

To be lieutenant general

Maj. Gen. Carlton W. Fulford, Jr., 000-00-0000.

The following-named officer, on the active-duty list, for promotion to the grade of brigadier general in the U.S. Marine Corps in accordance with section 5046 of title 10, United States Code:

Theodore G. Hess, 000-00-0000.

NAVY

The following-named officers for promotion in the Naval Reserve of the United States to the grade indicated under title 10, United States Code, section 5912:

UNRESTRICTED LINE

To be rear admiral

Rear Adm. (1h) James Wayne Eastwood, 000-00-0000, U.S. Naval Reserve.

Rear Adm. (1h) John Edwin Kerr, 000-00-0000, U.S. Naval Reserve.

Rear Adm. (1h) John Benjamin Totushek, 000-00-0000, U.S. Naval Reserve.

RESTRICTED LINE

To be rear admiral

Rear Adm. (1h) Robert Hulburt Weidman, Jr., 000-00-0000, U.S. Naval Reserve.

STAFF CORPS

To be rear admiral

Rear Adm. (1h) M. Eugene Fussell, 000-00-0000, U.S. Naval Reserve.

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

To be vice admiral

Rear Adm. (Selectee) Lyle G. Bien, 000-00-0000.

NAVY

The following-named officer for reappointment to the grade of Admiral in the U.S. Navy while assigned to a position of importance and responsibility under title 10, United States Code, sections 601 and 5033:

CHIEF OF NAVAL OPERATIONS

To be admiral

Adm. Jay L. Johnson, 000-00-0000.

AIR FORCE

The following-named officer for appointment to the grade of general in the U.S. Air Force while assigned to a position of importance and responsibility under title 10 United States Code, section 601:

To be general

Lt. Gen. Howell M. Estes III, 000-00-0000.

ARMY

The following U.S. Army National Guard officer for promotion in the Reserve of the Army to the grade indicated under title 10, United States Code, sections 3385, 3392 and 12203(a):

To be major general

Brig. Gen. Gerald A. Rudisill, Jr., 000-00-0000.

AIR FORCE

The following-named officer for promotion in the Regular Air Force of the United States to the grade indicated under title 10, United States Code, section 624:

To be brigadier-general

Col. Garry R. Trexler, 000-00-0000.

The following-named officers for appointment in the Reserve of the Air Force, to the grade indicated, under the provisions of title 10, United States Code, sections 8373, 8374, 12201, and 12212:

To be major general

Brig. Gen. Keith D. Bjerke, 000-00-0000, Air National Guard.

Brig. Gen. Edmond W. Boenisch, Jr., 000-00-0000, Air National Guard.

Brig. Gen. Stewart R. Byrne, 000-00-0000, Air National Guard.

Brig. Gen. John H. Fenimore, V, 000-00-0000, Air National Guard.

Brig. Gen. Johnny J. Hobbs, 000-00-0000, Air National Guard.

Brig. Gen. Stephen G. Kearney, 000-00-0000, Air National Guard.

Brig. Gen. William B. Lynch, 000-00-0000, Air National Guard.

To be brigadier general

Col. Brian E. Barents, 000-00-0000, Air National Guard.

Col. George P. Christakos, 000-00-0000, Air National Guard.

Col. Walter C. Corish, Jr., 000-00-0000, Air National Guard.

Col. Fred E. Ellis, 000-00-0000, Air National Guard.

Col. Frederick D. Feinstein, 000-00-0000, Air National Guard.

Col. William P. Gralow, 000-00-0000, Air National Guard.

Col. Douglas E. Henneman, 000-00-0000, Air National Guard.

Col. Edward R. Jayne II, 000-00-0000, Air National Guard.

Col. Raymond T. Klosowski, 000-00-0000, Air National Guard.

Col. Fred N. Larson, 000-00-0000, Air National Guard.

Col. Bruce W. MacLane, 000-00-0000, Air National Guard.

Col. Ronald W. Mielke, 000-00-0000, Air National Guard.

Col. Frank A. Mitolo, 000-00-0000, Air National Guard.

Col. Frank D. Rezac, 000-00-0000, Air National Guard.

Col. John P. Silliman, Jr., 000-00-0000, Air National Guard.

Col. George E. Wilson III, 000-00-0000, Air National Guard.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE, ARMY, MARINE CORPS, NAVY

Air Force nominations beginning Gregory O. Allen, and ending Stephen M. Wolfe, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of June 3, 1996.

Air Force nominations beginning Derrick K. Anderson, and ending Joni E. Young, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of June 3, 1996.

Air Force nominations beginning Stephen D. Chiabotti, and ending John M. Lopardi, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of June 3, 1996.

Army nominations of Wayne E. Anderson, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of June 18, 1996.

Army nominations beginning Ann L. Bagley, and ending *Burkhardt H. Zorn, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 11, 1996.

Army nominations beginning James W. Baik, and ending Peter C. Young, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 11, 1996.

Marine Corps nominations beginning Richard L. West, and ending Paul P. Harris, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 9, 1996.

Marine Corps nomination of John Joseph Canney, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 11, 1996.

Navy nominations of Michael P. Agor, and ending Donald H. Flowers, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of May 17, 1996.

Navy nominations beginning William S. Adsit, and ending Crispin A. Toledo, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of June 3, 1996.

Navy nominations beginning Johnny P. Albus, and ending Mark E. Schultz, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of June 3, 1996.

Navy nominations beginning Anthony L. Evangelista, and ending Laura C. McClelland, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 9, 1996.

NOMINATION OF ADM. JAY L. JOHNSON

Mr. WARNER. On that list, Mr. President, appears the name of Admiral Johnson, who will take over as Chief of Naval Operations, succeeding Admiral Boorda, a man for whom all of us had the highest respect, a man in whom the Navy, from the lowest ranking enlisted sailors to the top flag officers, had confidence. In the wake of the tragedy concerning Admiral Boorda, it will be a challenge for Admiral Johnson to lead the Navy. But having gotten to know him, having talked to many, many naval officers who know him, both active and retired, I can say that he is regarded as the man best qualified in the U.S. Navy today to assume this role of leadership at this time in the Navy's history.

Mr. President, I would like to read from a letter forwarded to me by a former Chief of Naval Operations, Admiral Trost. Admiral Trost once served with me in the Department of the Navy. He was my naval aide. He writes as follows: "Admiral Johnson enjoys the confidence of his fellow flag officers who see him as the team leader who will lead them in successfully meeting the challenges which face our Navy now and in the future. He is the officer deemed best-suited to lead our superb Navy onward into the 21st century."

May the new Chief have "fair winds and following seas."

I yield the floor, Mr. President.

Mr. BYRD. Mr. President, I do not support the nomination of Admiral Johnson for the top uniformed position in the Navy, Chief of Naval Operations. I take this position because I believe that the stormy seas that the Navy has experienced in recent years call for the selection of Navy leaders who can serve as an inspiration not only in their warfighting specialties and military prowess, but who also demonstrate a solid commitment to the avoidance of the slightest appearance of conflict of interest.

In this case, Admiral Johnson received substantial sums of money, over \$175,000 over the last 6 years, to serve on the board of an insurance company, USAA, which caters to military officers. I know that his acceptance of this position was legitimate, and was entirely legal. I do not know how much

time the position demanded of Admiral Johnson in his off-duty hours. I do not raise any issue of wrongdoing in this matter. But there is the inherent appearance of conflict of interest in serving as an active duty Admiral while appearing to endorse a commercial insurance service catering to other naval officers, by virtue of the fact that he accepted a paid position on its Board of Directors. I note that the Secretary of Defense has now disallowed this practice of serving on such boards for remuneration, but I think it does not show the kind of judgement I would expect of someone whose personal example must guide the Navy after an era with too many instances of misconduct and poor judgment on the part of Navy leaders.

I support the Navy. It involves tough, demanding work, with long periods of family separation serving in dangerous environments across the world. The spirit of courageous service and the expertise the Navy daily demonstrates in warfighting and in making ready for warfighting needs to be matched with better judgement in areas involving apparent financial conflicts of interest. These issues of character need to be addressed in a way that will serve as a sorely needed example in a society where standards and values seem to be slipping away from where they should be. This is the message I wish to convey in stating my opposition to this nomination. Let the record show that, if a roll call vote were taken on this nomination, I would be recorded as voting "no."

Mr. KEMPTHORNE. Mr. President, I rise in strong support of the nomination of Adm. Jay Johnson to serve as Chief of Naval Operations.

As the chairman of the Personnel Subcommittee of the Armed Services Committee, I have taken a very close look at Admiral Johnson's record of service, his leadership qualities, his vision for the Navy and his character to insure he will lead the Navy with distinction and honor into the next century.

Based upon all of the information provided to the Armed Services Committee and a private meeting in my office, I have concluded Admiral Johnson is the best person to assume the challenges and opportunities that appear on the horizon for the next Chief of Naval Operations.

Admiral Johnson has an exceptional record of performance as a naval aviator. During his career, Admiral Johnson has also served with distinction in numerous command positions such as Commanding Officer VF-84, Commander Carrier Air Wing One, Commander Carrier Group Eight, Commander Theodore Roosevelt Battle Group, Commander Second Fleet, Commander Striking Fleet Atlantic, and Commander Joint Task Force 120. In March, 1996 Admiral Johnson reported for duty as the 28th Vice Chief of Naval Operations.

A review of Adm. Jay Johnson's record indicates leadership qualities

that will serve him well as our Nation's next Chief of Naval Operations. I strongly support Admiral Johnson's confirmation to serve as the next CNO. I have every confidence Admiral Johnson will serve our Nation well in this important position.

LEGISLATIVE SESSION

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

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I will only take a moment, if I may.

A TRIBUTE TO LEADERSHIP

Mr. KERRY. Mr. President, I would like to pay a special tribute to the leadership of two Senators on the issues that we have just passed. There are a lot of people who often question what happens around here and the meaning of the life of being a Senator, and some people have, obviously, chosen to engage in a different life and move on, some out of frustration from what you can get done around here.

I think the example of my senior colleague, Senator KENNEDY from Massachusetts, on the legislation that we have just passed, both the health care bill and the minimum wage, is precisely what being a U.S. Senator is all about and why it is so important for people to be able to make a difference in the lives of our fellow citizens.

Both of these bills have happened because of many people, and Senator KENNEDY graciously mentioned many of those involved in it.

But I think all of us know that on day after day after day he was down here on the floor blocking, pushing tenaciously, advocating on behalf of people who do not often have a loud voice on the floor of the U.S. Senate. Millions of Americans will now earn more and millions of Americans will preserve more of their income as well as the fabric of their lives as a consequence of his extraordinary commitment to these two issues. I think the entire Senate should salute the meaning that he has given to being a Senator and a legislator in the course of these efforts.

For Senator KASSEBAUM, who will be leaving the U.S. Senate, I think that this health care bill would not have been on the floor, notwithstanding Senator KENNEDY's great efforts, had she not stood up and made it clear that this bill was going to find its moment on the floor of the U.S. Senate. She stood up to the leadership on her side and made that clear.

So this bill is a legacy to two Senators who have cared and remain steadfast in their sense of priorities and of public rectitude. I wanted to pay tribute to both of them for those efforts. And there are many, many Americans

whose lives will be better because of what has been achieved here today.

I yield the floor.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Mr. President, the Senator from Massachusetts has said it so well. I wish to associate myself with his remarks.

This is a very important day for all of us. But I cannot think of anyone who deserves more credit and more commendation for the tremendous work that it has taken to get us to this point of passage of essential health reform than the senior Senator from Massachusetts, Senator KENNEDY.

It has been my great pleasure to work with him, not only on this legislation but on so many other matters. In the view of many of us, he is a professional's professional. His dedication, his intelligence, his integrity, his willingness to compromise and work with Senators from both sides of the aisle on both sides of the issues has been proven throughout this effort to pass this health bill.

His persistence and perseverance to ensure that at some point in this session we would enact the Kennedy-Kassebaum bill is a tribute to him and to the extraordinary effort that he has put forth. So I want to commend him, commend his extraordinary staff and all of those responsible for bringing us to this point this afternoon.

As the distinguished junior Senator from Massachusetts indicated, the Senator from Kansas also deserves our thanks and a great deal of credit for working so diligently with Senator KENNEDY and all of us to bring about this very important accomplishment.

This is a day that will affect many, many millions of Americans, Americans who care deeply about their health and the health of their families, Americans who deeply need help to find and afford adequate health insurance. We are going to be able to help families do that in large measure, thanks to the accomplishments and to the extraordinary leadership demonstrated today by Senators KENNEDY and KASSEBAUM.

I yield the floor.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Thank you, Mr. President.

HEALTH CARE AND MINIMUM WAGE LEGISLATION

Mrs. BOXER. Mr. President, I rise to say how pleased I am on behalf of the people of California that we have made such progress on raising the minimum wage tonight and passing a long overdue health care bill. The things that we did tonight are going to ripple throughout this country. There has been much discussion of the trickle-down effect. People who work hard at the bottom end of the economic ladder deserve dignity and an income to support their