

have a certain pride in their community that bubbles to the surface when they look at their past and to the future of their city. They are proud of the steady growth of their quaint town, its schools, and its bedrock values. In many cases, Ernest Thompson has helped foster that pride through his tenacious leadership.

When he leaves office this spring, he will leave to his successor a city with greater economic growth and job opportunities, better roads and infrastructure, and increased services for children and seniors. Through booms and busts over the past quarter century, Ernest Thompson has been a staunch promoter and champion of Artesia, and a stalwart defender for the rights and needs of small towns throughout the country.

Mr. President, let me take a moment to recount some background on my admirable friend, Ernest Thompson.

A native of central Texas, Ernest Thompson moved to Artesia in 1939 to work in the oil and gas industry, which is a major component of the economy in this region. After decades of work and dedication to his family, he retired from his job as a purchasing agent with Navajo Refining Company in Artesia.

Without previous political experience, Thompson was elected mayor of Artesia in 1972, and has maintained a dynamic presence in the community as a member of the Artesia Rotary Club, New Mexico Gideons, Artesia Quarterback Club, and the Parents and Boosters Club. For almost 50 years, he has been actively involved in promoting the Boy Scouts of America in southeast New Mexico.

But I believe his most notable contributions to the public have been as mayor. As Artesia has grown, Ernest Thompson has helped to improve the city as a whole. Since 1972, the city has gained extensive infrastructure improvements including a new wastewater treatment plant, water lines, flood protection structures, and street improvements. Under his administration, the city built a new law enforcement center, an airport terminal, a community center, as well as new fire stations. Artesia's public library and senior center have been expanded and remodeled.

Through it all, Ernest Thompson has worked effectively at state and federal levels to win support for his city. As a member of the Southeast New Mexico Economic Development District, he has toiled to build the area as a whole. A member of the National League of Cities since 1973, Mayor Thompson rallied for towns with fewer than 50,000 residents as president of the Small Cities Advisory Council. He is a member of the League's Finance, Administration, and Intergovernmental Relations Committee.

It is through this work to improve the City of Champions that Mayor Thompson and I have become friends.

I take pride in having played a role in winning for Artesia the Federal Law

Enforcement Training Center. I greatly admire city leaders who are innovative in creating opportunities to bring good jobs to their community. Mayor Thompson, with the support of the city counselors, county commission and citizens of Artesia, exhibited such innovation in attracting FLETC to the city in 1989. He greatly helped in my efforts to convince the Treasury Department that Artesia would make an attractive host city for the training facility.

Almost 10 years after we landed FLETC, I am still impressed with the innovation displayed by Mayor Thompson and the community to bring opportunity to the area. Buying the abandoned Artesia Christian College campus and actively working to find a suitable tenant—in this case a FLETC satellite facility—added a new and welcome facet to the area economy.

Taken as a whole, FLETC and other accomplishments will stand as a monument to the 26 years of leadership provided by Mayor Thompson. I will always admire him and his qualities as a leader. I do not say goodbye, but congratulations and thank you. I still look forward to his sage advice and discussions about Artesia, Eddy County, New Mexico and our nation.

Finally, I think it is appropriate to note that while Ernest Thompson was working as Artesia's mayor, he was at the same time a dedicated husband and father. I know his dear wife, Grace, is thankful for his love, dedication and care during personally trying times. Together they are a marvelous couple.

Mr. President, I invite the entire Senate to take note of this tribute to an outstanding local leader as he retires from public office. I ask them to join me and the people of Artesia in expressing gratitude to Mayor Ernest Thompson for all he has done on behalf of others.●

MARKET POWER AND STRUCTURAL CHANGE IN THE SOFTWARE INDUSTRY

● Mrs. BOXER. I would like to comment on the hearing held earlier today by the Senate Judiciary Committee on "Market Power and Structural Change in the Software Industry."

First, I would like to commend Chairman HATCH for holding this important hearing and for his leadership on this issue.

Mr. President, today's creative and innovative software products enable us to bank, conduct research, shop and even trade securities online. And this is just the beginning. It is important therefore, that such a vast and essential resource be allowed to grow and expand in a fair and competitive environment. But recent events had threatened to case clouds over this most fundamental premise. Let me explain.

On October 20, 1997 Attorney General Reno announced that the Department of Justice would ask a federal judge to order the Microsoft Corporation to

cease its practice of forcing manufacturers to sell its internet browser, Internet Explorer, with its widely used operating system, Windows 95. The U.S. District Court here in Washington, D.C. agreed, and on December 11, 1997 ruled that, pending further proceedings, Microsoft could not require purchasers of its operating system software to install its browser software.

In response to the Court's December 1997 ruling, Microsoft offered computer makers three options: (1) a version of Windows which Microsoft believed did not function; (2) a version of Windows which was more than two years out of date and no longer commercially viable; or, (3) Windows 95 bundled with Internet Explorer.

Thanks to the Department of Justice's continuing efforts, however, the storm clouds which had threatened an open and competitive market for internet browser software, now appear to be fading. On January 22, 1998, the Department of Justice and Microsoft reached an agreement in which Microsoft agreed to offer computer manufacturers a version of Windows 95 that contained a fully up-to-date operating system without its Internet Explorer internet browser.

But why should we care about this?

We should care about this because the biggest losers, perhaps, of any anti-competitive action in the internet browser industry will be the millions of everyday people who rely on the Internet. If one company gains such a huge and unfair advantage, other companies will not be able to compete; there will be no choices and innovation will be stifled.

This brings up the issue of "open standards." Open standards on the Internet will allow all access to the Internet without having to rely upon any one company or any one operating platform. Open standards work against monopolies, and ultimately benefit the Internet by increasing competition among software products, resulting in lower prices and a wider selection.

As a Californian, I am concerned about this issue for yet another reason. Cutting-edge software manufacturers from my home state provide tens of thousands of people with high-paying jobs, making software manufacturing one of California's most valued industries. Industry competition is thus vitally important to my state's interest.

I appreciate the integral role the Microsoft Corporation has played and continues to play in the information age—its contributions have been most significant and important. It has made computers and computer applications more accessible to millions of people around the world, and for that, it deserves appropriate recognition and credit. Microsoft has been, and continues to be, the leader in the computer industry. But other, smaller, companies must also be given a chance to compete in the best and oldest of American traditions.

As we move further and further into the information age, the national government must ensure that competition is not eliminated. The Department of Justice should therefore be commended for acting to protect consumers and businesses alike. Similarly, Microsoft deserves credit for agreeing to settle the issue of bundling its operating system software with its internet browser software in what the Department of Justice believed to be a fair and equitable manner. Both made the right call.●

SANCTITY OF THE BALLOT

● Mr. COVERDELL. Mr. President, yesterday's Wall Street Journal lead editorial entitled "Sanctity of the Ballot" should be a wakeup call for America's citizens. Sadly, we can no longer assume public officials tasked with protecting your vote are able to do so. The fact is, passage of the Motor Voter Act has led to growing incidences of election fraud in communities large and small, and the problem is getting worse all the time.

The editorial highlights an important new national organization, the Voting Integrity Project (VIP), which was formed in 1996 in response to the growing abuses highlighted by the Journal. VIP is a non-profit, non-partisan coalition of citizens and civic groups. It organizes and trains citizens to protect the integrity of the vote in their own community. It also investigates and litigates important election fraud cases, including constitutional issues. It is the only independent, national organization performing this important work.

Mr. President, VIP has learned that it is nearly impossible to overturn elections once they have been certified and places its emphasis accordingly, in pro-active programs run by the citizens themselves. Indeed, American voters need to wake up to the harsh reality of today's election process and begin to equip themselves, through organizations such as VIP, to guard the sanctity of their communities' elections and their vote.

I ask that the text of the editorial be printed in the RECORD.

The editorial follows:

[From the Wall Street Journal, Mar. 2, 1998]
SANCTITY OF THE BALLOT

In a rush to make it as easy as possible for citizens to exercise their right to vote, the country has created lax registration and voting procedures that could call into question a close election any number of states. The 1983 federal Motor Voter law requires states to allow people to register to vote when they get a driver's license, even though 47 states don't require proof of legal US residence much less citizenship for such a license. "We have the modern world's sloppiest electoral system," warns political scientist Walter Dean Burnham.

Media and political elites pooh-poo such concerns, but they are genuine and growing. The House of Representatives has just dismissed an election challenge by former Rep. Bob Dornan of California. But buried in the

news that Rep. Loretta Sanchez would keep her seat was the conclusion of a House task force that 748 illegal votes had been cast in an election decided by only 979 votes.

The year long investigation established 624 "documented" cases of non-citizens voting. Another 124 voters cast improper absentee ballots. An additional 196 votes may well have been illegal, but only circumstantial evidence existed. "In the end of the day," says GOP task force member Rep. Robert Ney, "Bob Dornan was right—there were illegal voters." In the Sanchez race they represented close to 1% of all votes cast. The danger is that if this is tolerated, it will only get worse.

In the wake of the Sanchez-Dornan dispute, Rep. Steve Horn, a California Republican, called for a vote on a pilot program to combat fraud in five large states. Local and state officials would be allowed, but not required, to check citizenship records with Social Security and the Immigration and Naturalization Service. If they couldn't verify citizenship, the voter would have to prove his or her status or risk being dropped from the rolls. The program included privacy protections and a requirement that it be "uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965."

This sensible and sensitive proposal doesn't unduly trample on immigrant rights. Almost half the states already ask for all or part of the Social Security number to register to vote. But Democrats, fresh from Ms. Sanchez's triumph, practically accused Rep. Horn of reinventing the poll tax and literacy tests of the Jim Crow era. "It is a shame, it is a disgrace," said Rep. John Lewis, a veteran of the civil rights movement.

In the end, the bill won a 210-200 majority, but it failed because it was brought to the floor under a rule requiring a two-thirds majority. Rep. Horn hopes to have a vote under normal rules within a month. He points to a growing body of evidence that the potential for vote fraud is growing, noting some in the shadow of the U.S. Capitol itself.

In Washington, D.C. an astonishing one of every six registered voters can't be reached at their address of record. The city has lost 100,000 people since 1980, but registration has shot up to 86% of eligible voters from only 58%. Nationally, the average registration rate is only 66%. Felons, dead people, non-residents and fictitious registrations clog the rolls in Washington, where anyone can walk up and vote without showing I.D.

Across the Potomac River in Virginia, Robert Beers, the voter registrar of prosperous Fairfax County, says the Motor Voter law has increased the number of registered voters, but turnout has actually fallen in recent elections. "There is no question in my mind that we have registered people who aren't U.S. citizens," Mr. Beers told the Washington Times. "Nobody worries about the rolls until you get to the election that's decided by three votes. I wish they would pay attention to it before it gets to that point." He is backing a state bill to require voters to show some type of photo I.D.

Last month Mississippi's legislature passed a motor voter law, but Governor Kirk Fordice issued a veto because it lacked a voter I.D. provision. "Vote fraud is an equal opportunity election stealer," he says. His concerns about improper registrations are echoed elsewhere. The Miami Herald has found that 105 ballots in last year's disputed mayoral election were cast by felons. Last month a local grand jury concluded that "absentee ballot fraud clearly played an important part in the recent City of Miami elections." This "called into question the legitimacy of the results."

In San Francisco, the Voting Integrity Project has filed suit to overturn a ref-

erendum that approved a new stadium. They cite evidence of actions by city and stadium officials to tilt the results toward a pro-stadium vote. The scandal has already been marked by the registrations of the city's election supervisor and Edward DeBartolo, chairman of the San Francisco 49ers.

Everyone supports the right to vote, but an equally important right is the guarantee of elections that are fair and free of fraud. Right now a growing number of states can't guarantee the integrity of their results, and that inevitably will lead to an increasing cynicism and disenchantment with the democratic process.●

NATO EXPANSION AND THE EU

● Mr. MOYNIHAN. Mr. President, today the Senate Foreign Relations Committee has reported the Resolution of Ratification to NATO enlargement. It is appropriate at this time to inform my colleagues of my intention to offer a condition to the Resolution of Ratification when it comes to the Senate for debate linking NATO expansion with economic expansion. I am pleased to be joined in this effort by the senior Senator from Virginia, Senator WARNER.

The former Majority Leader, Howard Baker, Jr., our colleague Sam Nunn, Brent Scowcroft, and Alton Frye recently wrote an article for The New York Times in which they assert that "Linking NATO expansion to the expansion of the European Union would underscore the connection between Europe's security and its economy—and offer certification that entrants to NATO could afford to meet its defense obligations."

It is our contention that Poland, Hungary, and the Czech Republic face no security threats, so strengthening their economies and democratic institutions should be their first priority.

All three of the candidates are eager to join the European Union (EU), which has now decided to begin accession negotiations with them. NATO's decision at Madrid to invite these countries to negotiate for membership preceded the EU offer to negotiate accession. The EU's offer affords the Senate an opportunity to lend support to these countries' bid for EU membership, without accepting any presumption that entry into the EU guarantees admission to NATO.

A provision to link admission to NATO with admission to the EU will encourage expeditious negotiations by the EU, and will allow the three countries to concentrate their full resources on economic modernization, rather than diverting precious resources to military expenditures.

I ask that the text of the condition be printed in the RECORD.

The text of the condition follows:

At the end of section of the resolution (relating to conditions), add the following:

() DEFERRAL OF RATIFICATION OF NATO ENLARGEMENT UNTIL ADMISSION OF POLAND, HUNGARY, AND CZECH REPUBLIC TO THE EUROPEAN UNION.—

(A) PROHIBITION.—The President shall not deposit the United States instrument of ratification prior to the latest date by which Poland, Hungary, and the Czech Republic have