

by several iterations of closing arguments. These arguments were interspersed with video snippets from grand jury depositions and depositions by the House Managers. This arrangement, pieced together as we went along, did not always make for a coherent narrative.

The House Managers' theory of the case required us to accept a narrative, a story of conspiracy, lies and efforts to thwart justice. As they told the story, each sinister act was offered as evidence of the coherent whole. They had trouble telling a story, due partly to flaws in their theory and, to be fair, perhaps in small part due to flaws in our process. We had no live witnesses. The parties alternated control of the floor, creating a dynamic of thrust and parry, rather than a methodically constructed narrative.

The managers' complaints about the process in turn became a recurrent theme in their arguments, resulting in greater, and sometimes unfair, latitude for them in their efforts to make the case. For example, on a disappointing party line vote, the President was denied fair notice of the snippets of taped testimony that would be woven into the House Managers' arguments. Then the Senate allowed the House Managers to reserve two of their three hours of closing arguments for a "rebuttal" which included new iterations of their various accusations, with no opportunity for the defense to reply.

The question of witnesses was distorted on both sides by political considerations. The House Managers were counseled by their allies in the Senate not to seek too many witnesses, lest they unnerve Senators with visions of unseemly testimony on the floor. The President's defenders declared that no witnesses were necessary; they argued that the House Managers had passed up their chance to hear fact witnesses in the House Judiciary Committee hearings. Neither approach was sound—witnesses would have helped, but they should have been chosen and presented in a thoughtful way. I believe, for example, that Betty Currie was a very important potential witness. She was nowhere to be found, apparently because the managers made a political calculation that they would do without her testimony, trading away the strongest piece of their obstruction case.

In the end, both sides made strategic decisions in this trial at the mercy of a fluid and unpredictable procedure. That led to an element of chance in the trial that I believe was unfortunate. And it also led to complaints from each side about the fairness of the process that were a distraction from the substance of the trial. I therefore recommend to future presidential impeachment courts that at the very outset they try hard to achieve consensus on a procedure that will govern the entire trial.

The process was not only flawed in the procedure on the floor. In the midst

of the trial, the Independent Counsel, Kenneth Starr, at the behest of the House Managers, sought from the District Court an order compelling Monica Lewinsky to travel to Washington to submit to a private interview with the House Managers. This interposed the court and the Independent Counsel in matters properly reserved to the Senate, in which the Constitution vests the sole power to try impeachments. In so doing, he undermined the bipartisan agreement of the Senate that it would make procedural determinations regarding witnesses following the opening arguments and the question period.

Both the Republican and Democratic caucuses met throughout the trial to discuss the proceedings. I attended these meetings and I do not assert that they were improper, but we could have better lived up to our oath to do impartial justice, if we had not held those regular party caucuses. Those meetings must have seemed to some of our constituents to be the place where we plotted a partisan course. This could not have helped the people to have confidence in our work.

Time and again, we saw the House Managers and the President's lawyers clearly responding to advice from Senators. At times they held formal meetings with Senators. There were countless casual conversations about the case between Senators and the advocates for both sides. We are not solely jurors, in the traditional sense, but as triers of fact and law, we would do well in future impeachment trials to avoid these interactions, which really amount to *ex parte* communications.

The greatest flaw in the process was the lack of openness in deliberations. The modern Senate has no excuse for locking the people out of any of its proceedings except for the most serious reasons of national security. The Chief Justice ruled forcefully that the Senate in an impeachment trial is not a jury in the ordinary sense of the word. With that ruling, any pretext for closed deliberations was destroyed. We should quickly take steps now that the trial is over to change the archaic rules that forced this process behind closed doors at crucial moments. The American people should be able to watch us and hear us at every stage in a process that could lead to removal of a President they elected. Secrecy in these proceedings is wrong and can only undermine public confidence in this important constitutional event.

Mr. President, impeachment trials should be extremely rare. To make this more likely, the process of impeachment in the Senate should not be quick, convenient, and painless. Making it so only invites its further abuse. Adherence to a thorough process can provide a stabilizing bulwark against this kind of abuse. That is one of the reasons I opposed premature motions to dismiss the Articles of Impeachment and supported the House Managers' motions to depose witnesses and to admit those depositions into the

record. The hasty and abbreviated impeachment process of the other body helped contribute to a feeling of two armed encampments facing each other in a high stakes contest rather than a search for truth or justice. Whether a President is convicted or acquitted, no credible or politically sustainable result can possibly come from such a process.

I believe it is important for us to review and analyze the process by which we conducted this trial and look honestly and critically at what worked and what didn't. We should then make changes to the process, now, while the experiences of this trial are fresh in our minds, and hand down to the next Senate that faces the unfortunate task of mounting an impeachment trial rules and procedures that will help it conduct the trial in a manner worthy of the weighty constitutional duty that the Framers of the Constitution bequeathed to it.●

DRUG FREE CENTURY ACT

● Mr. BURNS. Mr. President, I rise today to join the distinguished Senator from Ohio and a number of my colleagues in supporting the Drug Free Century Act. This bill continues last year's efforts in the fight against drug use in our country in the form of the Western Hemisphere Drug Elimination Act, the Drug Free Communities Act, and the Drug Demand Reduction Act, all of which I supported.

During my tenure in office I have read, listened to, and weighed the debate over illegal drug use and the policy our nation should follow in dealing with illegal drugs. In an attempt to put an end to that growing problem, I signed onto the Western Hemisphere Drug Elimination Act. This act was a bipartisan piece of legislation that authorized \$2.6 billion over three years for drug eradication and interdiction efforts designed to restore a balanced anti-drug strategy. It offered significant promises for the reduction of the supply of coca and opium poppy in Latin America, as well as improving intelligence and interdiction capabilities against the national security threat posed by major narcotics trafficking organizations.

Although this bill received bipartisan support and was signed by the President, the FY2000 anti-drug budget was cut by the Administration by almost \$100 million below that appropriated in FY1999. I ask you, Mr. President, what kind of signal are we sending to our nation's youth if we allow this to happen? We in Congress took the necessary steps last year in restoring a balanced, coordinated anti-drug strategy. We must continue our efforts and we must impress upon the Administration the commitment needed in order to carry out that strategy.

My colleague has pointed out that drug use and criminal activity since 1992 wiped out any gains made in the previous decade. America has witnessed an increase in illegal drug use

among our nation's younger generation. Recent polls show that drug use among our nation's eighth graders has increased 71 percent since 1992. We have seen a reverse in gains made in the 1980s and early 1990s by de-emphasizing law enforcement and interdiction while relying on drug treatment programs for hard-core abusers in the hopes of curbing drug usage.

In Montana alone, drug use among high school-aged youth has also risen. According to the Montana Office of Public Instruction's Youth Risk Behavior Survey, marijuana use among high school aged youth has risen approximately 18% since 1993. However, that 18% only represents an increase in one time use by teenagers. In fact, the same survey suggests that the percent of adolescents who have used marijuana repeatedly in the last 30 days has risen by 13%. But it isn't just marijuana use that has increased, Mr. President. No. In fact, a more deadlier drug, cocaine, is increasing in use among Montana teens. Approximately 5% according to the survey. This is the sad trend that our nation's youth is following, and the reason we in Congress need to make a strong statement against drug use. I believe that The Drug Free Century Act is such a statement.

The Drug Free Century Act is a comprehensive approach to the nation's anti-drug policies. It strengthens education, treatment, law enforcement, and drug interdiction efforts. Although it is only the first step in our anti-drug strategy, it sends a clear message to the nation and our youth that we are committed to eliminating illegal drugs in the United States.●

OFFICER BRIAN ASELTON

● Mr. LIEBERMAN. Mr. President, I rise today to pay tribute to a young man who made the ultimate sacrifice for his community. Officer Brian Aselton of the East Hartford Police Department lost his life on January 23, 1999 when he responded to a noise complaint call that turned out to be anything but routine. Instead, Brian became the eleventh Connecticut police officer killed in the line of duty in the last ten years.

This tragedy has touched the entire region; more than ten thousand civilians and law enforcement officials attended Brian's funeral. We have all tried to come to terms with the utter senselessness of his death. Brian was a young man at the start of a promising career with a supportive nucleus of family and friends. Truly, he embodied the determination, strength, and spirit that is such an integral part of our nation's history. Yet, in an instant, Brian's life and the lives of everyone who loved him changed forever.

Every law enforcement officer puts his or her life on the line to protect citizens every day. Too often, we as civilians forget the dangers of the occupation and do not show these brave and

dedicated officers the respect they deserve. Officer Aselton, killed in the line of duty, serves as a solemn reminder to us all of the responsibility borne by police officers across the state and nation. Every day, the men and women in uniform put their lives at risk so that we can live in communities where we and our families can feel safe. And unfortunately, it takes a tragic event like this for us to truly understand the dedication of these peace officers to the neighborhoods they serve.

With the support of the East Hartford Police Department and other officers across the region, the Aselton family has begun the necessary healing process. Yet, with his loss, the town of East Hartford and the State of Connecticut have been diminished. At Brian's funeral, everyone joined together across municipal and state borders and stood together as a single family honoring one of our own. Now that Brian is gone, it is incumbent on us to maintain those bonds. Each one of us must recognize that we are all part of the same family and the simple things important to us are also the simple things important to our neighbors. These are the personal steps that we should take to truly honor his memory. If we can each devote the same commitment to these principles that Brian devoted to his duties as a police officer, we will, through our progress as a society, have made some sense out of his untimely death.●

CONGRATULATIONS TO LINCOLN HIGH SCHOOL

● Mr. SMITH of Oregon. Mr. President, I rise today to congratulate the class from Lincoln High School in Portland, Oregon, that will be representing the state of Oregon in the national finals of the program We the People . . . The Citizens and the Constitution. These young scholars have worked diligently to reach the national finals and through their experience have gained knowledge and understanding of the principles and values that support our constitutional democracy.

The We the People . . . The Citizen and the Constitution program is the most extensive educational program in the country developed specifically to educate young people about the Constitution and the Bill of Rights. The three-day national competition is modeled after hearings in the United States Congress, consisting of oral presentations by high school students before a panel of adult judges. The student testimony is followed by a period of questioning during which the judges probe students for their depth of understanding and ability to apply their constitutional knowledge.

It is so important that our young people come to understand and appreciate these unique concepts and values which knit our nation together. For it is their leadership which must guide our country's future, and their wisdom which must be equal to our country's need. Again, I congratulate the student

team from Lincoln High School and thank each for their dedication and diligence.

The student team from Lincoln High School consists of: Graham Berry, Nicole Byers, Brianna Carlisle, Naomi Cole, Violet Dochow, Andrew Dunn, Etopi Fanta, Jordan Foster, Ian Galloway, Arianna Hearing, Sarah Hodgson, Britta Ingebretson, Aaron Johnson, James Knowles, Ashley Linder, Katharine Mapes, Heather Marsh, Amanda Morganroth, Joshua Moskovitz, David Murphy, Eric Nadal, Simone Neuwelt, Melissa Nitti, Lauren Olson, Aubrey Richardson, Caitlin Ryan, Jonathan Schwartz, Elizabeth Smith, Paul Susi, and Katherine Wax, with Hal Hart and Chris Hardman serving as their teacher advisors. They are currently conducting research and preparing for the upcoming national competition in Washington, DC. I wish the students and teachers the best of luck at the We the People national finals and I look forward to their visit to Capitol Hill.●

RULES OF THE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

● Mr. MCCAIN. Mr. President, pursuant to the requirements of paragraph 2 of Senate Rule XXVI, I ask to have printed in the RECORD the rules of the Committee on Commerce, Science, and Transportation for the 106th Congress adopted by the committee on January 20, 1999.

The Rules follow:

RULES OF THE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

(Adopted by the Committee on Commerce, Science, and Transportation on January 20, 1999.)

I. MEETINGS OF THE COMMITTEE

1. The regular meeting dates of the Committee shall be the first and third Tuesdays of each month. Additional meetings may be called by the Chairman as he may deem necessary or pursuant to the provisions of paragraph 3 of rule XXVI of the Standing Rules of the Senate.

2. Meetings of the Committee, or any subcommittee, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the Committee, or any subcommittee, on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in subparagraphs (A) through (F) would require the meeting to be closed followed immediately by a record vote in open session by a majority of the members of the Committee, or any subcommittee, when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(A) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(B) will relate solely to matters of Committee staff personnel or internal staff management or procedure;

(C) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public