ban on fraternization, bringing the Army into line with the fraternization policies currently enforced by the Navy, Air Force, and yes, the good old Marine Corps.

The impact of the guidelines as they apply to the handling of adultery cases in the military is where the message gets muddled. The new guidelines, according to the Pentagon, do not change the Uniform Military Code of Justice. They do not lower the standards of conduct demanded of America's military forces. They do not preclude a court martial or dishonorable discharge for adultery. That's what the guidelines don't do. What they do accomplish, in my opinion, is much harder to quantify.

Under these guidelines, adultery would remain a crime in the military, but it would only be criminally prosecuted if it brought discredit to the military or disrupted the good order and discipline of the armed services. That caveat, while currently an element of proof of the offense of adultery under the Uniform Military Code of Justice, is given added weight and emphasis under the new guidelines.

Now, I have been accused, from time to time, of being old-fashioned, straitlaced, and of wearing 19th century clothes and a stickler for the rules and a stickler for propriety. I plead guilty on all counts, other than the 19th century business with respect to my clothing, but I do not believe that one has to be old-fashioned to recognize that adultery is a dishonorable act that intrinsically brings discredit to the offending party and, in the case of the military, to the uniform that he or she wears. I do not believe that honor and integrity anywhere, especially in the military, have ever gone out of fashion. And I do not believe that one has to be straitlaced to recognize that lying, cheating, and deceiving—all elements of adultery—intrinsically subvert good order and discipline.

Yet it seems to me that these guidelines shift the emphasis of adultery in the military from the crime to the consequences. Rather than clarifying the offense of adultery, it seems to me that these guidelines confuse the issue. What constitutes ''discredit to the armed forces'' if not a crime—and adultery is a crime in the military? What constitutes the disruption of ''good order and discipline'' if not lying, cheating, and deceiving in the commission of a crime?

Honor, integrity, and decency are universal values and principles. They are absolute. They do not fade with the passing of time or cease to matter behind closed doors. When a person takes an oath before God and country, as the military do, that oath is taken without qualification or reservation. It is not limited by time or place or who knows about it.

Mr. President, I believe that Secretary Cohen is dedicated to maintaining the high standards of the United States military. I know that he has put a great deal of time, thought, and effort into restoring consistency to the application of the military code of conduct. I commend him for his efforts, and I urge him to continue working on this extremely important and sensitive aspect of military service.

The men and women who serve in the United States military are remarkable individuals. They willingly endure the hardships that military life imposes on them and their families. They willingly sacrifice personal freedoms for the good of the nation. They willingly take an oath to preserve, protect, and defend this great nation, with their lives if necessary.

For the life of me, I cannot square that level of total commitment with official guidelines whose recommended remedies for the crime of adultery include ''counseling'' or ''an adverse fitness report.''

I cannot square the core values of the United States military with a guidance regarding adultery that appears to encourage commanding officers to overlook the crime of adultery if it is ''remote in time.''

Mr. President, how remote is remote? What kind of clarity does that guidance impart? Is last month remote enough in time to avoid a criminal prosecution for adultery? How about last week—is that enough?

Last month? Last year? Would this ''clarification'' have salvaged Air Force General Joseph Ralston's nomination to be Chairman of the Joint Chiefs of Staff? Would this guideline let Army Major General David Hale off the hook for abruptly retiring while he was under investigation for alleged sexual misconduct?

Is discretion what we are really talking about here? Do these guidelines send a signal to our troops that the crime of adultery is not really that bad as long as you are discrete and don't disrupt your unit? Are we giving a whole new meaning to the sentiment, ''The better part of valor is discretion''?

I do not for a moment believe that this is Secretary Cohen's intent. I do not for a moment believe that our Nation's military leadership wishes to erode the standards of conduct for the military. But I do express a warning that these guidelines, well-intentioned though they may be, will not solve any problems. These guidelines will not erase the perception that the military applies a double standard to senior officers and enlisted personnel. And most important, these guidelines will not strengthen the necessary trust and cohesiveness that help to make America's military forces the finest in the world—we think.

Mr. President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

HEALTH CARE DELIVERY IN ALASKA

Mr. MURKOWSKI. Mr. President, this is a picture of a gentleman, Walter Samuelson. Walter Samuelson was 60 years old when he died February 1, 1992, as a consequence of a heart attack from complications he suffered in February of that year. Because of the weather in King Cove, AK, Samuelson waited 3 days after his heart attack before he could be removed out of King Cove to a hospital in Anchorage. By that time, his heart had been so severely damaged he eventually had to have a heart transplant. The Samuelson family believes that had Walter been able to get out of the village of King Cove a little earlier, he would not have had the major complications that led to his heart transplant.

Mr. Samuelson was born and raised in King Cove, AK. He served in the military in the Korean war. He was a fisherman all his life, fishing with his father and brothers while growing up. And after serving in the military, he moved to Sitka and married. He and his wife, Freda, had four boys. During the summer, he would fly his plane 1,000 miles back to King Cove where his boat was and where he could continue his livelihood, fishing for salmon. He later moved back to King Cove to live and later remarried. He and his second wife, Tanna, had two more children.

Mr. Samuelson was a dedicated patron of the school in King Cove and devoted much of his time and effort there, so much so that he was honored in the dedication of the school's yearbook to him as ''a great friend of King Cove schools,'' an honor which he certainly cherished.

He is survived by his wife Tanna and children: Carl, Walter, Jr., Charles, John, Axel, and Tanna. His surviving brothers and sisters are: Anna Poe, Marion Walker, Thelma Hutton, Christine Christiansen, and Alex, Eugene, John, Frank, and Eric Samuelson.

Mr. Samuelson required a heart transplant and died because there is no road between King Cove and Cold Bay.

We wonder how many more people have to die before we do something about it. Eleven residents have perished in aircraft accidents being medevaced out of King Cove a short distance to Cold Bay, where there is a year-round crosswind runway, as opposed to the gravel strip in the village of King Cove, where sometimes the windsock is blowing at opposite ends of the runway in opposite directions because of the severe turbulence in what is classified as one of the three worst weather areas identified in the world.

The point is the people of King Cove have an alternative, and that is a short, 7-mile road connection which would necessitate a gravel road of 7 miles on the edge of a wilderness area. The people of King Cove are willing to

give approximately 700 acres of their land to enlarge the wilderness for access through 7 miles of wilderness. This is being objected to by the Department of Interior and by many of the environmental community.

I hope, as we return from our recess, we can reflect on the human merits, so we do not have to address additional obituaries of people who died because of their inability to get medical care and have simple access that every American enjoys with the exception of people in the village of King Cove, AK.

Mr. President, let me take this opportunity to wish you a very pleasant recess, and the other officials who are here in the Senate Chamber.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Alaska is recognized.

SELF-DETERMINATION FOR PUERTO RICO

Mr. MURKOWSKI. Mr. President, I would like to advise my colleagues that today, as Chairman of the Energy and Natural Resources Committee, I submitted to both the Democratic and Republican members of that committee, a chairman's mark specifically on the issue of self-determination for Puerto Rico. It is certainly a responsibility of my committee to provide and address the eventual disposition of the status of the American citizens in Puerto Rico, and the purpose of the draft is to provide them with an opportunity to express their dispositions on future political aspirations of the choice among commonwealth, independence, or statehood.

Also, I advise my colleagues, this is the centennial anniversary of Puerto Rico under U.S. sovereignty—100 years that Puerto Rico has been under the U.S. flag. The people of Puerto Rico, as U.S. citizens, have been in a process of transcending to something that would focus in on certainty. There is a growing effort to try to bring some finality to the disposition of the status of Puerto Rican Americans because they do not participate as other U.S. citizens in the election of representation in the House and Senate. As a consequence, many of them are looking towards a definitive alternative.

We have had hearings. We have listened to individuals from all sides of the debate. We have reviewed all testimony. We have had input from three political parties, certainly, as well as the Governor. I have directed the chairman's mark in the hopes that it will provide a brief, accurate and neutral definition of the status of the options. The mark is drafted to advance the process of self-determination for our fellow citizens of Puerto Rico. It is strictly advisory in its legislation. It does not mandate introduction of future legislation. It does not require any fast track.

I grew up living in a territory—my State of Alaska. We had taxation without representation. Many people in the State of Alaska, filing their income tax returns, used to write in red, ''filed in protest.'' It made them feel a little better. It didn't do any good. But the point is these people living in Puerto Rico are entitled to certainty, and it is an obligation of the Congress to address a final resolution.

I think our committee has a moral and constitutional responsibility to address the situation in Puerto Rico, but we don't want to get involved in the politics of Puerto Rico. That is not our business. I know the Governor intends to call a plebiscite this December. He may or may not choose to use the definitions that we provide him. Whether or not the Senate acts is another story. We have a short time left, but in my view this is an ongoing effort of the committee, a systematic progression. The definitions we have come up with and the structure in the previous bills, either the House bill or the Senate bill, have not been as neutral as we would have liked and would have involved, I think, more activity in local politics. We have attempted to be more objective.

It is my hope the measure that eventually comes out of our committee will provide the Governor language that is accurate and neutral. The draft chairman's mark clarifies citizenship under each option. That was very important, in our conversations with all groups. The classification and clarification of citizenship was very important. Under commonwealth, citizenship provided by statute will continue to do so. Under separate sovereignty, citizenship would end. Under Statehood, citizenship is, of course, provided under the Constitution, so there is no question about that.

Finally, I want to make it clear so long as Puerto Rico remains under U.S. sovereignty its residents, of course, will be U.S. citizens. If Puerto Rico wants separate sovereignty then, of course, U.S. citizenship would end.

I provided members of the Energy Committee a copy of this mark for their review over the recess. After receiving members' comments, members of the committee, again, will discuss this matter in September.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THE PRESIDENT'S OATH OF OFFICE

Mr. ASHCROFT. Mr. President, the oath of office taken by the President of the United States is majestic and simple; as a matter of fact, it is eloquent. The President simply swears that he will faithfully execute the office, the highest office of the land, and that he will preserve, protect and defend the United States Constitution.

In its enumeration of his duties, the Constitution of the United States directs that the President ''take care that the Laws be faithfully executed.'' So the President is directed by the Constitution to ''take care that the Laws be faithfully executed.'' The core values of American self-government are concentrated in the Presidency.

Do we expect the President of the United States to be a patriot? Of course. Not only do we expect that from the structure of our government, we have grown to expect it because that has been established as a precedent by President after President after President.

Do we expect the President to love freedom? To serve the people rather than to serve himself? To act with respect for the rule of law? To uphold the idea in America that there are no kings, that the highest rank in this culture is the rank of citizen? To put the institution of the Presidency above his own personal interests? I think it is fair to say that all of us would respond to those inquiries with a resounding ''Yes.'' We do expect that. We have high expectations.

Do we expect the President to be truthful? Yes. To keep his solemn oath of office? Yes. Certainly. These are qualities—the love of country, the commitment to public service, the obedience and supremacy of the law—that we expect in the behavior of the President. He or she is to be a national model for honesty, integrity, and respect for the law.

It has been shocking to me that defenders of President Clinton have begun to suggest, however, that such is not the case, that our aspirations are without foundation, that somehow we are dreaming an impossible dream to think that the President would be a model. Indeed, we are told he is not even responsible for telling us the truth. Some of his defenders have begun to suggest that lying under oath can be acceptable conduct in a President or that the President is generally above the law and that the President would not need to honor, for instance, a lawful subpoena to a grand jury—the idea that somehow the President's power is so substantial that the President would not have to respond in the event that he were called.

Jack Quinn, former White House counsel and a friend of many in this Chamber, argues in the pages of the Wall Street Journal that the President simply is not the subject of law in the same way as other citizens in an article entitled ''Clinton Can Avoid the