

*Resolved*, That the Senate Legal Counsel is authorized to represent Senator Dole in the case of *United States v. Byron C. Dale, et al.*

Mr. WARNER. Mr. President, the legal action *United States versus Dale*, currently pending in the U.S. District Court in South Dakota, was brought by the United States to foreclose two mortgages executed by the Farmers Home Administration of the U.S. Department of Agriculture on real estate in Corson County, SD, belonging to the defendants.

The defendants in that action have filed a counterclaim against the United States, naming as codefendants Speaker of the House NEWT GINGRICH, Federal Reserve Chairman Alan Greenspan, Treasury Secretary Robert Rubin, Secretary of Agriculture Dan Glickman, and the Senator majority leader. The counterclaim seeks a court order compelling televised congressional hearings regarding Federal farm and monetary policy and the enactment of legislation favored by the defendant.

Lawsuits alleging that citizens have been aggrieved by a Member's failure to act in accordance with the citizens' views have been filed against Members of Congress from time to time. As the Senate has noted previously in response to such lawsuits, every citizen has a constitutionally protected right to petition the Government for the redress of grievances. However, elected officials have the discretion to agree or disagree with communications they receive, and to decide how best to respond to the many points of view which are presented to them. This resolution authorizes the Senate Legal Counsel to represent the majority leader in this action.

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#### MEASURE PLACED ON CALENDAR—H.R. 1296

Mr. LOTT. Mr. President, I ask unanimous consent that calendar No. 300, H.R. 1296 be placed back on the calendar.

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

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#### EXECUTIVE SESSION

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#### EXECUTIVE CALENDAR

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar: Executive Calendar nominations 515 and 516.

I further ask unanimous consent that the nominations be confirmed, en bloc, the motions to reconsider be laid upon the table en bloc, that any statements relating to the nominations appear at the appropriate place in the RECORD, the President be immediately notified of the Senate's action, and that the Senate then return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

#### FEDERAL DEPOSIT INSURANCE CORPORATION

Gaston L. Gianni, Jr., of Virginia, to be Inspector General, Federal Deposit Insurance Corporation. (New Position)

#### DEPARTMENT OF COMMERCE

Stuart E. Eizenstat, of Maryland, to be Under Secretary of Commerce for International Trade, vice Jeffrey E. Garten, resigned.

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#### NOMINATION OF STUART EIZENSTAT

Mr. HOLLINGS. Mr. President, I rise today to speak on behalf of the nomination of Stuart Eizenstat to be the Under Secretary of Commerce for International Trade. In Stu Eizenstat, President Clinton has chosen a real winner. Ambassador Eizenstat brings a wealth of experience and talent to the administration's economic policy team. In Ron Brown we have had the most energetic and effective Secretary of Commerce that has ever held office at the Hoover Building. And, with the selection of Stu Eizenstat, we finally will have an Under Secretary of Commerce for trade who will serve as an aggressive advocate for U.S. business overseas, and an individual who will help defend American business against unfair competition.

Ambassador Eizenstat is a native of Georgia and, in this period of March madness, I should also note that he developed quite a reputation as an exception basketball player. He is a graduate of the University of North Carolina and Harvard Law School.

As a young man Stu served in the White House under President Lyndon Johnson. And, from 1977-80 he served as President Carter's domestic policy advisor. Since leaving the White House, he has served as a lecturer at the John F. Kennedy School of Government at Harvard and as a guest scholar at the Brookings Institute. He is an expert in trade law and he made a name for himself in private practice in Atlanta and Washington. President Clinton named him to serve in Brussels as the United States Ambassador to the European Union. And, in that role he has championed the cause of U.S. business regarding tariff and nontariff barriers to work toward a level playing field for American business.

Stu Eizenstat is outstanding member of our Jewish American community. Throughout his life he has been very active in the Jewish community in Atlanta. While in Brussels, he also served as Special U.S. Envoy for Property Claims in Central Europe, seeking restitution of Jewish communal and private property confiscated by the Nazis during the Second World War.

Mr. President, the International Trade Administration is the cornerstone in our U.S. trade programs. It is the principal agency responsible for promoting U.S. business and exports overseas. It staffs the U.S. Trade Representative, conducts trade missions,

and provides policy makers with necessary information on industry and trading partners. And, through the Import Administration and the Office of Textiles and Apparel, ITA is responsible for protecting our markets from unfair competition, like dumping. ITA has typically been the Commerce Secretary's right hand; it has been the most important bureau in Commerce, regardless of who holds office, whether Mac Baldrige or Bill Verity or Pete Peterson or Elliot Richardson. I have no doubt that Stuart Eizenstat will make ITA even more effective as he assumes command.

I have no doubt that Ambassador Eizenstat will hit the ground running when he gets over to the Commerce Department. I know his first objective will be to strengthen our trade enforcement activities. He intends to create a new center to monitor foreign countries compliance with trade agreements. Another principal goal of his is to get Asian nations to open their markets to U.S. products. During this recess, I will be reviewing his efforts to build a new American business center in Shanghai, China.

Mr. President, Stu Eizenstat is a man of superb intellect and high integrity. I can tell you that he knows how to get the job done. I know that he will be an effective leader at ITA and Commerce and I urge my colleagues to support his nomination.

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#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

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#### ORDER FOR STAR PRINT—S. 969

Mr. LOTT. Mr. President, I ask unanimous consent that S. 969, the Newborns' and Mothers' Health Protection Act, be star printed to reflect the changes I now send to the desk.

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

Mr. BRADLEY. Mr. President, today I am pleased to join my colleagues, Senator NANCY KASSEBAUM and Senator BILL FRIST, in announcing a revised and improved version of S. 969, the Newborns' and Mothers' Health Protection Act of 1996.

This bill requires insurers to allow mothers and their newborns to remain in the hospital for a minimum of 48 hours after a normal vaginal delivery and 96 hours after a caesarean section. Shorter hospital stays are permitted, provided that the attending health care provider, in consultation with the mother, determines that is the best course of action.

S. 969 has garnered wide support and endorsements. Currently, 34 of our Senate colleagues, 21 Democrats and 13 Republicans are cosponsors. Major medical organizations such as the American Medical Association, the American College of Obstetricians and Gynecologists, and the American Academy