

penalty ordered in their respect, allowing them new ground for new trials, and the like, is something that ought to trouble us. We do not need judges with a tremendous bent toward criminal activity or with a bent toward excusing or providing second chances or opportunities for those who have been accused in those situations.

Missouri v. Kinder is another case where he was the sole dissenter, a case of murder and assault, murder with a lead pipe, the defendant was seen leaving the scene of the crime with the lead pipe and DNA evidence confirming the presence of the defendant with the person murdered.

The judge in that case wrote a dissent saying that the case was contaminated by a racial bias of the trial judge because the trial judge had indicated that he opposed affirmative action and had switched parties based on that.

Another case, Missouri v. Damask, a drug checkpoint case. The sole dissent in the case was from Judge White who would have expanded substantially the rights of defendants to object to searches and seizures.

I believe that law enforcement officials had an appropriate, valid, reasonable concern. That concern was appropriately recognized and reflected in the vote of the Senate. Not only Missouri needs judges, but the entire country needs judges whose law enforcement experience is such that it sends a signal that they are reliable and will support appropriate law enforcement.

I am grateful to have had this opportunity. No time was expected for debate on this issue today, and as an individual who was involved in this matter, I am pleased to have had this opportunity. I thank the Senate. I thank the Senator from Arizona for helping make this time available to me.

I yield the floor.

AIR TRANSPORTATION IMPROVEMENT ACT—Continued

The PRESIDING OFFICER. Under the previous order, the Senator from Illinois is recognized.

AMENDMENT NO. 2264 TO AMENDMENT NO. 1892

(Purpose: To replace the slot provisions relating to Chicago O'Hare International Airport)

Mr. FITZGERALD. Mr. President, I rise on behalf of myself and my colleague from Illinois, Senator DURBIN, to propose an amendment to the amendment proposed by the Presiding Officer himself, Senator GORTON, and Senator ROCKEFELLER. I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Illinois [Mr. FITZGERALD], for himself and Mr. DURBIN, proposes an amendment numbered 2264 to amendment No. 1892.

The amendment is as follows:

On page 5, beginning with "apply—" in line 15, strike through line 19 and insert "apply after December 31, 2006, at LaGuardia Air-

port or John F. Kennedy International Airport."

On page 8, beginning with line 7, strike through line 17 on page 12 and insert the following:

(1) IN GENERAL.—Subchapter I of chapter 417, as amended by subsection (d), is amended by inserting after section 41717 the following:

"§41718. Special Rules for Chicago O'Hare International Airport

"(a) IN GENERAL.—The Secretary of Transportation shall grant 30 slot exemptions over a 3-year period beginning on the date of enactment of the Transportation Improvement Act at Chicago O'Hare International Airport.

"(b) EQUIPMENT AND SERVICE REQUIREMENTS.—

"(1) STATE 3 AIRCRAFT REQUIRED.—An exemption may not be granted under this section with respect to any aircraft that is not a Stage 3 aircraft (as defined by the Secretary).

"(2) SERVICE PROVIDED.—Of the exemptions granted under subsection (a)—

"(A) 18 shall be used only for service to underserved markets, of which no fewer than 6 shall be designated as commuter slot exemptions; and

"(B) 12 shall be air carrier slot exemptions.

"(c) PROCEDURAL REQUIREMENTS.—Before granting exemptions under subsection (a), the Secretary shall—

"(1) conduct an environmental review, taking noise into account, and determine that the granting of the exemptions will not cause a significant increase in noise;

"(2) determine whether capacity is available and can be used safely and, if the Secretary so determines then so certify;

"(3) give 30 days notice to the public through publication in the Federal Register of the Secretary's intent to grant the exemptions; and

"(4) consult with appropriate officers of the State and local government on any related noise and environmental issues.

"(d) UNDERSERVED MARKET DEFINED.—In this section, the term 'service to underserved markets' means passenger air transportation service to an airport that is a nonhub airport or a small hub airport (as defined in paragraphs (4) and (5), respectively, of section 41731(a))."

(2) 3-year report.—The Secretary shall study and submit a report 3 years after the first exemption granted under section 41718(a) of title 49, United States Code, is first used on the impact of the additional slots on the safety, environment, noise, access to underserved markets, and competition at Chicago O'Hare International Airport.

On page 19, strike lines 10 and 11.

On page 19, line 12, strike "(B)" and insert "(A)".

On page 19, line 13, strike "(C)" and insert "(B)".

On page 19, line 15, strike "(D)" and insert "(C)".

Mr. BYRD. Mr. President, will the distinguished Senator yield without losing his right to the floor?

Mr. FITZGERALD. Yes, I will yield.

Mr. BYRD. I ask unanimous consent that following the Senator's statement, I be recognized to speak for not to exceed 15 minutes on another matter.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BYRD. I thank the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. FITZGERALD. Mr. President, this amendment would exempt O'Hare International Airport from any lifting of the high density rule. I understand this amendment has been accepted on both sides. I ask unanimous consent the amendment be agreed to.

I thank the Presiding Officer himself for his efforts to work with me, and also the distinguished Commerce Committee Chairman, Senator MCCAIN from Arizona, and the ranking Democratic member, Senator ROCKEFELLER. Of course, I thank the good auspices of our majority leader who helped work out this agreement. I appreciate the time and consideration of all on a very difficult matter.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment (No. 2264) was agreed to.

Mr. FITZGERALD. I thank the Chair.

The PRESIDING OFFICER. Under the previous order, the Senator from West Virginia is recognized for not to exceed 15 minutes.

Mr. BYRD. Mr. President, I thank the Chair.

IN DEFENSE OF CHURCHES

Mr. BYRD. Mr. President, recent comments by a political figure have unfairly and, I think, unjustly castigated American churches and millions of American church-goers as "... a sham and a crutch for weak-minded people who need strength in numbers. [meaning organized religion] tells people to go out and stick their noses in other people's business." Now these comments are being defended as the kind of outspoken honesty that people really seek in a politician. While I am totally in favor of greater candor from politicians, particularly in these days of poll-driven and consultant-drafted mealy-mouthed pap masquerading as "vision," I am emphatically not in favor of rudeness. There is far too much rude and divisive talk in this Nation these days, and it only exacerbates the kind of climate that encourages acts of violence against anyone who is different or any organization that is not mainstream—or maybe even if it is mainstream, as churches are still mainstream, at least in my part of the world. We cannot and should not let this kind of meanness be excused in the name of honesty and candor.

I do not question anyone's right to voice his opinion, whether I agree with it or not, but I also do not believe it is necessary to demean or belittle or denigrate anyone in the process of voicing an opinion. I am pleased to see that I am not alone in my outrage, but that many people have expressed similar feelings. I hope that we can all learn a lesson from this episode.

All of us ask for guidance from those we trust whenever we are faced with difficult problems. We ask our parents, or our wives, we ask our husbands, or our friends. So what is wrong with seeking the advice of someone who has

seen more troubles and received more training in counseling than ourselves—someone who has a calling, a passion, for this role? Someone such as our pastor or priest or minister? Or what is wrong with asking the One who knows and shares all of our troubles—in asking the Creator for guidance and support? What is wrong with asking ourselves, “What would Jesus do?” There is nothing wrong with using the spiritual guidance provided to us from God and His Son, and tested over nearly 2,000 years of human experience. It is not weak-minded. It is not sheep-like to grow up within a framework of faith and to celebrate the rituals of the church. It does not mean that one has a weakness and needs organized religion to “strengthen oneself.”

Churches across this Nation provide millions of strong people with spiritual, emotional, and physical support. People who are active in their church may literally count their blessings when disaster strikes them. Be it the sudden loss of a loved one, a fire, a flood, that person will find himself surrounded with caring friends and helping hands. Insurance may provide a sense of financial security, but no matter whose good hands your insurance may be in, an insurance company cannot hold your hand and offer a shoulder to lean on while your home is reduced to smoky ruins or washed downstream in a flood. A pastor, a priest, a minister, or friend from your church can do so, and will do so. And people in your church will offer you the clothes off of their backs, or a place to stay, or food to eat when you are hungry, or help in many other small ways that are a balm on a hurting soul. Instead of facing your loss alone, help arrives in battalions.

Churches have become, in many ways, the new centers of community in America. We live in ever-expanding suburbs. We spend long hours each day commuting to jobs miles from our homes. Our children ride buses to distant schools that may combine many neighborhoods or even many communities.

We may rarely see our neighbor, or may know the neighbor only to nod at as we back our cars out of our driveways. Air conditioning, television, and other amenities have taken the place of sitting on the front porch with a glass of lemonade. Now, if we are outside, we are likely on a deck in the back yard, hidden by a fence or a hedge from the prying eyes of our unseen neighbors. But in church on Sunday, one is encouraged to shake a neighbor's hand. One is asked to pray for neighbors who are sick or in distress. And one hears the word of God—a Name that is above all other names—and participates in the observance of the liturgy that binds all of us in a seamless lineage to the heritage of man.

Churches are not for the weak-minded, Mr. President. They are for the strong. They are for people who are not afraid to seek guidance, not afraid to

show charity, not afraid to practice kindness. Tolerance for the beliefs of others is one of the cornerstones on which this Nation is founded, and we in public life would be well-advised to remember that.

Let me close these remarks, Mr. President, with a passage from George Washington's Farewell Address. Mr. President, George Washington, commander of the American forces at Valley Forge, was not a weak-minded man. George Washington, the first President of the United States—and the greatest President of all—was not a weak-minded man. Let's share what he had to say about religion. We might even class George Washington as a politician.

Here is what George Washington said. I suggest that all take note.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens.

Let me digress briefly to suggest that all politicians, whether at the State or local or national level, take note of what George Washington said.

The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I had no intention to speak on this matter. It is purely coincidence—one might even suggest the hand of the Almighty—that caused me just a few minutes ago to read a column that appeared in the Boston Globe in this particular case, a column that picks up on the very theme the distinguished senior Senator from West Virginia has addressed this afternoon.

I will read the column into the CONGRESSIONAL RECORD. I have rarely ever done this, but I found this column so compelling. It corresponds very much to the eloquent words of our colleague from West Virginia and the compelling words of our first American President, George Washington.

First of all, we live in a wonderful country that allows people to express their views, whether they be public people or not. The Governor of Minnesota has expressed his views in a national publication that comes to the issue of organized religion. He certainly is entitled to his views, but I think for those of us who disagree with him and, in fact, as public persons, we bear responsibility to challenge those

words when they are offensive to millions of Americans, be they Christians, Jews, Muslims, whether or not people who practice their religion in a church, a synagogue, or a mosque. There is every reason to believe that organized religion, if you will, has contributed significantly to the strength and well-being of the Nation.

This morning, in a column by E.J. Dionne called the Gospel of Jesse Ventura, he quotes the statements made by the Governor of Minnesota in which the Governor said:

Organized religion is a sham and a crutch for weak-minded people who need strength in numbers. It tells people to go out and stick their noses in other people's business.

Now, Mr. President, the column:

Well, Governor, I have to hand it to you. You've told us over and over that you say what's on your mind and, because of that, you're unlike the average politician. This statement definitely justifies all your self-congratulation.

Because you're so honest and tough-minded, I figured you wouldn't mind answering a few questions about your comments. I ask them because none of your explanations after the interview helped me understand your meaning. Perhaps I'm thick-headed and you can bring me to your level of enlightenment.

Martin Luther King Jr. was a pastor who led the Southern Christian Leadership Conference. He organized church people to fight for justice. Many who opposed him thought he was sticking his nose into other people's business. In his first major civil rights sermon at the Holt Street Baptist Church in Montgomery, Ala., he declared: “If we are wrong, Jesus of Nazareth was merely a utopian dreamer and never came down to earth! If we are wrong, justice is a lie!”

Please tell me, Governor, I want to know: Was Martin Luther King Jr. “weak-minded” for working through “organized religion”? While you're at it, were all those civil rights activists, so many motivated by religious faith, “weak-minded” for risking their lives in the struggle?

Rabbi Abraham Heschel was a brilliant theologian and wrote about the Hebrew prophets. He was moved by his sense of the prophetic to become a leading ally of King's battle for equality. Was he weak-minded?

Dietrich Bonhoeffer was a German theologian moved by his faith to oppose Hitler. He went to prison and was eventually killed. “I have discovered,” he wrote a few weeks before his execution, “that only by living fully in the world can we learn to have faith.” Was Dietrich Bonhoeffer using his faith as a “sham and a crutch?”

The Polish workers of the Solidarity trade union movement, inspired by faith and helped immensely by their “organized religion,” faced down the Communist dictatorship in Poland. They risked jail and beatings and helped change the world. Was that weak-minded of them?

What about those theologians who thought through religious questions and the meaning of life on behalf of all those churchy souls you say need crutches? Were Augustine and Aquinas weak-minded? Were Luther and Calvin? What about 20th-century prophets such as Reinhold Niebuhr and Martin Buber? They were towering intellects, I've always thought, but perhaps I'm blind and you can help me see.

I respect and admire the courage you demonstrated in serving our country as a Navy SEAL. But just out of curiosity: Do you think the military chaplains you met were weak-minded?

Father Andrew Greeley, the sociologist, has found that "relationships related to religion" are clearly the major forces mobilizing volunteers in America. We're talking here about mentors for children, volunteers in homeless programs, those who give comfort at shelters for battered women. Are all these good volunteers just seeking strength in numbers?

While you were making money wrestling, Mother Teresa was devoting her life to the poor of Calcutta. Maybe you think she would have been better off in the ring with Disco Inferno.

I don't want to get too personal, but I truly want to know what you're trying to tell us. The nuns who taught me in grade school and the Benedictine monks who taught me in high school devoted the whole of their lives to helping young people learn. Was their dedication to others a sign of weakness? The parish I grew up in was full of parents—my own included—whose religious faith motivated them to build a strong community that nurtured us kids. I guess you're telling me those parents I respected were only seeking strength in numbers.

Somewhere around 100 million Americans attend religious services in any given week. Sociologists agree we are one of the most religiously observant countries in the world, especially compared to other wealthy nations. Are we a weak-minded country?

In explaining your comments afterward, you said: "This is Playboy; they want you to be provocative." Does that mean you would have said something different to the editors of, say, Christianity Today?

And, Governor, one last question: Are you tough-minded enough to understand the meaning of the words: "Your act is wearing thin?"

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ART FROM THE HEART

Mr. WELLSTONE. Mr. President, I thought I would use this time, before we go forward in the Senate with some additional votes, to speak on two matters. I am actually waiting for a few visuals, or pictures, I want to show regarding what I am going to say.

First of all, let me thank a pretty amazing group of young people from my State of Minnesota for coming all the way here to Washington, DC. These are high school students, and they have brought, if you will, art that is from the heart. It is an art display that will be on exhibit in the rotunda of the Russell Senate Office Building.

This month of October is an awareness of domestic violence month. People in the country should understand, if they don't already, that about every 13 seconds, a woman is battered in her home—about every 13 seconds.

A home should be a safe place for women and children. What these students have done is—and I first saw their display at the Harriet Tubman Center back home in Minnesota—they have presented some art that, as I say, is really from the heart. This artwork, in the most powerful way, deals with the devastating impact of violence in homes, not only on women and adults but on children as well.

Quite often, we have debates out here on the floor of the Senate about the negative impact of television violence, or violence in movies, on children. The fact is that for too many children—maybe as many as 5 million children in our country—they don't need to turn on the TV or go to a movie to see the violence; they see the violence in their homes.

We will have this really marvelous display of art by these students from Minnesota, and it will be in the Russell rotunda on display this week. Tonight, for other Senators, at 6:30, there will be a reception for these students. They should be honored for their fine work.

Mr. President, I commend Mr. Dionne. His words speak eloquently to the emotions and feelings of many of us. Again, I respect the Governor of Minnesota in expressing his views, but we certainly have an obligation to express ours. E.J. Dionne has expressed them well with this Member of the Senate.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

DISSIDENTS DISAPPEARING IN BELARUS

Mr. WELLSTONE. Mr. President, the government of Belarus has systematically intimidated and punished members of opposition political groups for several years now. Ordinary citizens—some as young as fifteen—have been beaten, arrested, and charged with absurd criminal offenses all because they dared to speak out against the President of Belarus, Alex Lukashenko, and his crushing of basic human rights and civil liberties there.

Recently, however, events have grown worse. Four dissidents, closely watched by the government's omnipresent security police have vanished. The government says it has no clues as to why. Up until now, the President only beat and jailed his opponents. The President now appears to be behind a series of disappearances by key opposition figures since April, as reported in the New York Times. Last week, the State Department said that it was greatly concerned about the pattern of disappearances and urged the government of Belarus to find and protect those who had vanished. The disappearances coincide with the strongest campaign yet launched by Belarus's pro-democracy movement to press the government for reforms.

The first person to disappear was the former chairwoman of the Central Bank (Tamara Vinnikova). She publicly supported the former prime minister, an opposition candidate, and was being held on trumped up charges under house arrest with an armed guard at the time she vanished. That she was held under house arrest, guarded at all times by live-in KGB agents,

her telephone calls and visitors strictly screened, strongly suggests that her disappearance was orchestrated by the authorities.

In May, Yuri Zakharenka, a former interior minister and an opposition activist, disappeared as he was walking home. He was last seen bundled into a car by a group of unidentified men. His wife said for two weeks prior to his abduction, he had complained of being tailed by two cars.

At the height of protests in July, another opposition leader, speaker of the illegally disbanded parliament, fled to Lithuania, saying that he feared for his life.

Then two weeks ago, Victor Gonchar, a leading political dissident, and his friend, a publisher, vanished on an evening outing, even though Mr. Gonchar was under constant surveillance by the security police. Gonchar's wife reportedly contacted city law enforcement agencies, local hospitals and morgues without result. The government maintains that it has no information on his whereabouts. Mr. Gonchar has been instrumental in selecting an opposition delegation to OSCE-mediated talks with the government, and was scheduled to meet with the U.S. ambassador to Belarus on September 20. Earlier this year, police violently assaulted and arrested him on charges of holding an illegal meeting in a private cafe, for which he served ten days in jail.

Before President Lukashenko came to office in 1994, one could see improvements in the human rights situation in Belarus. Independent newspapers emerged, and ordinary citizens started openly expressing their views and ideas, opened associations and began to organize. The parliament became a forum for debate among parties with differing political agendas. The judiciary also began to operate more independently.

After Mr. Lukashenko was elected president, he extended his term and replaced the elected Parliament with his own hand-picked legislators in a referendum in 1996, universally condemned as rigged. Since then, he has held fast to his goal of strengthening his dictatorship. He has ruthlessly sought to control and subordinate most aspects of public life, both in government and in society, cracking down on the media, political parties and grass roots movements. Under the new constitution, he overwhelming dominates other branches of government, including the parliament and judiciary.

The first president of democratic Belarus, Stanislav Shushkevich, and now in the opposition, said recently that the government is resorting to state terrorism by abducting and silencing dissidents. He said, "the regime has gone along the path of eliminating the leaders against whom it can't open even an artificial case. This is done with the goal of strengthening the dictatorship."

I am deeply concerned that comments by senior government officials