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SENATE—Friday, June 14, 1991

(Legislative day of Tuesday, June 11, 1991)

The Senate met at 11 a.m., on the expiration of the recess, and was called to order by the Honorable JOHN BREAUX, a Senator from the State of Louisiana.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

*The Lord is my shepherd; I shall not want. * * * Yea, though I walk through the valley of the shadow of death, I will fear no evil: for thou art with me * * *—*
Psalm 23:1, 4.

Father in Heaven, we lift up to Thee Mrs. "K" and her loved ones at the loss of her beloved husband, John, who so faithfully served in the dining rooms of the Senate. May Thy peace and comfort fill the lives of the loved ones who mourn the loss of Mr. "K."

Eternal God, sovereign Lord of the universe and Ruler of the nations, we watched the parade last Saturday with great ambivalence—grateful for victory, saddened by the loss of those who fought and the continuing tragedy in Iraq. We praise and thank You for those who served in that war and for those who paid the last full measure of devotion, as well as those wounded, and their families. We pray especially for those who remain in the Middle East, for their families and their safe return.

And Father of mercies, we would not forget our hostages still being held in Lebanon: Terry Anderson, Thomas Sutherland, Joseph Cicippio, Edward Tracy, Alann Steen, Jesse Turner. Be with them in their need and bring comfort and peace to their families.

In His name who is incarnate love. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 14, 1991.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN B. BREAUX, a Senator from the State of Louisiana, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. BREAUX thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Chair recognizes the majority leader.

Mr. MITCHELL. Mr. President, am I correct in my understanding that the Journal of the proceedings has been approved?

The ACTING PRESIDENT pro tempore. The majority leader is correct.

SURFACE TRANSPORTATION EFFICIENCY ACT

Mr. MITCHELL. Mr. President, for the information of the Members of the Senate, I want to review where we are on this bill and how we hope to proceed. First, I want to commend the managers of the bill, the distinguished Senator from New York and the Senator from Idaho [Mr. SYMMS] for their persistent effort to move this bill forward and for disposing of virtually all of the issues that relate to the bill, with the single large exception of the allocation formula. That remains the subject of dispute.

Last evening, I proposed to our colleagues an agreement, for which I sought unanimous consent, under which we would have debated and voted on the pending Byrd amendment, which deals with the allocation formula, today, that we would identify the remaining amendments, and would have debated and voted on them on Monday with a final vote on the bill on Monday evening.

Following consultation with some of his colleagues, the distinguished Republican leader advised me that he could not agree to that procedure, because he felt it was necessary to consult with a larger number of his Republican colleagues, and he requested the opportunity for a meeting to be held this morning.

I understand that the meeting was held between 10 and 11 this morning. I have not yet received a response, but I am hoping shortly to receive a response, and to see whether or not we can proceed as I proposed last night, or in some alternative fashion.

It remains my hope that we can complete action on this bill as soon as possible. As the Senators know, I have stated many times previously that we will proceed to the crime bill upon completion of this measure, and last night we obtained consent to do so. So these are both important measures on which we must act. I hope that we will be able to get an agreement to proceed to dispose of this matter as soon as possible, consistent with the opportunity for all Senators to carefully review the pending measure. As soon as I have the opportunity to consult with the acting Republican leader, I will be reporting to the full Senate on the schedule for the remainder of the day.

Mr. President, am I correct in my understanding that the pending measure is the Byrd second-degree amendment, as modified last evening?

The ACTING PRESIDENT pro tempore. The majority leader is correct.

Mr. MITCHELL. I hope we are going to be able to get on that measure today, and we will be in a position to make an announcement of the schedule as soon as I am able to consult with our Republican colleagues.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is also reserved.

Mr. MOYNIHAN addressed the Chair. The ACTING PRESIDENT pro tempore. The Senator from New York.

Mr. MOYNIHAN. Mr. President, on repeated occasions in the course of this

* This "buller" symbol identifies statements or insertions which are not spoken by a member of the Senate on the floor.

week's debate, I have described the surface transportation system in the United States today as suffering from public sector disease.

I do not know of any earlier use of this term, although I cannot doubt that some defunct political economist came up with it generations ago. In any event, the term needs definition.

By public sector disease I refer to an economic activity that is inefficient owing to the absence of an accurate pricing system.

I have tried to capture this in a sentence from the introductory statement to the committee report:

Just as there is no such thing as a free good, there is no such thing as a freeway.

Public sector disease is to be seen most anywhere in the world. In general it may be stated that the larger the public sector in a particular economy, the more prevalent this disorder. Just because an activity is in the public sector, it does not follow that it will suffer from this disorder, but that is a necessary precondition.

The etiology of the disorder is simple, at least in the abstract. Once an economic activity starts up in the private sector or is incorporated into the public sector, resources begin to be allocated on the basis of political considerations rather than economic considerations. These need not always be wildly disparate calculuses, but they are rarely in close alignment. This pattern goes on without much evident disadvantage, but after a point the low rate of economic return begins to undermine the political interests that were intended to be served.

The symptomology of public sector disease is threefold.

First, a disastrous plunge in productivity. Thus, Dr. Boskin informs the committee:

Output per hour in the Transportation sector broadly defined rose at only 0.2 percent annually from 1979 to 1988.

The 0.2 percent figure requires 350 years to double. This is, of course, a medieval growth rate, about the rate of growth of Western Europe from the millennium year of 1000 to 1350 A.D., when the region was on the cusp of the Renaissance, and left such economic stagnation behind. To which stagnation we have returned.

Second, we encounter huge disparities between the demand for the free good and the supply. Congestion is an example of this pattern. One of the first features of the Interstate System was the evident increase in congestion brought about by attempts to lessen or remove it. Thus in 1981, Meyer and Gomez-Ibanez:

[T]he greatest disappointment with the interstate highway program *** was that it did not seem to achieve its major objective of reducing traffic congestion.

A witness before our committee described congestion in terms of Soviet shopping.

Our highway congestion has the same basic cause—although a more ready solution—as the long lines we see in news reports from the Soviet Union. Both reflect shortages induced by prices set too low. The price system, which we rely on to ration nearly all goods and services in our economy, is usually ignored in seeking solutions to highway congestion.

A third symptom is the seeming evanescence of vast public enterprise investment. How many times this week have we heard Senators refer to our brand new Interstate System as our crumbling Interstate System? Polish or Czech citizens would recognize the symptomology.

A further indicator of public sector disease is that the public sector entity responsible for the activity does not even know the price it is ignoring.

Hence, for one full week we have had Senators in a whirl of disbelief and confusion as they have tried to get the Department of Transportation to explain the allocation formulas in the current and past highway programs. Table pile on table; confusion abounds. There are dark hints of duplicity.

Nothing such. The Department of Transportation does not know the prices of its products because pricing has little, if anything, to do with its work. Its work is to allocate free goods as long as the illusion lasts.

It may be ending.

Mr. President, seeing no Senator seeking recognition, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, just a few months ago, I met with the distinguished assistant Republican leader, the Senator from Wyoming, Senator SIMPSON, and the Republican manager of the bill, Senator SYMMS, at which time they reported to me on the results of the meeting of Republican Senators this morning on the subject of the pending bill.

Senator SIMPSON advised me that he is unable at this time to agree to the unanimous-consent request which I suggested last evening under which the Senate would today debate and vote on the pending Byrd amendment and then would debate and vote on remaining amendments on Monday, with final disposition of the bill to occur on Monday evening.

In light of that, it will not be possible to complete action on the pending amendment today because, as we all know, under the rules, any Senator may prevent a vote from occurring by exercising his or her right to unlimited debate.

Accordingly, Mr. President, I have concluded that the most responsible course now under the circumstances which exist is to conclude our session now, for today, since we are not able to bring this matter to a conclusion today, to return to session early Monday afternoon, at which time the pending Byrd amendment would be debated, and I will attempt to bring that to a vote at or as close to 6 p.m. on Monday as possible.

Since I cannot get an agreement to that effect, to lock in a vote at that time, or at any time, I state this as my intention so that Senators can be aware of what we will try to do. Thereafter, it is my hope that we could dispose of other amendments and complete action on the bill on Monday evening or Tuesday if Monday proves to be infeasible.

I regret that we have not been able to complete action on the bill this week. I recognize that it is a large and complex measure affecting every State in very important and tangible ways. I hope very much that Senators who have a particular interest in the matter will be present on Monday to participate in the debate. This is a very important part of the bill, the allocation formula, and the pending amendment, of course, touches directly on that, and that Senators will permit us to bring this amendment to conclusion at or as close to the stated time as possible, that is, I repeat, at 6 p.m., if I am able to do so, or as close to that as possible under the circumstances.

Mr. President, I would like now to yield to the distinguished acting Republican leader and to either the Senator from New York or Idaho as they wish.

First, I ask the distinguished acting Republican leader to correct me if I have stated anything incorrectly with respect to our discussion and our plans for the future, and to comment in any regard that he wishes.

Mr. SIMPSON. Mr. President, I thank the majority leader.

He has worked in an extraordinarily diligent manner to try to resolve this terribly vexatious issue which we knew would confront us with regard to allocation and formula. I thank him for his extraordinary patience, and I particularly thank Senators MOYNIHAN and SYMMS for their absolute steadiness in presenting to this body, I think, a very reasonable bill, very well crafted.

But, nevertheless, we have some passionate observers of this legislation on our side of the aisle. We met this morning in conference and were unable to agree because of regional allocation struggles. A very spirited meeting, indeed, it was.

I think people are now becoming more alert to the fact that we are going to proceed, and I think the Senator is putting us on notice—I reassess that here—that all of our people on

this side of the aisle should be on notice that the Senator is seeking to have that vote, in all likelihood there will be a vote, perhaps the Senator is seeking to connect it to the Byrd amendment.

But in any event, we are going to have to put our people on notice that there is very likely to be a vote after 6 p.m., and we will try and have in this manner protected our Members today and Monday. At some point in time that is impossible to do in totality.

So I just say that that is a correct assessment of the situation we discussed, and I do think that once the Byrd amendment is resolved, things will quickly fall in place with regard to the final passage of the bill.

I again thank the managers for their extraordinary effort.

Mr. SYMMS. Will the leader yield?

Mr. MITCHELL. I yield to the Senator from Idaho.

Mr. SYMMS. I thank the leader for yielding.

Mr. President, there has been a lot of effort made by this committee, by the majority leader, by Senator CHAFEE and Senator BURDICK, the chairman and ranking member of the committee, by Senator MOYNIHAN and myself, to bring this bill to passage today. We had hoped to accomplish it today which is the 100th day from when the President asked us to do it.

I think the record should clearly show that it is no fault of the majority leader or any of the other Senators I have mentioned that it did not happen. The problem is very simple and that is there is \$110-plus billion to divide up, and that is a lot of money. There is a lot of passion involved in how it is divided up. We had tried very hard to come out with a program that makes it fair to all States. Some of the States do not feel the program is fair enough for them.

There are a lot of ways this could have been done, but we have now come to the efforts of the distinguished chairman of the Appropriations Committee, who has a system to try to put a little more equity back into the system and take care of those donor States.

I happen to think that the votes are probably here to pass that amendment. I may be wrong, but I think that is the case. Once that passes, then the bill will probably pass after some other Senators voice their approval or try some other amendments, which is certainly in order.

I would just like to say to my colleagues that once we go to conference with this bill, those donor States that are very concerned—and I have been on two of these conferences, or three I believe now since I have been in the Senate—the donor States are very well represented in the conference from the other body. And so if they do not get everything they want here, I can as-

sure them we in the Senate think we are tough but we are nothing compared to the House people on this issue.

Senator MOYNIHAN has been there, and Senator SIMPSON has been there, and Senator MITCHELL and I were there before. And the distinguished occupant of the chair was one of those tough negotiators over there before and then came over here.

I caution all my colleagues, I hope they will look at this bill. There are a lot of very good things in this bill. The administration is very happy that we were able to accommodate them yesterday to put a National Highway System in the bill.

Due in large part to the efforts of Senator DURENBERGER, Senator BREAUX, and others, that is part of the bill now. So the bill has many very good facets to it.

All States will benefit from this bill, and our people will benefit from this bill by having improved transportation efficiency.

I hope Senators and their staffs will carefully look at what is being proposed by the committee and by Senator BYRD and the Appropriations Committee and those donor States that have been working. Carefully look at it and we will be able to come in here and vote on it Monday night.

It is my hope we can vote on the Byrd amendment on Monday. I do not see what can be gained by waiting until Tuesday, Wednesday, Thursday, or Friday. I think we will all be better off to vote on Monday and find out where the votes are. If the votes are there, it will be adopted. If they are not there, we can start working on a way to make it more equitable to the States.

There are other ways that can be done, I am sure. This is one way we came to. It will not be the last round, I assure all Senators. They will still have an opportunity, Mr. President, to get the input for their States.

Those of us on the committee will be trying to work with all the other Senators to see that each State is treated fairly.

I thank the leader for his efforts to get this bill passed today, but I think, due to the circumstances, it is just impossible, through no fault of his.

Mr. MITCHELL. I yield to the Senator from New York.

Mr. MOYNIHAN. Mr. President, I say to the leader, I simply do not want to repeat but absolutely endorse the observations of my comanager, my Republican friend, the Senator from Idaho, with simply one extension. Senator SYMMS asked that every Senator look at the legislation, look at this bill, the substance of which has not been touched on the floor. We have, we think, a large new initiative and that is why we came out of the committee 15 to 1, and not a single amendment on this floor has been directed to the substance of our Surface Transportation Act.

Even as they look at it, I would like to have them consider the alternative. The alternative is that there will be no bill. There is nothing in the Constitution that says we will have an interstate highway program or a Surface Transportation Act. From Thomas Jefferson in 1806, when the national road was established, to 1916, when Woodrow Wilson signed the Federal Aid Highway Act, we went 110 years with no highway program. We might have another 110-year pause ahead. Think.

Mr. MITCHELL. Mr. President, if no other Senator at this moment seeks recognition, I just want to repeat, so Senators will be aware of this, through their staffs if Senators are not present or listening, that it is my intention to try to bring the Byrd amendment to a vote at or as close to 6 p.m. on Monday as possible. I do not have an agreement, so I am not able to lock it in at this time; but that is my intention. Accordingly, as previously indicated, there will be no rollcall votes today.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MORNING BUSINESS

Mr. MOYNIHAN. Mr. President, I ask unanimous consent there be a period for morning business, with Senators permitted to speak therein.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

BALTIC FREEDOM DAY, 1991

Mr. RIEGLE. Mr. President, today, June 14, 1991, marks the 50th anniversary of an event which typified the brutal Soviet occupation of the Baltic States—an illegal and immoral foreign domination which continues to this day, and whose victims number in the tens of thousands.

Fifty years ago, innocent Baltic men, women, and children were marched off to death camps in Siberia. Five months ago, unarmed Baltic citizens, seeking to protect their freely elected government, were crushed by Soviet tanks and armored personnel carriers, and brutalized by the feared Black Beret forces of the Soviet military.

Commenting on the January 13 atrocity, William Safire noted in his New York Times column the following day:

The parallel to Hungary 1956 is inescapable. People filled with hope; an international crisis elsewhere; and the Red Army

tanks roll in to crush the freedom fighters. In this case, patriots armed only with sticks barricaded the doors of their television tower with furniture; a column of 30 tanks and armored vehicles crashed through with ease, rolling over brave bodies in the name of order and annexation.

Like the atrocities which the Soviets inflicted on the Balts half a century earlier, the horrors suffered by the victims of the January massacre in Vilnius demonstrate the continuing ruthlessness of a regime intent only on ensuring its own survival. Despite some cosmetic changes, the repression under which the Baltic people have lived for 50 years has not changed in any meaningful way. Although they have held free and open elections and have declared their independence, the Baltic people are still held tightly in the Soviet's grasp. Renewed military force has been Moscow's clearest response to the Baltic people's calls for peaceful negotiations.

Tragically, our Government has not applied the kind of pressure required to convince the Kremlin that it cannot expect to enjoy the benefits of U.S. assistance and cooperation while the illegal occupation of the Baltic States persists.

Mr. President, it is time to send the Soviet occupiers home. The Soviet leaders say they seek a new justice and a more peaceful world. If so, then let them show it by turning their tanks around and driving them back to Moscow. They should leave now, and let the wind of freedom again blow across the Baltic nations.

While the Baltic people are determined to pursue their dream of freedom with or without help from the West, the hard truth is that without the active support of the free nations of the world the fate of the Baltic people will continue to be a pawn in the Kremlin's struggle to hold together its crumbling empire.

On this, the 50th anniversary of the mass deportation to Siberia of the Baltic people, we must renew our commitment and determination to do everything we can to see that their freedom and independence is finally restored. To that end, I urge my colleagues to join me in cosponsoring Senate Joint Resolution 42, which I have introduced, that would prohibit United States economic assistance and benefits to the Soviets until they meet certain conditions, including withdrawing their military forces from Lithuania and engaging in good-faith negotiations with the Baltic people on the issue of their independence.

Mr. President, for half a century, the United States has refused to recognize the illegal Soviet annexation of the Baltic States. Today, however, our nonrecognition policy is simply not enough. We must do more.

On May 6, I introduced Senate Resolution 119, urging our Government to extend de facto recognition to the Gov-

ernment of the Republic of Lithuania. This reflects the Lithuanian people's desire and America's national interest. I invite all of my colleagues to join in support of this effort. Should similar requests come from the Latvian and Estonian people, I believe we should embrace those as well.

Mr. President, the Baltic people's long struggle for freedom has brought them to the moment of greatest hope and of maximum danger. Clearly, the stakes are high.

Our administration apparently believes that maintaining normal relations with the Soviet Union is more important than demonstrating our outrage at the continuing occupation of the Baltic States. What we need now is not more quiet diplomacy, but firm Western pressure to convince the Soviets that only by ending military intimidation and pursuing good-faith negotiations on Baltic independence can the Kremlin expect improved relations with the United States.

If we are true to our commitment to supporting democracy and freedom around the world, this could be the last year that Lithuania, Latvia, and Estonia mark Baltic Freedom Day under Soviet control.

BALTIC FREEDOM DAY

Mr. BYRD. Mr. President, on March 7 of this year the Senate passed House Joint Resolution 167 designating June 14 as "Baltic Freedom Day." We all know the sad history of how the three independent and democratic countries of Lithuania, Latvia, and Estonia were illegally annexed by the Soviet Union. This year, June 14 marks the 50th anniversary of the beginning of the forced deportations of thousands and thousands of Baltic citizens by the Soviet regime of Joseph Stalin. People were packed like cattle into rail cars and shipped off to labor camps where thousands lost their lives.

It was also 50 years ago that President Roosevelt inaugurated the United States policy of not recognizing the illegal Soviet occupation of the Baltic nations. During the five decades since the tragic events in 1940, the United States has steadfastly refused to recognize Soviet sovereignty over these three countries and we have loudly proclaimed our commitment to Baltic self-determination. Every U.S. President has reaffirmed this policy and the Congress has traditionally set aside this day to renew our call for Baltic independence. Now the brave people of those nations have started down the road to independence and we must continue to support their cause.

The events of the past year and half have given added significance to our observance. We have watched, with a great deal of apprehension, as the Soviet leadership has attempted to halt the fledgling Baltic independence

movements by steadily escalating economic sanctions and political intimidation, culminating in the military crackdown of January 13, Bloody Sunday. On that day the tanks rolled through the streets of Vilnius and the soldiers opened fire leaving 700 peaceful demonstrators injured and resulting in 15 deaths.

I think it is appropriate that Baltic Freedom Day is June 14, which we also celebrate as National Flag Day. As we celebrate the flag that represents the freedom we enjoy, we must pause to remember those around the world that do not yet enjoy the same freedom. There are many places where liberty remains an unfulfilled hope. Unfortunately, the Baltic nations still fall into that category and we must not forget them. As we celebrate the freedom symbolized by our flag, let us reinforce our call for independence for the Baltic nations, and hope that this will be the last year that their dream of freedom and liberty remains unfulfilled. I commend the people of Baltic nations for their courage and dedication to the cause of freedom.

COMMEMORATING BALTIC FREEDOM DAY

Mr. SYMMS. Mr. President, for the past 10 years the House of Representatives and the Senate have passed legislation authorizing and requesting the President of the United States to declare June 14 as "Baltic Freedom Day." Yesterday, the President held a proclamation signing ceremony at the White House to declare today, June 14, 1991, as "Baltic Freedom Day."

During the early years of Soviet occupation more than 600,000 prisoners were taken from the Baltic countries. Fifty years later the atrocities continue. As the United States prayed for a peaceful resolution to the Persian Gulf conflict, Soviet troops sent in tanks to Lithuania and Latvia killing and injuring hundreds of unarmed civilians. As we celebrate our success in restoring freedom to Kuwait, Soviet occupation still occurs in the Baltics.

I strongly support the Baltic Republics freedom from the forced occupation by the Soviet Union. The Soviet Union has repeatedly refused to follow the request of the United States that it begin negotiating a peaceful end to the occupation of the Baltic Republics. The Baltic Republics, which in 1990 reaffirmed independence from the Soviet Union, have not been allowed to pursue policies which would realize the intent of these declarations.

Mr. President, I am honored to be a cosponsor of the Baltic Freedom Day resolution. I look forward to the day that the Baltic Republics can finally become separate and independent nations.

BALTIC FREEDOM DAY

Mr. SIMON. Mr. President, June 14, 1991, marks the 10th anniversary of Baltic Freedom Day. Americans of Lithuanian, Latvian, and Estonian descent celebrate the courage and determination of their countrymen on this day, and I am proud to join with them. Their fight for independence began in 1940 when the Soviet Union illegally annexed these countries and continues today with their determination to be independent.

On June 14, 1941, the Soviet Union began mass deportations of Estonian, Latvian, and Lithuanian men, women, and children to Siberia. Today is the 50th anniversary of this tragic event and it reminds all Americans of the struggle of the Baltic people.

Today the oppression continues. In January, the Soviets began a brutal crackdown in the Baltic States. Only a month later Lithuania, Latvia, and Estonia bravely held referenda on independence. The citizens of each Baltic State produced large majorities in favor of autonomy. Even many ethnic Russians that live in these countries voted for independence.

The Soviet Union has yet to enter honest negotiations with the Baltic States. The brutal tactics of the Soviets will only continue to alienate them from the international community. From the blockade a year ago last spring to the violence this winter, it is clear the Soviet Union has not yet recognized the strength and fortitude of their Baltic neighbors.

However, this past week does provide renewed hope. The election of Boris Yeltsin as President of the Russian Republic should help the Baltic cause. Yeltsin favors negotiations with the Baltic States and will put pressure on the Soviet central government to go even further with reforms.

Mr. President, I have been a cosponsor of Baltic Freedom Day for several years and I feel that independence will be a part of today's generation of Lithuanian, Latvians, and Estonians. They have fought for 51 years against the Soviet occupation and freedom is within their grasp. I urge my colleagues and fellow Americans to remember the fight of these captive people and to honor them on Baltic Freedom Day.

TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 2,281st day that Terry Anderson has been held captive in Lebanon.

THE CONGRESSIONAL CALL TO CONSCIENCE VIGIL FOR SOVIET JEWRY

Mr. KOHL. Mr. President, I rise today as chair of the Union of Councils

for Soviet Jewry Congressional Call to Conscience Vigil, along with my distinguished cochairs, Senators LAUTENBERG and GRASSLEY. I decided to cochair the Vigil this year because I believe that it is one of the most effective means by which we in Congress can focus attention on the plight of Soviet Jews.

Since 1985, Soviet society has changed dramatically. Glasnost permits all Soviets, including Jews, to express varying points of view and to openly worship in accordance with their religious beliefs. Perestroika for Soviet Jews has translated into an unprecedented number of permissions to emigrate. Over 213,000 Jews emigrated in 1990—a figure almost as high as the figure for all of the previous 12 years combined. And on May 20, 1991, the Soviet parliament passed its first law codifying a right of emigration. Though flawed, the law does represent a step in the right direction.

Everyone who has fought for the rights of Soviet Jews is thankful for this positive trend. Yet, it would be a grave mistake to presume that all of the obstacles faced by Soviet Jews have disappeared. The very same policies of glasnost that have led to open discussion and freedom of expression throughout Soviet society have also given rise to a new wave of anti-Semitism. Hate groups such as Pamyat have eagerly made use of this opportunity to spread their ugly agenda. Acts of violence and vandalism against Jews are not infrequent, and some Soviets are trying to blame the country's economic hardships on the Jews. Jews who remain in the Soviet Union feel a very real fear of persecution—even more than they did before the glasnost era.

Mr. President, it is because of this threatening atmosphere that we must persist in our efforts to get all Jews who wish to leave out of the Soviet Union. Unfortunately, the recent positive trends in emigration hide some disturbing realities, including an increasing number of new refusals and a law that leaves intact some of the very obstacles presently faced by those trying to emigrate.

First, I do believe that passage of an emigration law last month was a good first step. For years, the United States has been pressing the Soviet Union to pass an emigration law. None of us have yet had the opportunity to fully evaluate the one that was finally passed, or to see how it will be implemented. But I have learned enough about it to have concerns about some of the law's significant passages. For example, we already know that much of this law will not go in effect until January 1993. We also know that although the law sets a time limit of 5 years during which someone can be denied permission to emigrate on the basis of possession of state secrets, there is another clause which permits

this time to be extended indefinitely. Moreover, the law codifies the practice of denying permission on the basis of having poor relatives; in other words, adults will still be required to submit affidavits from parents and ex-spouses renouncing any financial obligation. And many of the various appeals processes described in the new law would be carried out through commissions and judiciary bodies which do not presently exist. Obviously, Mr. President, there is still a long way to go before the right of free emigration is truly established in Soviet law.

Second, we cannot forget about the individual refuseniks who are still fighting for their freedom in the Soviet Union. Most of them have been denied permission to emigrate on the arbitrary basis of possessing state secrets or because they have been unable to obtain the necessary poor relative documentation. I would like to tell my colleagues about one such family, the Sorkins, that has suffered the consequences of this unjust policy.

Roman and Svetlana Sorkin applied for permission to emigrate to Israel with their three young children in 1988 and were refused because of Roman's former secret work. This refusal came despite the fact that Roman left this work in 1983 and signed an agreement not to leave the Soviet Union until 5 years had elapsed.

On December 2, 1988, the Sorkins were told that they had permission to leave. They quit their jobs, gave up their flat and were ready to depart, when suddenly Roman was told that their exit visas had been annulled. He was told that because he was a bearer of Soviet state secrets, he and his family could not leave the country until 1995. Then, in 1990, the Sorkins refiled their applications for emigration, and received a shocking response: Svetlana and the children could emigrate, but not Roman. Svetlana was forced to make an impossible choice between keeping her family together in the U.S.S.R. and subjecting her children to the menace of anti-Semitism, or tearing her family apart by taking the children to safety in Israel.

Despite feelings of isolation, depression and indignation, the Sorkins have persevered. They have decided to remain together in the Soviet Union, and they are studying their cultural heritage and Hebrew in preparation for the day when they can emigrate as a family to Israel. They can only wait until the day Soviet authorities decide to treat them with humanity and permit them to emigrate together.

Mr. President, the Sorkins' story is tragic, but not unique. There are many refuseniks who are arbitrarily being denied the right to emigrate, and the number of new refusals is growing. That is why I ask my colleagues to join me and Senators LAUTENBERG and GRASSLEY in the Congressional Call to

Conscience Vigil. By highlighting individual cases, we can let these Soviet Jews know that we in the Senate have not forgotten their plight. We will also reaffirm to Soviet authorities that we will not stop fighting on behalf of Soviet Jews until every one who wishes to leave has had the opportunity to do so. I hope my colleagues will join me in making sure that our voices continue to be heard.

Thank you, Mr. President.

CONGRESSIONAL CALL TO CONSCIENCE

Mr. LAUTENBERG. Mr. President, I rise today to urge my colleagues to participate in the Congressional Call to Conscience for Soviet Jews. Sponsored by the Union of Councils for Soviet Jews, the Call to Conscience has, in the past, been an extremely effective method for bringing attention to refuseniks who are struggling to emigrate from the Soviet Union. As a cochairman of this year's Call to Conscience, along with my other distinguished colleagues Senators KOHL and GRASSLEY, I want to encourage the Senate's continued attention to the plight of Soviet Jews refused the right to emigrate.

While there have been many changes in the Soviet Union over the past several years, there is still good reason to be concerned about Soviet Jewry. And although many Soviet Jews have been able to emigrate, many are still being denied this right, some of them for as long as 15 years. Because of the eased restrictions on emigration of Soviet Jews, it is easy to overlook these persistent injustices.

I have heard numerous tragic cases, each one is worse than the next. One case that stands out is that of Boris Zolotarevsky. Mr. Zolotarevsky has been trying to emigrate since May 1988. His application has been denied repeatedly because of secrecy. Vladimir Shimko, the Minister of Radio Industry, says he is a security risk because he previously developed adapters for use with computers. His work, which he did before 1980, was in no way secret. But because the computers had potential military applications, the Minister regards him as a security risk.

Mr. Zolotarevsky's family has been living in Haifa, Israel for some time. He would very much like to join his daughter, Vera, his mother, Tziyya, and his wife, Eda. Mr. Zolotarevsky is separated from his entire family and currently lives alone in the Soviet Union.

This case is not uncommon. This type of flagrant disregard for human rights cannot and should not be allowed to continue.

The Congressional Call to Conscience has brought to the forefront the cases of many long-term refuseniks. Their stories are heartbreaking and cruel.

Mr. Gorbachev needs to know exactly what we think about his government's refusal to let all deserving Soviet Jews emigrate from the Soviet Union.

Mr. President, I ask my colleagues for their continued support in this endeavor and urge them to speak out on behalf of the unrestricted emigration of Soviet Jews.

CONGRESSIONAL CALL TO CONSCIENCE

Mr. GRASSLEY. Mr. President, today I am proud to commemorate the 15th anniversary of the Congressional Call to Conscience. Each week, through the Call to Conscience, Congress brings attention to Soviet refusenik cases in order to urge the Soviet Union to allow them freedom. It is my honor to serve as this year's sponsor, along with my colleagues, Senators KOHL and LAUTENBERG.

The year 1991 is shaping up as yet another historic year for the emigration of Soviet Jews. I am proud of the role Congress has played in making this exodus a reality. Over the years, our Government made the free emigration for Jews and other religious and ethnic minorities a condition precedent in our diplomatic and economic relations with the Soviet Union. Our efforts have helped make it possible for tens of thousands of Soviet Union Jews to emigrate to the United States and Israel.

Despite this momentous progress, glasnost has not become a reality for hundreds of refuseniks who are still being denied exit.

On May 20, the Supreme Soviet approved their long-awaited law on entry and exit. The law is a historic effort, but it unfortunately leaves several crucial issues unresolved.

First, the law will not go into effect until January 1, 1993. Second, it fails to adequately define what constitutes a state secret, which leaves this category open to broad and inconsistent interpretation. Though the law states that a citizen of the Soviet Union may be denied the right to leave the U.S.S.R. for no more than 5 years on secrecy grounds, the law also allows this term to be extended indefinitely. Finally, under the so-called poor relative clause, adults are still required to submit affidavits from parents renouncing any financial obligation. If applicants cannot obtain affidavits, the decision may be appealed to the courts, but there is no established appeals process.

Therefore, while we are witnessing dramatic changes, and we applaud the Soviet Government for these changes, we must continue to work until all those who seek freedom—until all refuseniks—are free.

I will kick off the Congressional Call to Conscience with the case of Roman Mironov, a refusenik from Kharov. Roman's wife, Victoria, and son emigrated to Israel last year. From Israel

she contacted my office with a plea for help for her husband. She wrote:

My husband is utterly devoted to me, our son, and my parents. We have always been a close and happy family, devoted to our home and religiously observant. Please do your utmost so that my husband will be allowed to join our family in Israel.

Though Victoria and their son were granted permission to emigrate to Israel last year, Roman was refused on state secret grounds until at least 1994.

Seven years ago Roman resigned as an aeronautics engineer at an aircraft plant in Kharov. At that time, he was forced to sign a statement that he would not leave the Soviet Union for 5 years.

Five years after he resigned, the family applied for permission to emigrate to Israel. Though only Victoria and their son were granted permission, Soviet officials informed the family that once Victoria and their son departed for Israel, Roman's application would be reviewed for the purpose of family reunification.

Two weeks after they departed for Israel, Roman's case was reviewed and the denial was confirmed.

Today, the family remains separated. Roman still lives in Kharov, is unemployed, and is unable to find a job because of his exit application.

I call upon the Soviet Government to allow Roman Mironov to be reunited with his family in Israel. Just 2 days ago, President Bush approved additional agricultural credits to the Soviet Union, a move I strongly encouraged and support. Now I hope Soviets can send us a strong signal that their reforms will continue, by granting exit permission to Roman and all refuseniks.

Next week, my fellow sponsors and I will circulate a letter to our colleagues asking them to participate in the call to conscience. I thank them in advance for their continued commitment.

With our joint efforts, we can work toward the day when we no longer have refusenik cases to bring to the Senate floor.

NO CHANGE IN NICARAGUA

Mr. SYMMS. Mr. President, on April 12, an op-ed appeared in the Wall Street Journal entitled "A New Nicaragua Deserves a New Reputation." The piece was written by Antonio Lacayo, Minister of the Presidency of Nicaragua—a job equivalent to White House Chief of Staff. Mr. Lacayo also happens to be the son-in-law of President Violeta Chamorro.

Mr. Lacayo's op-ed skillfully omits any mention of the central issue among the Nicaraguan people today: The control of the Communist Sandinista Party over the Sandinista Army.

Mr. President, perhaps a word about Mr. Lacayo's background will explain his lack of disdain for the Communist

Sandinistas. Prior to 1979, when the Communists came to power in Nicaragua, Mr. Lacayo was an employee at a cottonseed oil factory, and had no known wealth.

After the Sandinista dictatorship nationalized most private enterprises, Mr. Lacayo apparently went into cotton, cooling oil, and chicken ventures on the basis of contracts and monopolies granted by the Marxist dictatorship. Between 1979 and 1990, in a period when private companies were nationalized by the Communists, and most other businessmen in Nicaragua lost their fortunes, Mr. Lacayo was able to amass great amounts of wealth. It is interesting to note that his first cousin, Osvaldo Lacayo, is a colonel on the general staff of the Sandinista army.

Mr. President, Mr. Lacayo also fails to recognize that last year's historic repudiation of the Communist Sandinista government is due in large part to the sacrifices of tens of thousands of freedom fighters. The military leader of the freedom fighters—Enrique Bermudez—was assassinated in Managua, Nicaragua on February 16. Two months later, the so-called investigation is a sham, and is being run entirely by Sandinista thugs. Why is Mrs. Chamorro afraid to allow the FBI to go inside Nicaragua and work hand in hand with her investigators as President Cristiani has done in the case of the murdered Jesuits?

Mr. Lacayo claims that 1990 is "the year of pacification for Nicaragua." But he makes no mention of the dozens of Nicaraguan freedom fighters who were murdered in cold blood by members of the Sandinista military after they turned in their weapons and returned to civilian life. According to the independent Nicaraguan Permanent Human Rights Commission, there have been over 100 assassinations of freedom fighters and other opponents of Communist domination.

Mr. Lacayo says that not a single protester has been jailed. Has he already forgotten the much publicized arrest and torture of freedom fighter leader, Aristides Sanchez, on November 15, 1990? Mr. Sanchez' life was spared only after the Archbishop of Nicaragua, Cardinal Obando y Bravo intervened.

Mr. President, the U.S. State Department has already poured half a billion dollars of the U.S. taxpayers' money into a country that is still controlled by the Communist Sandinistas. Now the State Department is asking the American taxpayer to fork over 200 more million dollars.

The facts are the following: The Communist Sandinista Party still controls the Sandinista army. The general of the Sandinista army is Humberto Ortega—brother of former President, Daniel Ortega. The Nicaraguan Army is still legally called the Sandinista Popular Army. Nicaragua is still gov-

erned by the Sandinista Constitution of 1985. The Sandinista Joint Chiefs of Staff and all the top Sandinista commanders still retain power. Furthermore, the Sandinista intelligence apparatus has not been eliminated.

It is significant that the Sandinista Communists still continue to export revolution to their Communist allies in El Salvador—the FMLN. The Salvadoran Communist guerrillas apparently possess about 200 SAM-14 and SAM-16 surface-to-air-missiles—which they received with the assistance of the Sandinista Army. And the Sandinista-controlled government continues to permit the use of its territory for the FMLN terrorists' radio station, logistics center, and recreation center.

The Chamorro government has also failed to fulfill promises of the Nicaraguan people of privatization. With one exception, state-owned enterprises which the Sandinistas had seized from their rightful owners have not been returned. The exception is Coca-Cola which was returned to relatives of Antonio Lacayo. The farms and other properties that were confiscated illegally by the Sandinista regime have not been returned to their rightful owners.

Mr. President, a prominent Nicaraguan businessman—Roberto Arguello—wrote to the Wall Street Journal on June 5 to answer the editorial written by Antonio Lacayo. Mr. Arguello, president of the Nicaraguan American Bankers and Businessmen Association, says that nothing has changed in Nicaragua since President Chamorro came to power.

Mr. President, I ask unanimous consent that Mr. Arguello's letter to the Wall Street Journal be printed in the RECORD at the conclusion of my remarks.

Mr. President, there is little or no reason to continue to fund a Government controlled by Communist Sandinistas. U.S. money has done nothing but assure the Sandinistas they can continue to rule with impunity—and with the financial backing of the United States. Freedom may have a chance in Nicaragua if the State Department becomes as aggressive in addressing the Sandinista monopoly as it was in disarming and abandoning the freedom fighters.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, May 9, 1991]
HOW THE SANDINISTAS STILL RULE NICARAGUA

"A New Nicaragua Deserves a New Reputation" by Antonio Lacayo, minister of the presidency of Nicaragua (Americas, op-ed, April 12) needs clarification. Mr. Lacayo writes that Sen. Jesse Helms' claims that "former freedom fighters continue to be massacred and . . . political opponents continue to be intimidated, threatened, tortured and/or jailed without due process" and that "President Violeta Chamorro 'lacks the ability, perhaps even the will, to wrest power

away from her predecessors" are untrue. Mr. Lacayo rests his case on the fact Sen. Helms has never visited Nicaragua and therefore his claims are based on misperceptions. Mr. Lacayo even challenges Sen. Helms to go to Nicaragua to see the new Nicaragua under President Chamorro.

I hope Sen. Helms accepts the invitation. I have no doubt that once he tours the country he will be absolutely clear that it is the Sandinistas, and not President Chamorro, who control the army, the police, the air force, the navy, the secret police, the courts, most public cars, houses, factories, banks, and farms stolen and occupied by the Sandinistas during their decade of squandering Nicaraguan resources.

I suggest Mr. Lacayo personally should give the tour, which should include the tombs of the freedom fighters killed since President Chamorro's inauguration; the 800 businesses and thousands of arms confiscated by the Sandinistas that have not been returned to their rightful owners despite electoral promises; the thousands of homes confiscated from Nicaragua citizens from all walks of life. (President Chamorro has made a pact with the Sandinista leaders that they can keep homes they have occupied illegally for years, including million-dollar homes such as the one occupied by former President Daniel Ortega.)

I hope Mr. Lacayo takes Sen. Helms to the Public Registry of Properties. The senator will be shocked to learn that Nicaragua is the only country in this hemisphere other than Cuba where the transfer of title to properties can occur without the knowledge, consent or compensation of its rightful owners. This explains why there is no private investment, domestic or foreign, in Nicaragua, and why foreign banks are reluctant to finance projects.

The world needs to know that even though Mrs. Chamorro was elected democratically, there is no new Nicaragua under her leadership. Daniel Ortega is right when he says the Sandinistas continue to rule the country from below, and sometimes, I would dare to say, from above.

ROBERT J. ARGUELLO,
Founding President, Nicaragua American
Bankers and Businessmen Association,
Coconut Grove, FL.

FLAG DAY, JUNE 14, 1991: HONOR OLD GLORY—MAKE FLAG BURNING A FEDERAL CRIME

Mr. DOLE. Mr. President, today, June 14, Flag Day 1991—is a special day for America as we celebrate the triumphant return home of our Desert Storm heroes.

America is proud of its fighting men and women in uniform, and we are proud of the red, white, and blue banner under which these men and women risked their lives.

But, Mr. President, this year, Old Glory has been put at risk, not by the enemy in the Persian Gulf, but by the Supreme Court of the United States.

In not one, but two separate decisions last year, the Supreme Court turned its back on the American people, declaring that flag-burning was free speech protected under the first amendment to the Constitution.

I was appalled by these decisions, and I fought hard for a constitutional

amendment that would give Old Glory the real protection she deserves.

I lost that battle last year, falling 9 votes short of the necessary 67 votes needed to pass a constitutional amendment in the Senate.

But I remain hopeful.

Last week, the Supreme Court decided to review a State court decision upholding a Minnesota statute that banned the act of cross-burning.

I applaud the Members of the Minnesota Legislature and the Minnesota Supreme Court who struck a blow for common sense when they said that racially motivated cross-burning has no place in America, and no place in the first amendment of our Constitution.

Now, with a new member on the bench, the Supreme Court has a golden opportunity to come back to America and correct its red, white, and blue blunder.

When reviewing the Minnesota cross-burning statute, the Supreme Court should take the next logical step and uphold the 48 State statutes—and the one Federal statute—that have made the act of flag desecration illegal.

Flag-burning, like cross-burning, is not speech. It's conduct—offensive, malicious conduct. And it should not be dignified by invoking our cherished first amendment freedoms.

TRIBUTE TO DAD

Mr. SARBANES. Mr. President, this Sunday we will celebrate Father's Day and as our thoughts turn to that occasion, I was deeply touched by an article by Lou Panos' "Tribute to Dad" which appeared in the current issue of the Baltimore Messenger.

Lou, one of Maryland's most distinguished and respected journalists and commentators, has captured in sensitive and eloquent language the thoughts of millions of daughters and sons as we reflect this weekend on the priceless inheritance we have received from our fathers. Lou's moving recollections of his father are those which many of us find familiar in our own lives.

Mr. President, I ask unanimous consent that Lou Panos' "Tribute to Dad" be printed in the RECORD at this point as a reminder of our fathers' "hard work, honesty and love of freedom" which enriches our lives today.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Baltimore Messenger, June 12, 1991]

TRIBUTE TO DAD

(By Lou Panos)

They called him George. He was not a famous or great man, but a good one, typical of the kind who throughout history have kindled friendships, stabilized governments and built civilizations simply by doing what is right, day after day, year after year throughout a lifetime.

He was among the millions who came to this country from other lands because they had to, most of them for economic or political reasons. He came as a boy of 14 from an impoverished village near Sparta after his mother died, and he joined his father, who had emigrated many years earlier. When he landed in this country, he did not speak its language, was unfamiliar with its customs and was less prepared to survive here than the astronauts half a century later were prepared to survive their landing on the moon.

But he became a model citizen. He started a restaurant business and devoted nearly every waking hour to it and to his family. Workdays of 16 and 18 hours were the norm six days a week. The seventh day was for worship in the morning, followed by a family outing, such as a visit to relatives in winter-time or a summertime picnic and swim at a Chesapeake beach.

PAY YOUR TAXES, EVEN IN HARD TIMES

He saw his purpose in life as clear and simple: Sustain your family, support your church, pay your taxes and, with whatever energy or resources remain, do some good. In hard times, his place in Lexington Market was a favorite stop for beggars, and a customer down on his luck could almost invariably count on him for a meal until the next payday, or the next, or the next. Sometimes, to one whose character he considered a bit shaky, he would present the meal as a gift instead of an obligation. That way, he explained, the recipient would be more likely to consider him a friend to be favored with future business instead of as a creditor to be ducked.

A relative or an old friend asking for help to get over a budget crunch often got it with one string attached: No one else was to be told about it.

George ran his business on two inviolable principles. One was the old maxim that the customer is always right. The other was that a business is entitled to a fair profit, but anything beyond that is legal larceny and something to be scorned. Obviously, he never grew rich in the usual, less important sense of the word. But at his death two decades ago, he owed nothing and much was owed him.

A VALUE FOR WHAT IS RIGHT

He laughed easily, led the family in song on long drives, and spoke in the same gentle voice to all, regardless of purse or station. He valued what was right over what was merely correct or even smart.

An adviser once chastised him for accurately reporting his sales tax collections. Others in the food business were less generous and were never questioned by the tax people, the adviser said, so why shouldn't he do the same?

"That's what I collected, and that's what I'll report," George said. "And when I put my head on that pillow tonight, I'll go right to sleep. That's worth more to me than any amount you can save me."

When the adviser persisted, George put it another way.

"This country has been good to me," he said, "and I believe that stealing from the government is like stealing from the church. I'm just thankful that I can make an honest living and pay my bills, including my taxes."

Once, after George refused to join a price-fixing conspiracy, a competitor who proposed the conspiracy threatened to rent a nearby vacant stall and wage a price war to drive George out of business. George thanked him for the warning, then rented the stall in self-defense and used it to start a little sideline

business selling peanuts, just enough to pay the rent and neutralize the space. No hard feelings.

George's name is on no public monument. But especially at this time of the year, as in the case of so many fathers whose hard work, honesty and love of freedom enrich the lives of others, his monument shines in the memories of countless friends and relatives, including the son who wrote this.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MOYNIHAN. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar 183, Mike Hayden, to be Assistant Secretary for Fish and Wildlife, Department of the Interior; Calendar 184, Sandra Brown Armstrong, to be U.S. district judge; Calendar 185, Timothy K. Lewis, to be U.S. district judge; Calendar 186, William L. Osteen, Sr., to be U.S. district judge; Calendar 187, Alixe Reed Glen, to be an Assistant Secretary of Health and Human Services.

I further ask unanimous consent that the nominees be confirmed, en bloc; that any statements appear in the RECORD as if read; that the motions to reconsider be laid upon the table, en bloc; that the President be immediately notified of the Senate's action; and that the Senate return to legislative session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF THE INTERIOR

Mike Hayden, of Kansas, to be Assistant Secretary for Fish and Wildlife, Department of the Interior.

THE JUDICIARY

Sandra Brown Armstrong, of California, to be U.S. district judge for the Northern District of California.

Timothy K. Lewis, of Pennsylvania, to be U.S. district judge for the Western District of Pennsylvania.

William L. Osteen, Sr., of North Carolina, to be U.S. district judge for the Middle District of North Carolina.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Alixe Reed Glen, of the District of Columbia, to be an Assistant Secretary of Health and Human Services.

STATEMENTS ON THE NOMINATION OF MIKE HAYDEN

Mr. DOLE. Mr. President, on behalf of the people of Kansas, I am proud to speak in favor of a good friend, who, being exceptionally well qualified, has been nominated by the President of the United States to a senior position in the executive branch of the Government. I rise today on behalf of the one such citizen from the State of Kansas.

Mike Hayden was born and raised in the community of Atwood, in western Kansas. From childhood, working on

his family's farm instilled in Mike a strong sense of conserving the natural treasures with which this great Nation was blessed. So strong were his desires to make a difference in protecting these resources that he earned a bachelor of science degree in wildlife conservation from Kansas State University in 1966.

Following college, Mike served his State and country for the first time. As an infantry platoon leader and company commander, Mike was awarded the Gallantry Cross, the Soldier's Medal for heroism, and the Bronze Star for his actions in Vietnam.

Following his return from military service, this decorated citizen taught as a graduate assistant at Fort Hays State University in Kansas while he earned a masters degree in biology.

Over the next 14 years, Mike Hayden served our State of Kansas for a second time, by being elected to the State house of representatives. He was elected by his colleagues to serve as speaker of the house in both of his last two terms.

Then, in 1987, Mike began his third type of service when he took the oath of office as Governor of Kansas. We are particularly pleased that he was the first Governor in the history of this State to be a professionally trained conservationist.

Governor Hayden has been the recipient of numerous awards, including being inducted in the Army's Officer Candidate School Hall of Fame, being twice named by the Kansas Wildlife Federation as Legislator of the Year and, while Governor, as Conservationist of the Year. He also received the President's award from the Nature Conservancy for initiating the Kansas Natural Historical Inventory.

Over the years, I have worked on a number of fish and wildlife issues with Governor Hayden. As an example, I would like to briefly mention just three. All three were either initiated or accomplished due mainly to the personal interest and intervention by Mike. To educate the public on issues confronting our fish and wildlife, Governor Hayden pushed for and received approval of Federal, State, local and private funds to construct the Wichita Environmental Education Center. This center, located in an urban area will attune the public to the need to be concerned about our fish and wildlife resources, management practices, and threats to these resources.

When a drought seriously threatened what is arguably the most important wetland for migratory birds in the Western Hemisphere—Cheyenne Bottoms—Mike pushed State and Federal agencies to work cooperatively to ensure this precious resource would be preserved.

And, Mike has been in the forefront in seeking support for fish and wildlife mitigation on the Missouri River by the U.S. Army Corps of Engineers.

Mr. President, Mike Hayden—Governor, legislator, and decorated soldier—is first and foremost a family man, an outdoorsman, and a conservationist dedicated to balance and common sense.

I have known and worked with him for more than 20 years, and can—without qualification—highly recommend him to my colleagues to serve as Assistant Secretary of the Interior for Fish, Wildlife and Parks.

Finally, I would like to inform my colleagues that both the Committee on Environment and Public Works and Energy and Natural Resources have held hearings on Governor Hayden and endorsed his nomination. Mike has visited with numerous Senators personally and will be accessible to Members of the Senate whenever needed.

Mr. President, Mike Hayden is an outstanding candidate for this position and I urge my colleagues to confirm him.

Mrs. KASSEBAUM. Mr. President, I am pleased to join with the members of both the Committee on Environment and Public Works and the Committee on Energy and Natural Resources to support the nomination of Mike Hayden as Assistant Secretary of the Department of the Interior for Fish and Wildlife and Parks.

I have known Mike Hayden for many of his 18 years in State government, first as a State representative, then as speaker of the Kansas House and, during the last 4 years, as Governor of the State of Kansas. Throughout the years, I have seen first hand his deep respect for the environment and his commitment to the wise use and conservation of our natural resources.

Growing up in rural Atwood, KS, Mike Hayden learned early the importance of caring for the land. An avid outdoorsman, he has carried these principles with him during his years in public service. As a legislator and Governor, he played a crucial role in preserving wetland habitat, reorganizing and enhancing the State's park and wildlife agencies, and establishing a permanent source of funding for the State's water plan.

These accomplishments have not gone unnoticed. Twice he was named Conservation Legislator of the Year by the Kansas Wildlife Federation. The Nature Conservancy has honored him with their prestigious President's Award for establishing and funding the Kansas Natural Heritage Inventory Program.

Once confirmed, Governor Hayden will face one of the most difficult jobs in the Federal Government. As our Nation's urban areas continue to grow, more and more pressure will be placed on our country's park system. At the same time, conflicting views have emerged regarding the management of our country's national forests, particularly those in the Pacific Northwest. I

believe Governor Hayden will be able to bring a balanced view to the competing preservation and land-use interests.

I am fully confident that Mike Hayden will rise to meet the many challenges that await him at the Department of the Interior and will display the same commitment to excellence that has earned him the President's confidence. I urge my colleagues to support his nomination and look forward to working with him in the future to enhance our country's natural resources.

• Mr. WALLOP. Mr. President, on June 12, 1991, the Committee on Energy and Natural Resources favorably reported the nomination of Gov. Mike Hayden to be Assistant Secretary of the Interior for Fish and Wildlife and Parks by a vote of 19 to 0.

Governor Hayden is a very well-qualified candidate for this position. A trained wildlife biologist, he holds a bachelor of science degree in wildlife conservation and a master's degree in biology. Governor Hayden has received numerous awards for his achievements as a conservationist, including being twice named as Conservation Legislator of the Year by the Kansas Wildlife Federation. As a former Governor as well as a former State legislator, Governor Hayden is very familiar with the political process and has been recognized for his leadership capabilities.

Mr. President, I believe Governor Hayden will serve the Department of the Interior very ably, and I urge my colleagues to join me in supporting his confirmation as Assistant Secretary of the Interior for Fish and Wildlife and Parks. •

Mr. SYMMS. Mr. President, with respect to Calendar Order No. 183, Mike Hayden, I would like to add my personal congratulations to Mike Hayden who is a friend of mine and a former Governor of Kansas.

STATEMENT ON THE NOMINATION OF WILLIAM L. OSTEEEN

Mr. SANFORD. Mr. President, today the Senate will consider the nomination of William L. Osteen, Esq., to serve as judge of the U.S. District Court for the Middle District of North Carolina.

I have known Bill Osteen for 30 years and have the highest regard for his integrity. In addition, his colleagues in the Greensboro Bar and the North Carolina legal profession around the State have informed me of the great esteem that they have for him.

I will not repeat Mr. Osteen's entire record of law practice and civic activities here today but suffice it to say he ably represents the State of North Carolina. Mr. Osteen is an attorney presently in private practice in North Carolina. He is the head of his own law firm in the city of Greensboro where he practices with his son.

Prior to the establishment of his own firm, Mr. Osteen served as U.S. attor-

ney for the middle district of North Carolina under an appointment by President Nixon in 1969.

Mr. Osteen was educated in North Carolina. He received his undergraduate degree from Guilford College in Greensboro and his law degree from the University of North Carolina at Chapel Hill.

I am pleased to support the nomination of Bill Osteen to serve as Federal district court judge and I commend his nomination to my colleagues.

Thank you, Mr. President.

LEGISLATIVE SESSION

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now return to legislative session.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. McCathran, 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 sundry nominations and a withdrawal which were referred to the appropriate committees.

(The nominations and a withdrawal received today are printed at the end of the Senate proceedings.)

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, June 14, 1991, he had presented to the President of the United States the following enrolled joint resolution:

S.J. Res. 111. Joint resolution marking the seventy-fifth anniversary of chartering by Act of Congress of the Boy Scouts of America.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. HOLLINGS (for himself, Mr. KERRY, Mr. BREAUX, and Mr. STEVENS):

S. 1297. A bill to authorize appropriations for the Coast Guard for fiscal years 1992 and 1993, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SANFORD:

S. 1298. A bill to designate the facility of the United States Postal Service located on Highway 64 East in Hiddenite, North Carolina, as the "Zora Leah S. Thomas Post Office"; to the Committee on Governmental Affairs.

S. 1299. A bill to name the Post Office building located at 200 3d Street, S.W., in Taylorsville, North Carolina, as the "Clifford G. Watts Post Office"; to the Committee on Governmental Affairs.

By Mr. ROTH:

S. 1300. A bill to minimize the adverse effects on local communities caused by the closure of military installations; to the Committee on Armed Services.

By Mr. CRAIG:

S. 1301. A bill to establish grant programs and provide other forms of Federal assistance to pregnant women, children in need of adoptive families, and individuals and families adopting children, and for other purposes; to the Committee on Finance.

By Mr. SANFORD (for himself, Mr. FOWLER, Mr. THURMOND, and Mr. FORD):

S.J. Res. 162. Joint resolution to recognize and support the efforts of the National Committee for the Airborne Museum at Fort Bragg, North Carolina, and to encourage American awareness and participation in the development of this project in honor of all who have served in the airborne and special operations forces of the United States Army; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HOLLINGS (for himself, Mr. KERRY, Mr. BREAUX, and Mr. STEVENS):

S. 1297. A bill to authorize appropriations for the Coast Guard for fiscal years 1992 and 1993, and for other purposes; to the Committee on Commerce, Science, and Transportation.

COAST GUARD AUTHORIZATION ACT

● Mr. HOLLINGS. Mr. President, today I am introducing the Coast Guard Authorization Act of 1991. This bill provides the core authorizations for the Coast Guard for the next 2 fiscal years, 1992 and 1993. The authorization for operating expenses totals \$2.57 billion each year, which reflects a modest increase of 8 percent from the fiscal year 1991 level.

As chairman of the Commerce Committee, I must admit that, from a budget standpoint, we are asking the Coast Guard to run a tight ship. When the service was first established in 1790, its mission was fairly straightforward—to prevent smuggling and collect tax revenues. Since that time, many new responsibilities have been added, including search and rescue, fisheries law enforcement, drug interdiction, aids to navigation, marine safety and marine environmental protection. The diversity of the Coast Guard's mission is apparent when one looks at its involvement in several recent highly publicized events. From the blockade of Iraq to the cleanup of the *Exxon Valdez*, the Coast Guard has been on the front line.

The authorization for capital funding in this bill totals \$423 million for each of the next 2 fiscal years. Capital funding, of course, includes the acquisition, construction, rebuilding, and improvement of aids to navigation, shore and

offshore facilities, vessels, and aircraft. Specific programs that will be undertaken during the next 2 years include continuation of the 378-foot high endurance cutter rehabilitation program, acquisition of the remaining 110-foot Island class patrol boats, delivery of the last HH-60J—Jayhawk—helicopters, and replacement of our seagoing buoy tenders and 44-foot motor lifeboats.

The bill contains increased funding to provide affordable housing, medical care, training, family services, and recreational facilities for the men and women of the Coast Guard. In addition, it authorizes retired pay, which provides money to retired military personnel of the Coast Guard, the Coast Guard Reserve, and the former Lighthouse Service. Included in this authorization is \$488 million for fiscal year 1992 and \$519 million in fiscal year 1993.

Other funding authorizations in the bill cover research and development, bridge alteration, and environmental compliance and restoration. Authorizations are provided for end-of-year strengths of 39,559 military personnel for fiscal years 1992 and 1993. The bill also authorizes average military training loads for recruits and special training, flight training, professional training, and officer training.

This legislation also contains a number of provisions which amend existing law applicable to the Coast Guard. These provisions are as follows:

Authorize the Coast Guard to lease property to construct Air Station Charleston;

Establish a Coast Guard recycling program comparable to those operated by the Army, Navy, and Air Force;

Designate the John F. Limehouse Bridge as an obstruction to navigation;

Authorize the Coast Guard to lease or improve certain properties in Massachusetts for housing;

Amend the inland navigation rules to conform to the international regulations for preventing collisions at sea;

Call for a study to improve Coast Guard enforcement in national marine sanctuaries; and

Authorize the Coast Guard to convey Cape May Point Lighthouse to the State of New Jersey for use as a public historical center.

Before closing, I congratulate the men and women of the Coast Guard for their vital contribution to Desert Shield and Desert Storm. Mr. President, once again the Coast Guard has stepped forward when the Nation called. I ask my colleagues to join me in supporting this legislation. ●

By Mr. SANFORD:

S. 1298. A bill to designate the facility of the U.S. Postal Service located on Highway 64 East in Hiddenite, NC, as the "Zora Leah S. Thomas Post Office"; to the Committee on Governmental Affairs.

S. 1299. A bill to name the Post Office building located at 200 3d Street, SW., in Taylorsville, NC, as the "Clifford G. Watts Post Office"; to the Committee on Governmental Affairs.

DESIGNATION OF CERTAIN POSTAL SERVICE FACILITIES

Mr. SANFORD. Mr. President, I rise today to submit two pieces of legislation to name the post offices in Hiddenite, NC, and Taylorsville, NC, the "Zora Leah S. Thomas Post Office" and the "Clifford G. Watts Post Office," respectively.

The late Mrs. Zora Leah S. Thomas was postmaster for an unprecedented 42 years. She was born just north of Hiddenite in Rocky Springs on August 15, 1907, to Hayne N. and Leah Lackey Sharpe and became a valued and active member of the Hiddenite community.

Thomas taught for 2 years before joining the post office as a clerk in December 1933. Less than 2 years later, she succeeded her father as postmaster. She is survived by her brother Mr. John Robert Sharpe and sister Mrs. J.H. Sauer.

The late Clifford G. Watts served as postmaster for 18 years. A graduate of UNC-Chapel Hill, and Alexander County chairman of the Moorehead Foundation Scholarship Committee, Watts considered one of his hobbies to be talking high school students into going to UNC-Chapel Hill. He made it possible for many aspiring UNC students by finding job opportunities and financial aid for them.

Watts was a dedicated, hard-working man. He worked his way through college by washing dishes in the dining hall. His college football coach once said:

If everyone worked as hard as Cliff, I wouldn't have to get on anyone for not hustling.

Mr. President, I am proud to have the opportunity to honor the families and memories of Zora Leah S. Thomas and Clifford G. Watts for their lifetimes of public service as well as honoring the cities of Hiddenite and Thomasville with the introduction of this legislation.

By Mr. ROTH:

S. 1300. A bill to minimize the adverse effects on local communities caused by the closure of military installations; to the Committee on Armed Services.

IMPACTED COMMUNITIES ASSISTANCE ACT

Mr. ROTH. Mr. President, soon, the Base Closing and Realignment Commission will recommend closing approximately four dozen military bases and installations across the country.

The people and communities that will be impacted by closing bases have every right to be concerned about the loss of jobs and economic activity. They have labored for decades, and often generations, to support our national security, and Congress ought not

turn its back on them now that the cold war is coming to a close.

It is the duty of the Congress, Mr. President, to ensure that base closings cause minimal adverse economic impact. We have an obligation to assist the people who have served us by so willingly serving the men and women in our Armed Forces. Skilled and able-bodied citizens have become dependent upon Federal dollars, and, because of the bases, lost opportunities for economic growth. Congress ought to act to enable communities to readjust as painlessly as possible once their bases are closed, and this is the objective of my base conversion proposal that I am introducing today.

As the law stands now, after it has been determined that a military installation should be closed, the disposal process is slow, painful, and benefits no one. Financial savings remain largely theoretical, while the process is dragged out in legal and political arenas. The base is offered first to Federal agencies, then to States, and finally to local communities. Consequently, what was once a thriving army town, could end up as a Federal prison when a local community would rather use it as a trade school or airport.

The Roth base conversion proposal changes the current law by returning to the community the right to decide what happens to a closed base. It's simple yet effective. Under my proposal, the local community will have first choice on the ownership of a closed base. From the moment a base is selected for closure, the affected community will become an integral decisionmaker in how the base is to be disposed. When the closed installation is environmentally safe, it will be offered—free of charge—to the local community. If the local community does not want the property, it will be offered to the county government, then the State, then to other Federal agencies. This inverts the current system where other Federal agencies get first choice, and the affected community is at the bottom of the totem pole. If the property is then sold by the community within 10 years after it was conveyed, the community refunds 25 percent of the net proceeds to the U.S. Treasury.

Military facilities can represent significant assets for the people in adjoining communities. Once transferred to the local community, such real estate will gain and ever increase in value. While my proposal may not help in every instance, it provides a method for turning a potential loss into an economic opportunity and a potential problem into a win-win situation.

If Congress is to achieve positive results for everyone, communities must not be shutdown when bases are closed. Communities must have it in their power to determine the fate of their citizens. Communities must be in con-

trol of their destinies. Congress needs a method that turns base closings into an attractive opportunity for the impacted community. The bill that I am introducing today turns what could be a negative event into a constructive situation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1300

Be in enacted by the Senate and the House of Representatives of the United States of America in Congress Assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Impacted Communities Assistance Act of 1991".

SEC. 2. FINDINGS AND PURPOSES.

The Congress finds that—

(1) the Department of Defense has been directed to reduce the size and cost of the military and this will require closing military installations;

(2) a military installation is a part of the infrastructure of the community in which it is located and there is a long standing symbiotic relationships between a military installation and the community;

(3) the people in an impacted community have made substantial, long term investments to support the military installation;

(4) the loss to an impacted community when a military installation is closed is substantial and the Congress wishes to mitigate the damage to the impacted community;

(5) an impacted community knows best the needs of the community and the best way to use available resources to meet these needs; and,

(6) unfettered ownership of the real property associated with a closed military installation at the earliest possible time can help offset the impact on a community which results when a military installation is closed.

Therefore, it is the purpose of this Act—

(1) to benefit the community impacted when a military installation is closed by authorizing the installation's real property to be conveyed to the impacted community as soon as possible after a decision to close the military installation; and,

(2) to provide an impacted community a resource which will aid in mitigating the loss incurred by the community following a decision to close a military installation and which may be used by the impacted community for industrial, commercial, residential, recreational, and other uses which the community decides are appropriate.

SEC. 3. DEFINITIONS.

As used in this Act:

(1) The term "military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Secretary of a military department or the Secretary of Defense.

(2) The term "Administrator" means the Administrator of General Services.

(3) The term "local community" means the incorporated town, village, city, or similar entity of the State in which a military installation is located or, if the military installation is not located in an incorporated entity, the incorporated entity of the State that has authority under State law to annex the property on which the military installation is located.

SEC. 4. DISPOSITION OF PROPERTY.

(a) TRANSFER OF PROPERTY TO THE ADMINISTRATOR.—As soon as possible after the date

on which (I) the Secretary of Defense closes a military installation, and (II) the Secretary of Defense renders the real property which is suitable for transfer, environmentally safe in a manner consistent with Section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, the Administrator shall have jurisdiction over that part of the real property of the closed military installation which is suitable for transfer.

(b) PRIORITY FOR DISPOSITION.—(1) As soon as possible after assuming jurisdiction for property suitable for transfer, the Administrator shall offer title to the real property suitable for transfer to the local community concerned. Title to the property shall be offered subject to the conditions prescribed in this Act.

(2) If the local community concerned refuses the property, or fails to notify the Administrator of the community's acceptance of the property within six months after the date on which the Administrator notifies the community in writing of the availability of the property (and the conditions under which the property will be granted to the community), the Administrator shall offer the property to the county in which the military installation is located.

(3) If the county refuses the property, or fails to notify the Administrator of the county's acceptance of the property within three months after the date on which the Administrator notifies the county in writing of the availability of the property (and the conditions under which the property will be granted to the county), the Administrator shall offer the property to the State in which the military installation is located.

(4) If the State refuses the property, or fails to notify the Administrator of the State's acceptance of the property within 60 days after the date on which the Administrator notifies the State in writing of the availability of the property (and the conditions under which the property will be granted to the State), the Administrator shall offer the property to other departments and agencies of the Federal Government.

(5) If no department or agency of the Federal Government requests the property within 30 days after the date on which the notice of the availability of the property is published in the Federal Register, the Administrator shall dispose of the property to the highest responsible bidder.

(d) PROPERTY LOCATED IN MORE THAN ONE LOCAL COMMUNITY.—In any case in which a military installation referred to in subsection (a) is located in more than one local community, the property shall be offered to each of the communities and, if accepted by more than one community, shall be divided among the communities in such manner as may be specified by the laws of the State concerned.

(e) PROPERTY LOCATED IN MORE THAN ONE COUNTY.—In any case in which a military installation referred to in subsection (a) is located in more than one county of a State and the real property constituting the installation is not accepted by the local community concerned, that portion of the installation within each county shall be offered to that county.

(f) PROPERTY NOT SUITABLE FOR TRANSFER.—The Secretary of Defense or the Administrator may sever from the real property of a closed military installation that real property which is not suitable for transfer because of environmental concerns or for other good and valid reasons including but not limited to a finding by the President's

Council on Environmental Quality that development of the severed property would destroy an environmental heritage.

(g) COOPERATION WITH LOCAL COMMUNITIES.—The Secretary of Defense and the Administrator shall assure that appropriate representatives of the local community are included as full partners in discussions and decisions concerning the disposition of a closed military installation.

SEC. 5. CONDITIONS.

(a) IN GENERAL.—Title to the real property referred to in section 4(a) may not be conveyed to a local community, county, or State unless the local community, county, or State, as the case may be, submits to the Administrator, in such manner as the Administrator may prescribe, a plan under which the local community agrees—

(1) that if the property is sold by the local community, county, or State, as the case may be, within 10 years after the date of the conveyance of the property to the local community, county, or State, to pay to the United States an amount equal to 25 percent of the proceeds from the sale of the property.

(2) to make available to the Comptroller General of the United States such information as may be necessary for the Comptroller General to carry out his duties under section 7; and

(3) to such other terms and conditions as the Administrator determines necessary to encourage the acceptance of the property suitable for transfer at the earliest possible date by the impacted community.

SEC. 6. FAILURE TO COMPLY WITH CONDITIONS.

If a local community, county, or State to which real property is conveyed pursuant to this Act fails to comply with any condition provided for in this Act, the Administrator, after providing written notice to the community, county, or State, as appropriate, may withhold from any payments otherwise payable to the community, county, or State under any Federal program, such amounts as may be necessary to comply with the conditions provided for in section 5(a)(1).

SEC. 7. REGULATIONS.

The Administrator shall prescribe such regulations as may be appropriate to carry out this Act. The regulations prescribed by the Administrator shall encourage the prompt implementation of this Act and facilitate transfer of property suitable for transfer to the impacted community.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act.

By Mr. CRAIG:

S. 1301. A bill to establish grant programs and provide other forms of Federal assistance to pregnant women, children in need of adoptive families, and individuals and families adopting children, and for other purposes; to the Committee on Finance.

OMNIBUS ADOPTION ACT

● Mr. CRAIG. Mr. President, I rise today to begin a campaign—one to make it easier for those seeking an alternative kind of parenthood.

The campaign begins just before Father's Day, with introduction of the Omnibus Adoption Act of 1991.

The goal of this legislation is simple: to help each of the persons involved in adoption by making it more available and more affordable. The Omnibus

Adoption Act of 1991 offers assistance to children waiting to be adopted, pregnant women considering adoption, and individuals hoping to adopt a child.

As an adoptive father of three kids—the children of my wife, Suzanne—I know a little about the hardships associated with this method of becoming a parent—but only a little. I faced only a fraction of the cost, the wait, the suspense of most adoptive parents. But the experience left me intrigued, and I began studying the process.

I learned that a typical normal birth today costs less than \$10,000. Adoption can cost upward of \$15,000. And insurance rarely, if ever, covers any of the cost of adoption.

Families who give birth to a child receive tax benefits from their expenses. Families who adopt, don't.

Health insurance often covers babies born to insured families from birth. Adopted babies are usually covered only when the adoption becomes final. That's typically 18 months or longer after the adoptive parents assume financial responsibility for the child.

Just about every element of our society seems stacked against people who build their families through adoption, though often they have no other choice.

That atmosphere must be changed. The Omnibus Adoption Act of 1991 is designed to begin changing it.

The statistics show that adoption benefits everyone involved:

The child has a 90-percent chance of living with married parents—and a 54-percent chance of living in a home with a family income three times higher than the poverty level;

Young, unmarried women who make adoption plans for their babies are more likely to complete high school, less likely to live in poverty, and less likely to receive public assistance than single parents. They're also less likely to have a repeat pregnancy than teenagers who choose parenting or abortion.

Adoptive parents have the chance to build the families they long for.

If adoption is such an attractive option, why do so few young pregnant women choose it? It certainly is not because there aren't enough prospective parents: Estimates of the families waiting for adoption range from 1 to 2 million. Yet overall, only 6 percent of teenage mothers choose adoption for their babies. In the black community, the option is exercised by fewer than 1 percent.

Again, the answer lies partly with the system. Nearly 40 percent of pregnancy counselors do not include adoption as an option in their counseling. In addition, some 40 percent of the counselors had a 40-percent rate of uncertainty and inaccurate information about the process.

Many pregnancy counselors think adoption would be a good choice, but

they assume young women wouldn't want to hear about it—so they don't mention it.

The Omnibus Adoption Act of 1991 wouldn't change all of this overnight—but it would make a start. Here is some of what it would do:

Establish a National Advisory Council on Adoption, to monitor the results of the new law, and to recommend changes to make it more effective;

Begin an education program, teaching people about the benefits of adoption and how to go about it;

Allow Federal employees to use sick leave for purposes relating to adoption of a child. Make expenses for maternal and prenatal care, paid for by a Federal employee adoptive parent, reimbursable;

Create a refundable tax credit for adoption expenses, up to \$5,000 for incomes up to \$60,000 with phase out of the credit from \$60,000 to \$100,000;

Provide rehabilitative grants for maternity facilities; and

Make recommendations to States for changes in their adoption laws.

Mr. President, as cochair of the Congressional Coalition on Adoption, I recently chaired a hearing on adoption legislation. At that hearing, it became apparent that there is widespread support for the Omnibus Adoption Act of 1991. Witnesses from around the Nation testified in favor of the bill and many more supporters were present at the hearing.

In addition, the bill is endorsed by the National Committee for Adoption, Catholic Charities USA, and Adoptive Families of America.

Finally, the Omnibus Adoption Act of 1991 has already been introduced in the House of Representatives, where it has bipartisan support from more than 80 Members of Congress.

I hope my Senate colleagues will agree that adoption is a loving option that has worked for countless individuals across the Nation, and join the campaign by cosponsoring the Omnibus Adoption Act of 1991.

Now is the time to show our support for all of these people and the many more who would like to become involved in adoption.

Mr. President, I ask unanimous consent that an article entitled "Adoption: Expanding the Options" be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ADOPTION: EXPANDING THE OPTIONS

Just before Father's Day this year, I started a campaign to make it easier for those seeking an alternative kind of parenthood.

On June 14, I introduced the Omnibus Adoption Act of 1991. It's a bill designed to make adoption more available and more affordable to hopeful adoptive parents. If it's passed, it will provide some very happy benefits to the parents, help to single women in unplanned pregnancies, and benefits to society in general.

I'm very proud to have been named Senate Co-Chair of the Congressional Coalition on Adoption, an arm of the National Committee for Adoption.

As an adoptive father of three kids—the children of my wife, Suzanne—I know a little about the hardships associated with this method of becoming a parent—but only a little. I faced only a fraction of the cost, the wait, the suspense of most adoptive parents. But the experience left me intrigued, and I began studying the process.

I learned that a typical normal birth today costs less than \$10,000. Adoption can cost upwards of \$15,000. And insurance rarely, if ever, covers any of the cost of adoption.

Families who give birth to a child receive tax benefits from their expenses. Families who adopt, don't.

Health insurance often covers babies born to insured families from birth. Adopted babies are usually covered only when the adoption becomes final. That's typically 18 months or longer after the adoptive parents assume financial responsibility for the child.

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Adoptive parents have the chance to build the families they long for.

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The Omnibus Adoption Act of 1991 wouldn't change all that overnight . . . but it would make a start. Here is some of what it would do:

Establish a National Advisory Council on Adoption, to monitor the results of the new law and to recommend changes to make it more effective;

Begin an education program, teaching people about the benefits of adoption and how to go about it.

Allow federal employees to use sick leave for purposes relating to adoption of a child. Make expenses for maternal and prenatal care, paid for by a federal employee adoptive parent, reimbursable (the adoption must be final before any reimbursement is made);

Create a refundable tax credit for adoption expenses, up to \$5,000 for incomes up to \$60,000, with phase-out of the credit from \$60,000 to \$100,000;

Provide rehabilitation grants for maternity facilities;

Make recommendations to States for changes in their adoption laws.

Most Americans don't favor abortion, whether or not they feel there should be laws against it. What better way to discourage abortion than to institute a climate that favors adoption?

For myself, I'd rather work to pass laws that help strong, healthy families come into being. •

By Mr. SANFORD (for himself, Mr. FOWLER, Mr. THURMOND, and Mr. FORD):

S.J. Res. 162. A joint resolution to recognize and support the efforts of the National Committee for the Airborne Museum at Fort Bragg, NC, and to encourage American awareness and participation in development of this project in honor of all who have served in the airborne and special operations forces of the U.S. Army; to the Committee on the Judiciary.

AIRBORNE MUSEUM AT FORT BRAGG

• Mr. SANFORD. Mr. President, the joint resolution I send to the desk is part of an effort to establish an Airborne Museum in Fort Bragg, NC, home of the airborne. Military parachute jumps from artillery observation balloons began at Fort Bragg in 1934, but it was during World War II that the post became, under the command of Maj. Gen. William C. Lee of Dunn, NC, the world's largest airborne training center.

World War II saw the development of the first American airborne and special operations units. All five World War II U.S. Army Airborne Divisions—the 82d, 101st, 11th, 13th, and 17th—were formed and trained at Fort Bragg. So too were a host of other specialized airborne infantry, artillery, engineer, and signal units, as well as the first African-American parachute battalion, the famous Triple Nickels—555th Parachute Infantry Battalion. Significantly, the Office of Strategic Services [OSS], the main World War II special operations force, recruited some of its members from these paratroop units. I was proud to be among those first American paratroopers as a member of the 517th Combat Infantry Regiment attached to the 82d Airborne Division.

Airborne units have been a vital asset of the U.S. military since World War II. Every major U.S. campaign since then was bolstered with American paratroopers. Today, we look to the Rapid Deployment Force and its airborne and special operation elements to go quickly to areas of conflict that threaten our interests or the interests of our allies. They are the first major U.S. ground forces called to take up arms as evident from Desert Storm and Desert Shield.

In Fort Bragg, the effort to establish the Airborne Museum is well under-

way. The president of the Airborne Museum Foundation is one of this country's most distinguished veterans, Gen. James J. Lindsay, U.S. Army retired. Many of you have worked with him during his tenure as commander, 82d Airborne Division; commander, XVIII Airborne Corps; and commander in chief of the U.S. Special Operations Command. After his outstanding military career, he retired to my home State of North Carolina where he is still a committed public servant.

The support for the museum comes from public and private sources. The Department of Defense has given its support as have numerous businesses in the private sector. The unique mission of the airborne is one worthy of showcasing. The tremendous contribution it has given in defense of our freedoms and liberties is worthy of our support of this project.●

ADDITIONAL COSPONSORS

S. 190

At the request of Mr. GRAHAM, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 190, a bill to amend 3104 of title 38, United States Code, to permit veterans who have a service-connected disability and who are retired members of the Armed Forces to receive compensation, without reduction, concurrently with retired pay reduced on the basis of the degree of the disability rating of such veteran.

S. 239

At the request of Mr. SARBANES, the names of the Senator from Pennsylvania [Mr. WOFFORD], and the Senator from Montana [Mr. BAUCUS] were added as cosponsors of S. 239, a bill to authorize the Alpha Phi Alpha Fraternity to establish a memorial to Martin Luther King, Jr., in the District of Columbia.

S. 267

At the request of Mr. REID, the name of the Senator from Wyoming [Mr. SIMPSON] was added as a cosponsor of S. 267, a bill to prohibit a State from imposing an income tax on the pension or retirement income of individuals who are not residents or domiciliaries of that State.

S. 353

At the request of Mr. JEFFORDS, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 353, a bill to require the Director of the National Institute for Occupational Safety and Health to conduct a study of the prevalence and issues related to contamination of workers' homes with hazardous chemicals and substances transported from their workplace and to issue or report on regulations to prevent or mitigate the future contamination of workers' homes, and for other purposes.

S. 659

At the request of Mr. GRAHAM, the name of the Senator from South Caro-

lina [Mr. THURMOND] was added as a cosponsor of S. 659, a bill to suspend temporarily certain bars to the furnishing of veterans benefits to certain former spouses of veterans and to suspend temporarily a bar to the recognition of certain married children of veterans for veterans benefits purposes.

S. 803

At the request of Mr. REID, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 803, a bill to amend the Family Violence Prevention and Services Act to provide grants to States to fund State domestic violence coalitions, and for other purposes.

S. 1008

At the request of Mr. MCCONNELL, the names of the Senator from New York [Mr. D'AMATO], and the Senator from Connecticut [Mr. LIEBERMAN] were added as cosponsors of S. 1008, a bill to require State agencies to register all offenders convicted of any acts involving child abuse with the National Crime Information Center of the Department of Justice.

S. 1071

At the request of Mr. DECONCINI, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 1071, a bill to amend the Immigration Act of 1990 to extend for 4 months the application deadline for special temporary protected status for Salvadorans.

SENATE JOINT RESOLUTION 125

At the request of Mr. SIMON, the names of the Senator from Kansas [Mrs. KASSEBAUM], and the Senator from Florida [Mr. MACK] were added as cosponsors of Senate Joint Resolution 125, a joint resolution to designate October 1991 as "Polish American Heritage Month."

ADDITIONAL STATEMENTS

BALTIC FREEDOM DAY

● Mr. WALLOP. Mr. President, June 14 commemorates one decade of recognition of "Baltic Freedom Day." In this declaration, the Congress, the President, Americans across the Nation have said, we do not accept the Soviet incorporation of the three Baltic countries and, moreover, we recognize the right of the peoples of those three countries to have a culture and a history which is distinct and recognizable. Declaring this day as "Baltic Freedom Day" reiterates our refusal to recognize the illegal and brutal occupation of these three sovereign nations under the Molotov-Ribbentrop Pact some 50 years ago.

This June 14 also commemorates the 50th anniversary of mass deportations from the Baltic countries. On June 14, 1941, the Soviet Union began deporting large groups of Estonian, Latvian, and

Lithuanian men, women, and children to Siberia. During this one night alone, more than 60,000 people were taken from their homes, separated from their families, and transported in cattle cars to the Siberian camps, where many of them died. During the early years of Soviet occupation more than 600,000 prisoners were taken from the Baltic States—50 years later the atrocities continue.

Which is why I find such irony in the President's proclamation of "Baltic Freedom Day" this year. In his approval of \$1.5 billion in additional credit guarantees, Bush has reiterated his interest in helping one man, Gorbachev, rather than pressing him on Soviet failure to reform the economy. And when Red army soldiers and Interior Ministry squads are being used still against the Baltic governments and peoples, such hypocrisy is extremely distressing. Just recently, Soviet black berets—special Interior Ministry troops—have violently seized and destroyed at least 12 Lithuanian and Latvian Customs posts, injuring, degrading, and killing unarmed Baltic Customs officials. Still Gorbachev continues to claim no involvement. I must say, if he is lying, which I believe he is, he is part of the problem. If he claims it is beyond his control, then certainly he cannot be part of the solution. And if he is not in control, why are we giving him economic aid? In either scenario, it is at best foolish to put our political fate in this one man, at worst it is dangerous. And it comes at the expense of the democratically elected leaders and the freedom-seeking peoples of the Baltic States.

As the United States celebrates the victory of good over evil in the Persian Gulf, of restoring freedom to a sovereign nation, let us remember that none of us can be wholly free when some of us are enslaved. Soviet occupation troops remain in the Baltic States. And it shames this great country that we give succor and support to their oppressor.

Let me end by quoting the words of our President on Baltic Freedom Day 1 year ago today:

[Recent reforms in the Soviet Union] are important steps, but justice demands that more be taken. Recent improvements in human rights practices by the ruling Communist officials are not complete, nor have they been institutionalized. The people of Lithuania, Latvia, and Estonia both demand and deserve lasting guarantees of their fundamental rights. The Government of the United States does not and will not recognize the unilateral incorporation by force of arms of the Baltic States into the Soviet Union.

Mr. President, I could not agree more. George Bush would do well to reflect on those words.●

NOTICE OF DETERMINATION BY THE SELECT COMMITTEE ON ETHICS UNDER RULE 35, PARAGRAPH 4, PERMITTING ACCEPTANCE OF A GIFT OF EDUCATIONAL TRAVEL FROM A FOREIGN ORGANIZATION

• Mr. HEFLIN. Mr. President, it is required by paragraph 4 of rule 35 that I place in the CONGRESSIONAL RECORD notices of Senate employees who participate in programs, the principal objective of which is educational, sponsored by a foreign government or a foreign educational or charitable organization involving travel to a foreign country paid for by that foreign government or organization.

The select committee has received a request for a determination under rule 35 for Carol J. Carmody, a member of the staff of Senator ERNEST HOLLINGS, to participate in a program in Paris and Toulouse, France, sponsored by the German Marshall Fund and the Franco-American Foundation, from June 30–July 5, 1991.

The committee has determined that participation by Ms. Carmody in the program in France, at the expense of the German Marshall Fund and the Franco-American Foundation, is in the interest of the Senate and the United States.

The select committee has received a request for a determination under rule 35 for Rick Lawson, a member of the staff of Senator DON NICKLES, to participate in a program in Paris and Toulouse, France, sponsored by the German Marshall Fund and the Franco-American Foundation, from June 30–July 5, 1991.

The committee has determined that participation by Mr. Lawson in the program in France, at the expense of the German Marshall Fund and the Franco-American Foundation, is in the interest of the Senate and the United States.

The select committee has received a request for a determination under rule 35 for Elizabeth Tankersley, a member of the staff of Senator JOSEPH BIDEN, to participate in a program in Paris and Toulouse, France, sponsored by the German Marshall Fund and the Franco-American Foundation, from June 30–July 5, 1991.

The committee has determined that participation by Ms. Tankersley in the program in France, at the expense of the German Marshall Fund and the Franco-American Foundation, is in the interest of the Senate and the United States.♦

NATIONAL COMMISSION ON A LONGER SCHOOL YEAR ACT—CONFERENCE REPORT

Mr. MOYNIHAN. Mr. President, I submit a report of the committee of conference on S. 64 and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The report will be stated.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 64) to provide for the establishment of a National Commission on a Longer School Year having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all of the conferees.

The ACTING PRESIDENT pro tempore. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of June 12, 1991.)

The ACTING PRESIDENT pro tempore. The question is on agreeing to the conference report.

The conference report was agreed to. Mr. MOYNIHAN. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. SYMMS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EXTENDING INVITATION TO THE INTERNATIONAL OLYMPIC COMMITTEE

Mr. MOYNIHAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of House Concurrent Resolution 142, a concurrent resolution relating to the site of the 1998 winter Olympic games, just received from the House. I would surmise this has to do with Salt Lake City.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows: A concurrent resolution (H. Con. Res. 142) extending an invitation to the International Olympic Committee to hold the 1998 Winter Olympic Games in Salt Lake City, Utah, and pledging the cooperation and support of the Congress of the United States.

The ACTING PRESIDENT pro tempore. Is there objection to the immediate consideration of the concurrent resolution?

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

The ACTING PRESIDENT pro tempore. The question is on agreeing to the concurrent resolution.

The concurrent resolution (H. Con. Res. 142) was agreed to.

The preamble was agreed to.

Mr. MOYNIHAN. Mr. President, I move to reconsider the vote by which the concurrent resolution was agreed to.

Mr. SYMMS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DEMOCRATIC CAUCUS

Mr. FORD. Mr. President, the majority leader has asked me to announce that there will be a Democratic conference to discuss the highway bill on Monday, June 17, at 3:30 p.m. in room S. 207.

ORDERS FOR MONDAY

Mr. FORD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until 1 p.m. on Monday, June 17; that following the time for the two leaders there be a period for morning business with Senators permitted to speak therein for up to 5 minutes each, not to extend beyond 1:30 p.m.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR THE RECORD TO REMAIN OPEN

Mr. FORD. I further ask unanimous consent that the RECORD remain open until 2 p.m. today for statements and introductions of legislation; and that committees have until 2 p.m. to file any Legislative or Executive Calendar business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECESS UNTIL MONDAY, JUNE 17, 1991 AT 1 P.M.

Mr. FORD. Mr. President, I see no Senator seeking recognition. I now ask unanimous consent that the Senate stand in recess until 1 p.m. on Monday under the previous order.

There being no objection, the Senate, at 11:53 a.m., recessed until Monday, June 17, 1991, at 1 p.m.

NOMINATIONS

Executive nominations received by the Senate June 14, 1991:

THE JUDICIARY

WILLIAM G. BASSLER, OF NEW JERSEY, TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY VICE STANLEY S. BROTMAN, RETIRED.

MORTON A. BRODY, OF MAINE, TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF MAINE VICE A NEW POSITION CREATED BY PUBLIC LAW 101-650, APPROVED DECEMBER 1, 1990.

WILLIAM H. YOHN, JR., OF PENNSYLVANIA, TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA VICE JOHN P. FULLAM, RETIRED.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 14, 1991:

DEPARTMENT OF HEALTH AND HUMAN SERVICES
ALIXE REED GLEN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES.

DEPARTMENT OF THE INTERIOR
MIKE HAYDEN, OF KANSAS, TO BE ASSISTANT SECRETARY FOR FISH AND WILDLIFE, DEPARTMENT OF THE INTERIOR.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

THE JUDICIARY

SAUNDRA BROWN ARMSTRONG, OF CALIFORNIA, TO BE U.S. DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA.

TIMOTHY K. LEWIS, OF PENNSYLVANIA, TO BE U.S. DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA.

WILLIAM L. OSTEEEN, SR., OF NORTH CAROLINA, TO BE U.S. DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF NORTH CAROLINA.

WITHDRAWAL

Executive message, transmitted by the President to the Senate on June 14, 1991, withdrawing from further Senate consideration the following nomination:

IN THE AIR FORCE

DAVID B. BAIRD, FROM THE LIST OF OFFICERS PREVIOUSLY RECOMMENDED FOR RESERVE APPOINTMENT IN THE U.S. AIR FORCE, WHICH WAS SENT TO THE SENATE ON APRIL 9, 1991.

Mr. President, I see no objection to the nomination of Alixe Reed Glen to be an assistant secretary of health and human services. I see no objection to the nomination of Mike Hayden to be assistant secretary for fish and wildlife. I see no objection to the nomination of Saundra Brown Armstrong to be U.S. district judge for the northern district of California. I see no objection to the nomination of Timothy K. Lewis to be U.S. district judge for the western district of Pennsylvania. I see no objection to the nomination of William L. Osteeen, Sr. to be U.S. district judge for the middle district of North Carolina.

The above nominations were approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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ORDER FOR THE RECORD TO REMAIN OPEN

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