

deepest condolences to John Gibson's family, to his wife and their three children, Kristen, John, and Daniel, and to the Moakley clan which is mourning John's loss. John Gibson became a part of Massachusetts's biggest extended political family when he married JOE MOAKLEY's niece, Evelyn. Whether debating Boston College football or sharing Irish stories in the afternoon, John Gibson was a special friend to the dean of our congressional delegation. Even in his sadness, Congressman MOAKLEY knows that the young man from Waltham who joined the Capitol police force 18 years ago, served as a professional who took his sense of duty to heart.

Jacob Chestnut, too, died as he lived—giving selflessly of himself to help others. The tragedy on Friday made Jacob Chestnut a hero throughout the country, but, long before that, he was a hero to the community in Maryland where he made his home. Jacob Chestnut was the neighbor who always lent a helping hand to those who needed it, the good Samaritan who expected nothing in return and served his community because it was the right thing to do. Long before he was a hero to his country, Jacob Chestnut was a role-model to his children and grandchildren.

One never knows how one will react under fire, how, when the shots ring out and the adrenaline flows—at the moment when duty calls—one will call upon the inner strength to react with bravery. It requires a degree of courage found in the deepest reserves of the human character. Every police officer in this country chooses to serve with the knowledge that the day may come when that commitment will be tested. John Gibson told a friend—just a week before he was struck down at the Capitol—that he hoped that if that moment came, if he was called upon to draw his gun and defend tourists or Members of Congress or a fellow officer, that he would rise to the occasion. It is a thought that accompanies every police officer through every step of what is at once a dangerous and vital career. History will record that when that moment came for John Gibson and Jacob Chestnut, they rose to the occasion, remembered their duty, and gave their lives selflessly to protect not just the people's house, but the people themselves who make that Capitol a home. For the families they left behind, for those among us privileged to work with them, and for all Americans, these two officers will forever be heroes.

Even as we pay tribute to these brave, fallen officers, we must remember that we are obligated to honor their memory with more than words alone. There is a temptation in this country to focus only on the extraordinary circumstances of these tragic deaths, to remember merely that John Gibson and Jacob Chestnut were fatally wounded in the "people's house." Too many commentators in the last

few days have said—again and again—"can we believe that this type of violence could occur in our nation's capital?" The truth is—and police officers on the front lines know this better than we can imagine—violence does occur in the nation's capitol, and in our classrooms, and our tree-lined neighborhoods, and in homes across this country. To pay tribute to John Gibson and Jacob Chestnut—to truly honor them for their sacrifice—we must make clear our conviction as a nation that we will not tolerate any form of violence in this country. To remember John Gibson and Jacob Chestnut in a way that lifts us all up—in a way that creates a safer world for the eight children these fine men left behind—we must commit ourselves to safer neighborhoods, violence-free schools, and communities where the sound of our children's laughter—not the sound of gun shots—fills the air.

Mr. FAIRCLOTH. Mr. President, I rise to give my condolences to the slain officers and their families. Both of these brave men gave their lives to defend innocent visitors to our Nations Capital. Both gave their lives so that the Capitol can remain a free and open institution, visited by millions each year from this nation and nations of the world. But for their acts of bravery, we don't know how many others may have lost their lives. The entire Capitol Police Force deserves congratulations, because I know there where other officers that assisted in bringing the situation to a close. Further, I share the sentiments expressed by the Majority Leader that we do everything we can to insure that their families are well taken care of, I am sure that is what these two brave officers would have wanted most. On behalf of the citizens of North Carolina, we collectively express our deep sorrow about this tragedy and extend our heartfelt condolences to their families.

Mr. LOTT. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble 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. 110) was agreed to.

The preamble was agreed to.

**AUTHORIZING THE USE OF THE ROTUNDA OF THE CAPITOL FOR A MEMORIAL SERVICE FOR DETECTIVE JOHN MICHAEL GIBSON AND PRIVATE FIRST CLASS JACOB JOSEPH CHESTNUT OF THE UNITED STATES CAPITOL POLICE**

Mr. LOTT. Mr. President, I send a second concurrent resolution to the desk regarding the use of the Rotunda in memory of Detective Gibson and Private First Class Chestnut and ask unanimous consent that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, the clerk will report the resolution.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 111) authorizing the use of the rotunda of the Capitol for a memorial service for Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut of the United States Capitol Police, and for other purposes.

The Senate proceeded to consider the concurrent resolution.

Mr. LOTT. I ask unanimous consent that the resolution be agreed to, the preamble 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. 111) was agreed to.

The preamble was agreed to.

The concurrent resolution (S. Con. Res. 111), with its preamble, read as follows:

S. CON. RES. 111

*Resolved by the Senate (the House of Representatives concurring),*

**SECTION 1. AUTHORIZING USE OF ROTUNDA OF THE CAPITOL FOR MEMORIAL SERVICE FOR DETECTIVE JOHN MICHAEL GIBSON AND PRIVATE FIRST CLASS JACOB JOSEPH CHESTNUT.**

The rotunda of the Capitol is authorized to be used for a memorial service and proceedings related thereto for Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut of the United States Capitol Police on Tuesday, July 28, 1998, under the direction of the United States Capitol Police Board.

**SEC. 2. PLACEMENT OF PLAQUE IN CAPITOL IN MEMORY OF DETECTIVE GIBSON AND PRIVATE FIRST CLASS CHESTNUT.**

The Architect of the Capitol shall place a plaque in honor of the memory of Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut of the United States Capitol Police at an appropriate site in the United States Capitol, with the approval of the Speaker of the House of Representatives and the President Pro Tempore of the Senate.

**SEC. 3. PAYMENT OF FUNERAL EXPENSES FOR JOHN GIBSON AND JACOB JOSEPH CHESTNUT.**

(a) IN GENERAL.—The Sergeant at Arms of the House of Representatives is authorized and directed to make such arrangements as may be necessary for funeral services for Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut of the United States Capitol Police, including payments for travel expenses of immediate family members, and for the attendance of Members of the House of Representatives at such services, including payments for expenses incurred by Members in attending such services.

(b) SOURCE AND MANNER OF MAKING PAYMENTS.—Any payment made under subsection (a) shall be made from the applicable accounts of the House of Representatives, using vouchers approved in a manner directed by the Committee on House Oversight.

**SEC. 4. PAYMENT OF SURVIVOR'S GRATUITY TO WIDOWS OF JOHN GIBSON AND JACOB JOSEPH CHESTNUT.**

(a) IN GENERAL.—In accordance with the first sentence of the last undesignated paragraph under the center heading "HOUSE OF REPRESENTATIVES" in the first section of the Legislative Branch Appropriation Act,

1955 (2 U.S.C. 125), the Chief Administrative Officer of the House of Representatives is authorized and directed to pay, from the applicable accounts of the House of Representatives—

(1) a gratuity to the widow of Detective John Michael Gibson of the United States Capitol Police in the amount of \$51,866.00; and

(2) a gratuity to the widow of Private First Class Jacob Joseph Chestnut of the United States Capitol Police in the amount of \$47,280.00.

(b) TREATMENT AS GIFT.—Each gratuity paid under subsection (a) shall be held to have been a gift.

**SEC. 5. SENSE OF CONGRESS REGARDING ESTABLISHMENT OF CAPITOL POLICE MEMORIAL FUND.**

It is the sense of Congress that there should be established under law a United States Capitol Police Memorial Fund for the surviving spouse and children of members of the United States Capitol Police who are slain in the line of duty.

**UNANIMOUS CONSENT AGREEMENT—H. CON. RES. 310 AND 311**

Mr. LOTT. I ask unanimous consent that when the Senate receives H. Con. Res. 310 and 311, the resolutions be deemed agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

Mr. LOTT. Mr. President, I thank the Senators for their attention to these resolutions. I am pleased that we are going to have an appropriate memorial ceremony tomorrow to honor these two fallen policemen. They represent the very best of those that serve our country and work with us in the Senate, from our personal staffs, to the floor staff, to the officers of the Senate, to the policemen, the people throughout these Capitol buildings.

They certainly did their job last week, and the country and we owe them a personal debt of gratitude. As I said this morning when we opened the Chamber, we see them every day. And we get to know them personally. They are part of our family. And I have sensed today that every Senator and every person I have talked to has a sense of deep sympathy and sorrow for this event.

We will take every precaution to make sure that the Capitol is secure, but that it remains the people's body and the people have access to it. I also have asked Senator DASCHLE to join me in designating a Senator on both sides to make sure that in fact, the officers' families are appropriately cared for so that we can take a look at what benefits they are entitled to and what happens with their memorial fund. We will make a decision and we will report to the rest of the Senate about how to proceed in that area if there is a need for it.

I yield the floor.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The minority leader is recognized.

**TRIBUTE TO SENATOR FRIST**

Mr. DASCHLE. I also note that we all owe a debt of gratitude to the Senator from Tennessee, Senator FRIST, for seizing the moment in his responsibility, first as a physician, and second as a Senator, to come on to the scene as he did. He served us and those victims very, very well on behalf of, I know, the entire Senate. We thank him for that.

I yield the floor.

**IMPLEMENTING THE ONE-CALL LAW**

Mr. LOTT. Mr. President, today I want to advise my colleagues on the implementation of the one-call notification ("call-before-you-dig") law. This legislation, which was enacted into law as part of the Transportation Equity Act for the 21st Century (TEA 21), has taken almost three Congresses to complete. However, this Congress was able to accomplish the goal, thanks to bipartisan support and lots of cooperation among the affected entities: pipeline, telecommunications, cable and electric utility companies, state one-call systems and numerous others of good will.

Last week the Department of Transportation's Office of Pipeline Safety announced a public meeting will be held on August 25-26. The purpose of this meeting is to begin organizing a process to collect information on the suggested "best practices" in one-call notification. All affected parties—underground facility operators, excavation contractors, railroads, one-call centers, states and municipalities—should participate in this meeting which will be a joint government-industry effort to bring together the best information on one-call notification practices, techniques, technologies and enforcement processes. Information on these best practices would then be shared among the various state one-call programs, in order to improve performance. The ink is barely dry on the law, and already implementation rule-making has begun. This is great because this is all about the public's safety.

This is enlightened federalism: the federal government working together with the states and the private sector to mutually decide how to protect our nation's vital underground infrastructure. The federal government does not dictate to state and local governments, nor does it try to fit private companies into some prescriptive regulatory scheme. That never works. Results come by working together.

I congratulate the Senate Appropriations Committee for including a modest but sufficient amount of support for implementing the one-call bill in the FY 1999 Transportation Appropriations bill. I hope the House appropriators will follow this lead and an agreement can be reached in conference for funding to be available in the coming fiscal year.

The one-call bill, which was enacted into law, provides that general revenues are to be used to improve our one-call systems. Realizing there is such a long list of beneficiaries from better one-call notification, this is only fair. I expect the appropriations process to reflect this principle of fairness and to fund this program from general revenues.

We have all seen the tragedies and near tragedies that can occur when accidents happen at underground facilities. These accidents are preventable, and this law provides the surest way to present these accidents. I urge all affected parties to join in participating in the August 25-26 meeting to begin the cooperative, responsible process envisioned in the one-call law.

Mr. President, I promised my good friend, former Senator Bill Bradley, when he left the Senate that his colleagues would continue the legislative effort to enact a one-call notification bill. This was accomplished this year. The terrible 1994 accident in Edison, New Jersey, showed Congress the kind of accident which must be prevented. Now a law has been enacted that can do the job. Let's continue to work together to carry it out.

**PUERTO RICO STATUS LEGISLATION**

Mr. GRAHAM. Mr. President, 100 years ago this past Saturday—July 25, 1898—U.S. Major General Nelson Miles and his troops arrived on Puerto Rico's shores to liberate the island from tyranny. On that historic occasion, he declared that the United States came "bearing the banner of freedom . . . the fostering arm of a nation of free people, whose greatest power is in justice and humanity to all those living within its fold."

One hundred years after those valiant actions and eloquent words, the nearly four million people of Puerto Rico—excuse me, the United States citizens of Puerto Rico—continue to wait for the fulfillment of that promise of justice and humanity. For the last century, they have been denied the most fundamental right of a free people: the right to choose their own political destiny.

Mr. President, enough is enough. In the last 100 years, Puerto Ricans have fought for freedom as part of the U.S. armed forces. Through their vibrant culture and tireless spirit, they have made invaluable and lasting contributions to American democracy. But they have never had a real opportunity to exercise that freedom fully or enjoy the complete benefits of living in that democracy. Congress must right that wrong in 1998.

Make no mistake: Puerto Ricans are ready for this opportunity. In its quest to gain the right of political self-determination, Puerto Rico has on three occasions held local plebiscites to express preferences for the political options of statehood, independence, or commonwealth. But since these votes were not