the story of Adam and Eve. Charles Péguy, poet and essayist, and an influence on both Maurin and Day, has God address the issue this way: "But what kind of salvation would it be that was not free?" And then God validates "man's" power "to decide" by declaring: "And that freedom of his is my creation" (and therefore good).

Along with freedom comes the possibility—the inevitability—of sin. On this point Day would refer to Augustine and Julian of Norwich: God has already repaired the worst

possible catastrophe the Fall) by taking on our human flesh, suffering our fate, and redeeming us.

Unlike many birthright Catholics, Day did not feel constrained by the institution. She took as her own Saint Paul's phrase—"You are no longer foreigners and aliens, but fellow citizens with the saints" (Ephesians 2:19)—and placed her trust in the church, which she loved and which is itself held accountable to the Gospels. For encouragement, Day looked to the lives of the saints, whom she found to be anything but toadies. Partiarthy? When it came to "this business of 'asking Father' what to do about something," she said, it "never occurred to us."

At Vatican II, she noted her admiration for John Courtney Murray. She felt grateful for the church's clear but long overdue statement on religious freedom and the primacy of conscience.

Poverty. As noted above, Maurin brought with him Kropotkin and Francis. For the Christian, poverty is not only a matter of the soul—it is a social concern. It entails not only personal spiritual obligations, but matters of strict justice and compassion.

We begin by looking at our own lives. When asked to address the relations between individuals, Day said, Jesus always emphasized the problems of wealth and poverty. Looking at society this way, Day was explicit: "It is impossible, save by heroic charity, to live in the present social order and be a Christian." After reading Abbie Hoffman's *Revolution for the Hell of It* in 1968, she commented: "A terrifying book; bitterness, hatred, hell unleashed. The fruits of war, materialism, prosperity. . . . God help our children."

Dorothy Day's own approach was twofold. First, there was a line she repeated often from Saint John of the Cross: "Where there is no love, put love, and you will find love." And second, cultivate a life of detachment and share the plight of the poor: "We [Catholic Workers] believe in an economy based on human needs, rather than the profit motive. . . . We are not judging [wealthy] individuals, but are trying to make a judgment on the system . . . which we try to withdraw from as much as possible. . . . What is worst of all is *using* God and religion to bolster up our own greed, our own attachment to property, and putting God and country on an equality." Finally, she pointed out, "we are not going to win the masses to Christianity until we live it," and that included having a willingness to embrace poverty.

For Day, to live poorly meant to *share the life of the poor*: "Let us love to live with the poor because they are especially loved by Christ." Each person who presents himself or herself to us—rich, middle class, or poor—must be given love, "not because it might be Christ . . . but because they *are* Christ." How did she know for sure? "Because we have seen his hands and his feet in the poor around us. . . . We start by loving them for him, and soon we love them for themselves, each one a unique person, most special. . . . It is through such exercises that we grow, and the joy of our vocation assures us we are on the right path." According to Kate Hennessy, Day's granddaughter, "she turned the life of poverty into something dynamic, full of richly simple moments for those who have nothing."

How Dorothy Day managed to keep her psychological wholeness over the years in the disorder, disease, mental confusion, and violence that mark Catholic Worker houses was a practical miracle to me. "Pray and endure," she would repeat. Some of her stamina came from knowing the critical distinction between love and pity. "The law of love is reciprocity," Georges Bernanos had written, "and reciprocity is not possible where

there is pity." Martin Buber explained it more eloquently: "Help is no virtue, but an artery of existence." To really help someone, however, "the helper must live with the other; only help that arises out of living with the other can stand before the eyes of God." Day insisted that she "would not dare write or speak or follow the vocation God has given me to work with the poor and for peace if I did not have the constant reassurance of the Mass."

Violence I need not recount at length Day's work for justice, peace, and non-violence. Historically, she had a critical if indirect bearing on Vatican II's condemnation of nuclear war and its endorsement of the right to conscientious objection. Her pacifist stand in World War II was intensely controversial, not only among Americans in general but even among Catholic Workers; Mike Wallace's question indicates that it still is today. Day's repeated stints in jail for protesting war preparation and the war economy—including her challenge that people withdraw from participating in both—achieved modest success, symbolically—by helping to end the air-raid drills in New York City during the fifties and sixties—and practically in the lives of not a few individuals who refused induction, changed their jobs, or resisted paying war taxes.

Day's staunch views on pacifism drew a deep line between just-war teaching and gospel nonviolence. She shared with Saint James the view that the roots of violence are fear, lack of forgiveness, and greed. Fear leads us to strike out at enemies; it may even help to create them. Day believed the Catholic Worker must be a school of non-violence. The young volunteers who came in search of their vocation, she wrote, "learn not only to love with compassion, but to overcome fear, that dangerous emotion that precipitates violence. They may go on feeling fear, but they know the means [the 'spiritual weapons,' as she called them, of self-discipline, willingness to take up the cross, forgiving 'seventy times seven,' and readiness to lay down one's life for one's fellows] to overcome it." Here, prayer and daily Mass were the best offense. From her own testimony of sitting through nights of threatened violence in the racially divided South in the 1960s, it is prayer that "gives courage."

Was she critical of her own track record? Always. Repeatedly I heard her say of herself and her co-workers, quoting the Letter to the Hebrews: "We have not yet resisted unto blood." She felt she might yet prove to be as avenging as any potential adversary.

One of Day's most notable achievements for peace took place quietly behind the scenes. In Rome in 1965 for the last session of the council, she joined a small group of women at a convent to fast for ten days, on water only, as the conciliar debate raged over what would be the church's official teaching on modern war.

Dorothy did not like to fast (she said her besetting sins were gluttony and sloth), and made sure she had filled her senses by going to the opera (*Cavalleria Rusticana*) before the fast. Her report in the November 1995 *Catholic Worker* included the daily schedule of the group and concluded as follows:

As for me, I did not suffer at all from the hunger or headache or nausea which usually accompanied the first few days of a fast, but I had offered my fast in part for the victims of famine all over the world, and it seemed to me that I had very special pains. They were certainly of a kind I have never had before, and they seemed to pierce the very marrow of my bones. . . . They were not like the arthritic pains, which, aggravated by tension and fatigue, are part of my life now that I am sixty-eight. One accepts them as part of age, and also part and parcel of the

life or work, which is the lot of the poor. So often I see grandmothers in Puerto Rican families bearing the burden of children, the home, cooking, sewing, and contributing to the work of mother and father, who are trying to make a better life for their children. I am glad to share their fatigue with them.

But these pains . . . seemed to reach into my very bones, and I could only feel that I had been given some little intimation of the hunger of the world. God help us, living as we do, in the richest country in the world, and so far from approaching the voluntary poverty we esteem and reach toward. . . . May we try harder to do more in the future.

This is vintage Dorothy Day: the immediacy of concerns; the challenge, complexity, and interrelation of the big issues (war and poverty); the incorporation of her personal experience; the self-criticism and pledge to do better; and the radical, foundational nature of her Christian perspective.

No retrospect of Dorothy Day's spirituality would be complete without mentioning her tremendous personal struggles. These centered, in her late years, on two related areas: discouragement and perseverance. From her earliest Catholic Worker writings, Day speaks of discouragement in the work (see, *House of Hospitality*). The utter hopelessness of the situation of some of the people with whom she lived ("we are a community of need, not an international community") included physical violence, broken families, addiction, suicides, evictions, fires, poor food, attrition of co-workers. All of these could be overwhelming. Dorothy was sometimes so jangled by them—and by family concerns, overwork, travel, writing, speech-making, and innumerable obligations—that she would break into tears. "Don't let yourself get into this state!" she would tell me, better escaping for a reprieve to her sister's or daughter's.

Dorothy also told me that twice in her life she had overcome serious bouts of depression by reading herself out of them (she recommended Dickens), but said that if she ever were to experience such depression again, she would consider shock treatment.

Another line of cure—which she had learned from her mother—was to clean the house. And then there were the theater and music: "Saw My Fair Lady. A very good cure for melancholy. Theme: Man's capacity to change." Again, "I am now listening to a concert, Brahms's Second Symphony, joyful music to heal my sadness. All day I have felt sad. I am oppressed by a sense of failure, of sin."

On the conjunction between what Dorothy called "the dark night of the senses and the dark night of the soul," she reflected: "It seems to me that they often intermingle." This led her to prescribe Ruskin's "Duty of Delight": "I found a copy of Ruskin, *The True and the Beautiful*," she wrote while visiting her daughter in Vermont, and "the beautiful quotation on the duty of delight. Making cucumber pickles, chili sauce, and grape juice. Delightful smells." And the "duty" must be taken seriously, not only for oneself but "for the sake of others who are on the verge of desperation."

And then there was use of the other serious spiritual weapons: prayer, Scripture, community, the sacraments. The ancient Christian writers had long been concerned with *acedia*, spiritual sloth, which is associated with a failure against hope. Depression, a modern manifestation, is, in part, a constricting of that virtue, and of the power of the will to act. Day often prayed to Saint Ephraim, one of the desert fathers. He seemed to have struggled with the problem of discouragement, and spoke of the distress caused by his own procrastination. The best practical remedy for such a condition, Day

noted, was "faithfulness to the means to overcome it: recitation of the psalms each day, prayer and solitude, and by these means arriving—or hoping to arrive—at a state of well-being." The psalms she found particularly helpful in this regard: "I have stilled and quieted my soul" (Ps. 131), and "Relieve the troubles of my heart" (Ps. 25). She would also quote Saint Paul's Letter to the Romans, chapter 8—"Nothing can separate us from the love of Christ"—and his advice not to judge others or even oneself, for Christ understands our failures: he was, after all, the world's greatest failure.

Among contemporary spiritual writings, she recommended in this regard Dom Hubert van Zeller's Approach to Calvary: "Awoke at 5:30," she penned in 1965. "Usual depression over failures, inefficiency, incapacity to cope. Van Zeller's book invaluable, teaching on how to accept all this discouragement, which he says will increase with age. . . . One must just keep going."

And that connects with the matter of perseverance, a subject on which she corresponded sporadically with Thomas Merton: "I am often full of fear about my final perseverance," she told him in 1960. But then, during his own long struggles with the problem, she advised: Your work "is the work God wants of you, no matter how much you want to run away from it."

She eventually came to terms with the fact that her difficulties were not going to end in this life. In the last book she gave me, *Spiritual Autobiography of Charles de Foucauld* (she was always giving gifts and books, prayer books and Bibles especially), she had underlined the following passage from de Foucauld: "Our difficulties are not a transitory state of affairs. . . . No, they are the normal state of affairs and we should reckon on being in angustia temporum [in straightness of times, Dan. 9:21] all our lives, so far as the good we want to do is concerned."

In 1960, Dorothy Day commented favorably on a then-current appraisal of the state of the American Catholic church, rendered by the Jesuit theologian, Gustave Weigel. Three things were most needed in the U.S. church, said Weigel: Austerity, preached and lived; a deeper awareness of the reality of God; and a truer and more effective love for all people, including those who are our enemies. One could not find a more succinct summary of Day's own views. In 1968, she complained that the Catholic press in the United States was too much concerned with the problems of authority, birth control, and celibacy, whereas the real problems were "war, race, poverty and wealth, violence, sex, and drugs." Some things change slowly. Or not at all.

Without the saints, Bernanos said fifty years ago, the church is only dead stones: Without them, the very grace lying within the church's institutional and sacramental forms remains fallow. Despite the unparalleled upheavals of our times, grace has not remained hidden. We have been its appealing power.

Mr. NICKLES. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and that any statements relating thereto be placed in the RECORD at the appropriate place.

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

The resolution (S. Res. 163) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

## S. RES. 163

Whereas November 8, 1997, marks the 100th anniversary of the birth of Dorothy Day on Pineapple Street in Brooklyn, New York;

Whereas Dorothy Day was a woman who lived a life of voluntary poverty, guided by the principles of social justice and solidarity with the poor;

Whereas in 1933 Dorothy Day and Peter Maurin founded the Catholic Worker Movement and the Catholic Worker newspaper "to realize in the individual and society the express and implied teachings of Christ";

Whereas the Catholic Worker "Houses of Hospitality" founded by Dorothy Day have ministered to the physical and spiritual needs of the poor for over 60 years;

Whereas there are now more than 125 Catholic Worker "Houses of Hospitality" in the United States and throughout the world;

Whereas in 1972 Dorothy Day was awarded the Laetare Medal by the University of Notre Dame for "comforting the afflicted and afflicting the comfortable virtually all of her life";

Whereas upon the death of Dorothy Day in 1980, noted Catholic historian David O'Brien called her "the most significant, interesting, and influential person in the history of American Catholicism";

Whereas His Eminence John Cardinal O'Connor has stated that he is considering recommending Dorothy Day to the Pope for Canonization; and

Whereas Dorothy Day serves as inspiration for those who strive to live their faith: Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses deep admiration and respect for the life and work of Dorothy Day;

(2) recognizes that the work of Dorothy Day improved the lives of countless people and that her example has inspired others to follow her in a life of solidarity with the poor;

(3) encourages all Americans to reflect on how they might learn from Dorothy Day's example and continue her work of ministering to the needy; and

(4) designates the week of November 8, 1997, through November 14, 1997, as the "National Week of Recognition for Dorothy Day and Those Whom She Served".

**SEC. 2. TRANSMITTAL.**

The Secretary of the Senate shall transmit an enrolled copy of this resolution to—

(1) Maryhouse, 55 East Third Street, New York City, New York;

(2) St. Joseph House, 36 East First Street, New York City, New York; and

(3) His Eminence John Cardinal O'Connor of the Archdiocese of New York, New York City, New York.

**CORRECTING THE ENROLLMENT OF S. 830**

Mr. NICKLES. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate Concurrent Resolution 69 submitted earlier by Senator JEFFORDS.

I further ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table.

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

The concurrent resolution (S. Con. Res. 69) was agreed to.

The concurrent resolution is as follows:

## S. CON. RES. 69

*Resolved by the Senate (the House of Representatives concurring)*, That, in the enroll-

ment of the bill (S. 830) to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the regulation of food, drugs, devices, and biological products, and for other purposes, the Secretary of the Senate shall make the following corrections:

(1) In section 119(b) of the bill:

(A) Strike paragraph (2) (relating to conforming amendments).

(B) Strike "(b) SECTION 505(j)." and all that follows through "(3)(A) The Secretary shall" and insert the following:

"(b) SECTION 505(j).—Section 505(j) (21 U.S.C. 355(j)) is amended by adding at the end the following paragraph:

"(9)(A) The Secretary shall".

(2) In section 125(d)(2) of the bill, in the matter preceding subparagraph (A), insert after "antibiotic drug" the second place such term appears the following: "(including any salt or ester of the antibiotic drug)".

(3) In section 127(a) of the bill: In section 503A of the Federal Food, Drug, and Cosmetic Act (as proposed to be inserted by such section 127(a)), in the second sentence of subsection (d)(2), strike "or other criteria" and insert "and other criteria".

(4) In section 412(c) of the bill:

(A) In subparagraph (1) of section 502(e) of the Federal Food, Drug, and Cosmetic Act (as proposed to be amended by such section 412(c)), in subclause (iii) of clause (A), insert before the period the following: "or to prescription drugs".

(B) Strike "(c) MISBRANDING.—Subparagraph (1) of section 502(e)" and insert the following:

"(c) MISBRANDING.—

"(1) IN GENERAL.—Subparagraph (1) of section 502(e)".

(C) Add at the end the following:

"(2) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, shall affect the question of the authority of the Secretary of Health and Human Services regarding inactive ingredient labeling for prescription drugs under sections of the Federal Food, Drug, and Cosmetic Act other than section 502(e)(1)(A)(iii)."

(5) Strike section 501 of the bill and insert the following:

**"SEC. 501. EFFECTIVE DATE.**

"(a) IN GENERAL.—Except as otherwise provided in this Act, this Act and the amendments made by this Act shall take effect 90 days after the date of enactment of this Act.

"(b) IMMEDIATE EFFECT.—Notwithstanding subsection (a), the provisions of and the amendments made by sections 111, 121, 125, and 307 of this Act, and the provisions of section 510(m) of the Federal Food, Drug, and Cosmetic Act (as added by section 206(a)(2)), shall take effect on the date of enactment of this Act."

**CORRECTING OF TECHNICAL ERROR IN ENROLLMENT OF S. 1026**

Mr. NICKLES. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate Concurrent Resolution 70 submitted earlier by Senator D'AMATO. I further ask unanimous consent that the resolution be agreed to, and the motion to reconsider be laid upon the table.

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

The concurrent resolution (S. Con. Res. 70) was agreed to.

The concurrent resolution is as follows: