

this step even though the INS had already issued regulations that prevented asylum applicants from working while their applications were pending—a step that had drastically reduced the filing of frivolous applications.

This detention mandate has created serious strains for the INS and has led to often inhumane conditions for people who are fleeing persecution. For example, in October 1998, the Miami Herald reported that the INS—under the pressures created by the 1996 law—had warehoused some of its detainees to a local jail in the Florida Panhandle. The jailers there constructed an “electric blanket” that it “placed over detainees, who [were] then subjected to intense electric shocks.” These asylum seekers were forced to remain under the blanket “for hours, worried about repeated shocks, and when refused bathroom privileges, they often soiled themselves. . . . They [also] endured broken bones, racial slurs, and attacks with Mace and pepper spray.”

The Refugee Protection Act, which I talked about earlier, also addresses the detention issue. It clarifies that the Attorney General is not obligated to detain asylum seekers while their claims are being processed—the bill preserves the Attorney General’s ability to do so, but does not encourage detention. Asylum seekers are not criminals and they do not deserve to be imprisoned or detained without cause. Detention may be appropriate in rare cases, but it should be used sparingly. Detention is also extraordinarily costly for the taxpayers; indeed, the Department of Justice has projected that by the year 2001 it will need bed space for 24,000 INS detainees. The current policy is a humanitarian and fiscal failure, and we must reform it.

Conclusion: Although I am proud of the legislation we pass today, we have equally necessary and more challenging tasks ahead of us if we truly want to address the damage done by the laws passed in 1996. I urge my colleagues to focus on these issues and to work during the time we have remaining in this Congress to create sensible immigration laws. Let us not leave it to another Congress to fix the mistakes the majority made 4 years ago.

Mr. LOTT. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 4489) was read the third time and passed.

HONORING SENIOR JUDGE DANIEL H. THOMAS

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now

proceed to the immediate consideration of S. Res. 316, submitted earlier by Senators SESSIONS and SHELBY.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 316) honoring Senior Judge Daniel H. Thomas of the United States District Court of the Southern District of Alabama.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, I am familiar with this particular judge. He was from Mobile, AL, 40 miles from my hometown of Pascagoula, MS. He served long and honorably, having reached a grand old age of 94. He was known particularly for his expertise in admiralty. He will be sincerely missed by those who have known him over the years as a Federal judge.

Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 316) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 316

Whereas Daniel H. Thomas devoted his life to the dedicated and principled service of his country, his State, and his community;

Whereas Daniel H. Thomas, a native of Prattville, Alabama, was born August 25, 1906, to Judge C.E. Thomas and Augusta Pratt.

Whereas Daniel H. Thomas obtained his law degree from the University of Alabama in 1928, where his uncle, Daniel H. Pratt, served as President pro tem of the Board of Trustees of the University;

Whereas Daniel H. Thomas, having served his country with distinction for 3 years as a Navy Lieutenant during World War II, returned to Mobile, Alabama and continued in the practice of law with Mr. Joseph C. Lyons and Sam Pipes in the law firm of Lyons, Thomas and Pipes until he was elevated to the Federal bench;

Whereas Daniel H. Thomas was appointed a United States District Judge for the Southern District of Alabama by President Truman in 1951, joining in distinguished judicial service his father, C.E. Thomas, who was a probate judge of Augusta County, Alabama, his uncle, William Thomas, who served the State of Alabama as a Supreme Court Justice, and his uncle, J. Render Thomas, who served many years as the Clerk of the Supreme Court of Alabama;

Whereas 49 years of judicial service made Judge Thomas one of the longest serving Federal judges in American history;

Whereas the years of distinguished judicial service by Judge Thomas were characterized by unflinching integrity and unquestioned legal ability;

Whereas in a time of great political and social turmoil, Judge Thomas inspired continued respect for the rule of law established under the Constitution of the United States,

and for the propositions that “all men are created equal” and deserve “equal protection of the laws” by faithfully adhering to the precedents of the United States Supreme Court, even when such actions were not popular;

Whereas the depth of legal scholarship exhibited by Judge Thomas led him to become one of the most respected experts in the nation in the important field of Admiralty Law;

Whereas the reach of service by Judge Thomas to his country extended beyond his courtroom to his community through his active leadership as a founding trustee of the Ashland Place Methodist Church in Mobile, Alabama, and to America’s youth through his efforts in support of the Boy Scouts of America;

Whereas Judge Thomas, a man who enjoyed the outdoors, being an accomplished fisherman and quail hunter, exhibited great common sense, had a vibrant sense of humor, and was extremely friendly and thoughtful of others, thereby truly fitting the description of a true “southern gentleman”;

Whereas Judge Thomas truly was a great judge whose life was the law, and who was loved and respected by members of the bar and community to a degree seldom reached and never surpassed;

Whereas Judge Thomas passed away at his home in Mobile, Alabama, on Thursday, April 13, 2000;

Whereas the members of the Senate extend our deepest sympathies to the wife of Judge Thomas, Catherine Miller Thomas, his 2 sons, Daniel H. Thomas, Jr. and Merrill P. Thomas, other family members, and a host of friends that he had across the country; and

Whereas in the example of Judge Daniel H. Thomas, the American people have an enduring symbol of moral courage, judicial restraint, and public service: Now, therefore, be it

Resolved, That—

(1) the Senate honors the memory of Judge Daniel H. Thomas for his exemplary service to his country; and

(2) the Secretary of the Senate is directed to transmit a copy of this resolution to the family of the deceased.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations reported by the Armed Services Committee: Calendar Nos. 526 and 527.

I further ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, any statements relating to the nominations be printed in the RECORD, the President be immediately notified of the Senate’s action, and the Senate then return to legislative session.

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

The nominations considered and confirmed are as follows:

ARMY

The following named officer for appointment in the United States Army as Dean of the Academic Board, United States Military

Academy, and for appointment to the grade indicated under title 10, U.S.C., section 4335:

To be brigadier general

Col. Daniel J. Kaufman, 0000.

NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be admiral

Vice Adm. Robert J. Natter, 0000.

Mr. LOTT. Mr. President, Senator REED, who is in the Chamber, has personal knowledge of one of these nominees. He wants to make a statement at this time.

Mr. REED. I thank the majority leader for his kindness.

Mr. President, I am fortunate enough to know both of these gentlemen: Adm. Bob Natter, an extraordinary naval officer who has been confirmed as a four-star admiral; and, most particularly, I am pleased that my colleagues have confirmed the nomination of Col. Daniel Kaufman to be a brigadier general in the U.S. Army and dean of the Academic Board at West Point.

I have known Dan Kaufman for over 30 years. I was a plebe at West Point in Company C-2 when he was a first classman in the summer 1967. He is an extraordinary individual, a great soldier, a distinguished scholar.

I also recognize the gentleman whom he is succeeding, Gen. Fletcher Lamkin, who is the current dean. General Lamkin has done an outstanding job at West Point. I thank him for his service.

But I am delighted to be able to stand here in the well of the Senate to commend Dan Kaufman. He is a soldier first, a soldier of war above everything else.

After graduating from West Point in 1968, he volunteered for training as an Army ranger. He sought an assignment as an armor officer. He was a platoon leader with the 11th Armored Cavalry Regiment in Vietnam.

He received a Bronze Star for valor in action and received two Purple Hearts leading his platoon in Vietnam.

He returned to the Army in the United States and pursued his graduate education at the Kennedy School at Harvard, and once again Dan Kaufman and I were together. After he received his master's degree at Harvard, and subsequent service with the 82nd Airborne Division, he received a Ph.D. in political science at the Massachusetts Institute of Technology.

He combines these two virtues and values: A soldier's soldier and a scholar's scholar.

He is the ideal choice for the deanship at West Point today, for a school in transformation, for an Army in transformation. As a soldier, he has seen war. He understands that one of the greatest privileges an American can ever have is the privilege of lead-

ing American soldiers. Also, one of the greatest honors an American can have is to lead those soldiers well. He has won such an honor.

He is also someone who is in touch with the greater Army. He is someone that has been actively involved in numerous issues that deal with the Army, not just academically but very much in its day-to-day activities.

He is not an ivory tower scholar. He is an actively engaged soldier. He will instill in the cadets vital skills: the ability to analyze a changing world; and a zest to learn throughout their careers, and to help the Army and move it forward.

He is also a family man. His wife Kathryn, his son David, his daughter Emily—they all serve too, and serve the Army extraordinarily well.

The mission at West Point is to train young men and women of character for a career of selfless service to the Army and the Nation.

Dan Kaufman will expand that mission and move it forward for a generation of West Point cadets who will enter our Army and will do so better prepared, as soldiers who are able to lead as thoughtful members of our military forces.

And something else. Because of his example, because of the choices he will make, their hearts and their lives will march to a very simple but profound cadence: Duty, honor, country.

I thank the majority leader and yield back my time.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

ORDERS FOR TUESDAY, JUNE 6, 2000

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment, under the provisions of House Concurrent Resolution 336, until 10 a.m. on Tuesday, June 6. I further ask consent that on Tuesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day. I further ask consent that the Senate then proceed to a period of morning business until 12:30 p.m., with Senators speaking for up to 5 minutes each, with the following exceptions: Senator DURBIN, or his designee, from 10 a.m. to 11 a.m.; and Senator THOMAS, or his designee, from 11 a.m. until 12 noon.

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

Mr. LOTT. I further ask unanimous consent that the Senate stand in recess from the hours of 12:30 p.m. to 2:15 p.m. for the weekly policy conferences to meet.

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

ADJOURNMENT UNTIL 10 A.M.
TUESDAY, JUNE 6, 2000

Mr. LOTT. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 5:20 p.m., adjourned until Tuesday, June 6, 2000, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate May 25, 2000:

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED IN ACCORDANCE WITH ARTICLE II, SECTION 2, CLAUSE 2, OF THE CONSTITUTION:

To be rear admiral (lower half)

CAPT. ELEANOR C. MARIANO, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. NANCY E. BROWN, 0000
CAPT. DONALD K. BULLARD, 0000
CAPT. ALBERT M. CALLAND, III, 0000
CAPT. ROBERT T. CONWAY, JR., 0000
CAPT. JOHN P. CRYER, III, 0000
CAPT. THOMAS Q. DONALDSON, V, 0000
CAPT. JOHN J. DONNELLY, 0000
CAPT. STEVEN L. ENEWOLD, 0000
CAPT. JAY C. GAUDIO, 0000
CAPT. CHARLES S. HAMILTON, II, 0000
CAPT. JOHN C. HARVEY, JR., 0000
CAPT. TIMOTHY L. HEBELY, 0000
CAPT. CARLTON B. JEWETT, 0000
CAPT. ROSANNE M. LEVITRE, 0000
CAPT. SAMUEL J. LOCKLEAR, III, 0000
CAPT. RICHARD J. MAULDIN, 0000
CAPT. ALEXANDER A. MILLER, 0000
CAPT. MARK R. MILLIKEN, 0000
CAPT. CHRISTOPHER M. MOE, 0000
CAPT. MATTHEW G. MOFFIT, 0000
CAPT. MICHAEL P. NOWAKOWSKI, 0000
CAPT. STEPHEN R. PIETROPOLI, 0000
CAPT. PAUL J. RYAN, 0000
CAPT. MICHAEL A. SHARP, 0000
CAPT. VINSON E. SMITH, 0000
CAPT. HAROLD D. STARLING, II, 0000
CAPT. JAMES STAVRIDIS, 0000
CAPT. PAUL E. SULLIVAN, 0000
CAPT. MICHAEL C. TRACY, 0000
CAPT. MILES B. WACHENDORF, 0000
CAPT. JOHN J. WAICKWICZ, 0000
CAPT. ANTHONY L. WINNS, 0000

DEPARTMENT OF COMMERCE

ROBERT S. LARUSSA, OF MARYLAND, TO BE UNDER SECRETARY OF COMMERCE FOR INTERNATIONAL TRADE, VICE DAVID L. AARON, RESIGNED.

DEPARTMENT OF STATE

ROBIN CHANDLER DUKE, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO NORWAY.

UNITED STATES INSTITUTE OF PEACE

MARC E. LELAND, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM EXPIRING JANUARY 19, 2003, VICE MAX M. KAMPLEMAN, TERM EXPIRED.

HARRIET M. ZIMMERMAN, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM EXPIRING JANUARY 19, 2003. (REAPPOINTMENT)

BARRY GOLDWATER SCHOLARSHIP & EXCELLENCE IN EDUCATION FOUNDATION

DONALD J. SUTHERLAND, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION FOR A TERM EXPIRING AUGUST 11, 2002. (REAPPOINTMENT)

THE JUDICIARY

STEPHEN M. ORLOFSKY, OF NEW JERSEY, TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT, VICE MORTON I. GREENBERG, RETIRING.