

could not have been chosen to commemorate OSI's 50th anniversary: "Preserving Our Legacy, Protecting our Future."

TRIBUTE TO DETECTIVE JOHN GIBSON, OFFICER JACOB CHESTNUT, AND THE UNITED STATES CAPITOL POLICE

Mr. AKAKA. Mr. President, today Capitol Police Officer Jacob J. Chestnut was laid to rest at Arlington National Cemetery, concluding a week that has saddened and shocked every American and touched the hearts of millions of people around the world. I rise to express my profound sorrow over the death of Officer Chestnut and Detective John Gibson, and to extend my sympathy to the families, friends, and fellow officers of these two brave men. The tremendous outpouring of grief and respect we have experienced and witnessed during the Congressional ceremony and honors on Tuesday, and in the requiem services for Detective Gibson and Officer Chestnut over the past two days are fitting tribute to the courage and selfless sacrifice of these fallen heroes.

The deaths of Officer Chestnut and Detective Gibson, killed in the line of duty as they defended all of us who are privileged to work and visit the Capitol, is a testament to the fidelity and valor of these men, as well as a reminder of the exceptional bravery and courage of the men and women of the Capitol Police who protect the Capitol complex and grounds. We are fortunate to have these officers on the job, protecting all of us, willing to confront the dangers and violence that too often afflict our world today, so that our Capitol can remain open and accessible to the public. The professionalism, pride, and good-natured courtesy which these officers bring to their duties, day in and day out, serves our democracy by keeping the Capitol open to the people and safeguarding, with their lives if necessary, the freedom and liberty we cherish.

On the Capitol dome, looking across the Capital City, stands the Statue of Freedom Triumphant in War and Peace, an emblem of democracy and hope, a symbol of America's promise that every citizen has the freedom and opportunity to realize their God given potential. In her right hand Freedom holds an olive branch, in her left, a sword, a reminder that the preservation of freedom and democracy often requires sacrifice.

Over the course of our history, the Capitol has witnessed stirring oratory and the passage of landmark legislation which have inspired us, strengthened our nation, restored hope, preserved our Republic, and maintained our resolve. The heroic actions of Officer Chestnut and Officer Gibson, who acted to preserve and protect life without regard to their own safety, bonds deeds to the ideals and values we celebrate and honor here at the heart of

our democracy. The President said it best when he stated that the actions of these brave men sanctified the Capitol. May God bring comfort and peace to the families, friends, and colleagues of Detective John Gibson and Officer Jacob Chestnut.

RETIREMENT OF FEDERAL ELECTION COMMISSIONERS JOAN D. AIKENS AND JOHN WARREN MCGARRY

Mr. WARNER. Mr. President, as Chairman of the Committee on Rules and Administration, which has jurisdiction over the Federal Election Commission, I seek recognition to join with my colleague, Senator FORD, our distinguished Ranking Member, to acknowledge the dedicated service of two public servants who will be leaving the Commission upon confirmation of their replacements.

These two individuals, Joan D. Aikens and John Warren McGarry, have served as Commissioners of the Federal Election Commission for a total of 43 years. Senator FORD and I believe that their departure from the agency, after such distinguished service, should not go unnoticed. I have come to know and respect Commissioner Aikens and Commissioner McGarry first as a member of the Committee and now in my capacity as Chairman, and I can honestly report that these two individuals have served this agency, and their country, well.

Commissioner Aikens is a native of Delaware County, Pennsylvania. She was appointed to her first term by President FORD and has served 23 years at the Commission. Mrs. Aikens is an ardent believer in the First Amendment and its importance in interpreting federal election law. Her qualities of fairness and impartiality will be missed by her colleagues in the election law community.

Commissioner McGarry is a native of Massachusetts. He was appointed to this first term by President Carter. During his 20-year tenure at the FEC, he worked tirelessly for full public disclosure and uniform enforcement of campaign finance laws. Mr. McGarry believes that agency deliberations and decisions should take into consideration not only fundamental First Amendment interests, but also the government's interests in ensuring elections free from real or apparent corruption.

Mr. President, I salute Commissioners Aikens and McGarry for their service to our nation and wish them the best of luck as they begin a new chapter in their lives.

Mr. FORD. I wish to associate myself with the remarks of my distinguished colleague and Chairman, Senator WARNER. I, too, would like to express my appreciation to Commissioners Aikens and McGarry for their many years of service at the Federal Election Commission. I have enjoyed working with them and especially admired their

commitment to the fair and impartial enforcement of election law. To both of them and their families I extend my sincere congratulations and best wishes for many happy, healthy, and fulfilling future years.

TRIBUTE TO MR. ERNEST A. YOUNG

Mr. SHELBY. Mr. President, I rise today to honor Mr. Ernest A. Young on the occasion of his retirement from the Department of the Army. Throughout his 40 years of Federal Service, culminating in his current position as Deputy to the Commanding General, U.S. Army Aviation and Missile Command, Mr. Young has distinguished himself time and time again as an individual of the utmost integrity, capability, and foresight.

Mr. Young began his career as an Army civilian employee in 1958, as a technical program specialist. He held managerial positions for various missile programs, including the very successful HAWK missile. Twenty-three years later, in September 1981, he was appointed to the Senior Executive Service where he held several key command and staff positions with the U.S. Army Missile Command.

Mr. Young continued to rise through the ranks, and in June 1993, he was the first civilian to be selected as the Deputy to the Commanding General of the U.S. Army Missile Command (MICOM). In this position, Mr. Young was responsible for achieving all of the command's missions. Due in large part to his leadership, MICOM maintained a high state of readiness by adhering to procurement schedules and successfully executing weapons development programs despite the enormous challenge posed by shrinking annual defense budgets. Mr. Young's dedication to efficiency was recognized as MICOM became the first major subordinate command of the Army Materiel Command to be designated as a Reinvention Laboratory. Though faced with funding shortages, his skills also enabled him to implement several human resource initiatives that obviated the need for a reduction in force during his tenure as Deputy to the MICOM Commander.

Mr. Young, however, may best be remembered for his personal attention to the implementation of the 1995 Base Realignment and Closure decision to consolidate the U.S. Army Aviation and Troop Command (ATCOM) with MICOM at Redstone Arsenal. The fact that 55 percent of ATCOM's aviation managerial workforce successfully moved to Redstone serves as a testament to Mr. Young's leadership and professionalism during this transition.

Since the formation of the Aviation and Missile Command, Mr. Young has continued in his role as Deputy to the Commanding General. While the AMCOM formally merged the various aspects of aviation and missile program management into a single commodity command, Mr. Young diligently

worked to integrate the aviation and missile cultures. He continued to work closely with the Commanding General to ensure the uninterrupted accomplishment of the procurement, readiness, and materiel development missions and functions of the command.

In addition to Mr. Young's exemplary career, his frequent participation in seminars and workshops designed for senior government executives demonstrated his continual desire to better himself and improve his technical and managerial capabilities. Moreover, Mr. Young's involvement in such noteworthy associations as the American Society of Military Comptrollers, American Institute of Physics, Society of Logistics Engineers, the American Society for Public Administration and Rotary Club, exemplify his steadfast commitment to professional improvement and civic duty.

Mr. President, for 40 years, Ernest Young has been an asset to the U.S. Army, Alabama, and the nation. On behalf of the United States Senate and a grateful nation, I thank Mr. Young for his dedicated service as he closes one chapter in his life and begins another.

MICROSOFT

Mr. GORTON. Mr. President, the U.S. Senate is the world's greatest deliberative body. The U.S. economy is the world's greatest free market. Lately, it seems my friend and colleague from Utah, Senator HATCH, the distinguished chairman of the Senate Judiciary Committee, would like to use the one to squash the other.

As my colleagues and most Americans know, Senator HATCH has joined forces with the success-busters of the Antitrust Division of the Department of Justice to carve out a special place in the market for companies that cannot compete on their own merits. All of this is being done at the expense of one of America's most successful and innovative companies—Microsoft.

Last week, the Judiciary Committee, for the third time this year, served as a forum for frustrated business executives who have been outsmarted and out-innovated by Microsoft.

I have continually voiced my objections at the Senate Judiciary's Committee's insistence on inserting itself into battles that should be fought in the free market, not in the Halls of the U.S. Senate or in the Justice Department. I have asserted my opinion that U.S. antitrust laws were written with the intent of protecting consumers, not inferior companies. And I have stood up against those who would like to see the federal government, not the free market, decide which companies are successful in this country and which are not.

But Senator HATCH has offered his committee as a haven for the unwashed masses of corporate America, sheltering the weak and wary from the harsh brutality of the free market.

This debate has been just that, Mr. President, a debate between two Sen-

ators with very different opinions on a matter of importance to both Senators and to the nation as a whole.

Earlier this week, however, I learned of something that troubles me deeply, both as a Senator and as an American.

In the July 29, issue of Investor's Business Daily Senator HATCH was interviewed about his views on Microsoft. As my colleagues will recall, one of the witnesses at last week's hearing was Rob Glaser, CEO of a company in my home state called RealNetworks, a Microsoft competitor. Allegations arose at the hearing, supported by an affidavit from a senior Microsoft executive, that Mr. Glaser had attempted to use his testimony as a negotiating tool in his ongoing battle with Microsoft.

According to the affidavit, Mr. Glaser, the night before he was to testify before the Judiciary Committee, called a senior Microsoft executive and offered to "negotiate all night if that's what it takes" to come to terms with Microsoft. The affidavit states that "Mr. Glaser said that if the negotiations he proposed . . . resulted in an agreement between the two companies, he would not testify the next day.

These allegations are disturbing to me, and I had hoped, to Senator HATCH as well.

But Senator HATCH, in his interview with Investor's Business Daily seems to support Mr. Glaser's attempt to use the Judiciary Committee as a tool in his negotiations with Microsoft.

When asked about the allegations, Senator HATCH said, "Glaser said he did not (use the testimony as a negotiating weapon), but what if he did? He's a guy trying to save his business. . . ." The distinguished Senator from Utah goes on to say of witnesses that testify before his committee, "if they gain something by coming, all the better as far as I'm concerned, as long as they tell the truth."

It may be incidental to this attitude, Mr. President, but important in the public's mind that it turns out that Microsoft Media Player 5.2 did not disable RealNetworks' new G-2 player—in fact, the culprit was a bug in the player itself—not only in Microsoft's tests, but in those of a number of independent experts as well. So far, Senator HATCH has ignored this unpleasant news.

Our founding fathers must be turning over in their graves, Mr. President. The United States Senate was never intended to be, and should never be, used as negotiating tool for companies trying to compete in the free market. In fact, the United States Senate was designed, among other things, to protect that very free market. That should continue to be our goal.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a withdrawal and one nomination which was referred to the Committee on Environment and Public Works.

(The nomination received today is printed at the end of the Senate proceedings.)

REPORT CONCERNING THE ARAB LEAGUE BOYCOTT OF ISRAEL—MESSAGE FROM THE PRESIDENT—PM 154

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations.

To the Congress of the United States:

In accordance with the request contained in section 540 of Public Law 105-118, Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998, I submit to you the attached report providing information on steps taken by the United States Government to bring about an end to the Arab League boycott of Israel and to expand the process of normalizing ties between Israel and the Arab League countries.

WILLIAM J. CLINTON.

THE WHITE HOUSE, July 30, 1998.

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 7, 1997, the Secretary of the Senate, on July 31, 1998, during the adjournment of the Senate, received a message from the House of Representatives announcing that House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4354. An act to establish the United States Capitol Police Memorial Fund on behalf of the families of Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut of the United States Capitol Police.

The message also announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 114. Concurrent resolution providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1835) to consolidate, coordinate, and improve employment, training, literacy, and vocational rehabilitation programs in the United States, and for other purposes.