

approximately 700,000 mobile home residents in California 50-60 percent of whom are seniors. Without section 8 assistance, many of these residents will lose their homes and lifetime investments.

Mr. MACK. I am aware that this problem exists, Senator, and I am very sympathetic.

Mrs. BOXER. I appreciate the chairman's response. I would like to offer a solution. The House-passed Public Housing bill, H.R. 2, contains a provision that allows section 8 payments to go directly to mobile home tenants of parks which refuse to enter into section 8 contracts. This provision, section 330, gives the money directly to the tenants thereby obviating the need for a contract between the park owner and the local housing authority. Because the House provision only applies to tenants who already live in parks that do not accept section 8, it does not force park owners to take in new tenants with section 8 assistance.

I hope, Mr. Chairman, that when we get to conference on the Public Housing bills, we can seriously consider section 330 of the House-passed bill as a possible solution to the very urgent problem facing so many mobile home tenants.

Mr. MACK. I thank the Senator from California for her concern. I share her desire to prevent displacement of these good tenants and I have every intention of working with her during conference to assure that this problem is appropriately addressed.

Mrs. BOXER. I appreciate the Chairman's willingness to help solve this serious problem and I look forward to working with him on it in conference.

Mr. WELLSTONE. The relocation provisions contained in section 115 state that residents shall be relocated to areas that are generally not less desirable than the location of the displaced person's dwelling. Is it your understanding that a comparably desirable area would be one that is not subject to unreasonable adverse environment conditions, and one which offers similar access to public utilities, facilities, services, and the displaced person's place of employment?

Mr. MACK. I agree that these should be the primary factors that a public housing authority takes into consideration when providing relocation assistance. It is our intention that the interests of residents be protected to the maximum possible extent during the demolition and relocation process.

AMENDMENT NO. 1257

(Purpose: To provide a substitute)

Mr. McCONNELL. Senator MACK has at the desk an amendment to the committee substitute. I ask its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL], for Mr. MACK, proposes an amendment numbered 1257.

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

The PRESIDING OFFICER. Without objection, the amendment was agreed to.

(The amendment (No. 1257) was agreed to.)

Mr. McCONNELL. I ask unanimous consent the committee amendment, as amended, be considered read and agreed to, the bill be considered read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed at this point in the RECORD.

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

The committee amendment, as amended was agreed to.

The bill (S. 462), as amended, was read the third time, and passed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent the Senate immediately proceed to executive session to consider the following nominations on the Executive Calendar: No. 108, No. 256, No. 257, No. 260 through 262, No. 278 and No. 290 through 303, all nominations on the Secretary's desk in the Air Force, Army, Coast Guard, Marine Corps, Navy and the Public Health Service.

I further ask unanimous consent that the nominations be confirmed, the motion to reconsider be laid on the table, any statements relating to the nominations appear at this point in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

INTER-AMERICAN FOUNDATION

Jeffrey Davidow, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be a Member of the Board of Directors of the Inter-American Foundation, for a term expiring September 20, 2002.

THE JUDICIARY

Marjorie O. Rendell, of Pennsylvania, to be U.S. Circuit Judge for the Third Circuit.

Richard A. Lazzara, of Florida, to be U.S. District Judge for the Middle District of Florida.

DEPARTMENT OF COMMERCE

Robert L. Mallett, of Texas, to be Deputy Secretary of Commerce.

W. Scott Gould, of the District of Columbia, to be Chief Financial Officer, Department of Commerce.

W. Scott Gould, of the District of Columbia, to be an Assistant Secretary of Commerce.

INTER-AMERICAN FOUNDATION

Nancy Dorn, of the District of Columbia, to be Member of the Board of Directors of the Inter-American Foundation for a term expiring June 26, 2002.

IN THE ARMY

The following U.S. Army Reserve officer for promotion in the Reserve of the Army to the grade indicated under title 10, United States Code, sections 14101, 14315 and 12203(a):

To be brigadier general

Col. James W. Comstock, 0000

The following-named officer for appointment in the Regular Army to be the grade indicated under title 10, United States Code, section 624:

To be brigadier general

Col. Antonio M. Taguba, 0000

The following-named officers for appointment in the U.S. Army to the grade indicated under title 10, United States Code, section 624:

To be major general

Brig. Gen. John G. Meyer, Jr., 0000

Brig. Gen. Robert L. Nabors, 0000

The following-named officer for appointment in the U.S. Army to the grade indicated under the provisions of title 10, United States Code, section 624:

To be major general

Maj. Gen. Robert G. Claypool, 0000

The following Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, United States Code, section 12203:

To be major general

Brig. Gen. Earl L. Adams, 0000

Brig. Gen. John E. Blair, 0000

Brig. Gen. James G. Blaney, 0000

Brig. Gen. Don C. Morrow, 0000

Brig. Gen. Thomas E. Whitecotton III, 0000

Brig. Gen. Jackie D. Wood, 0000

To be brigadier general

Col. Stephen E. Arey, 0000

Col. George A. Buskirk, Jr., 0000

Col. William A. Cugno, 0000

Col. Joseph A. Goode, Jr., 0000

Col. Stanley J. Gordon, 0000

Col. Larry W. Haltom, 0000

Col. Daniel E. Long, Jr., 0000

Col. Gerald P. Minetti, 0000

Col. Ronald G. Young, 0000

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

To be lieutenant general

Lt. Gen. George A. Fisher, 0000

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

To be lieutenant general

Maj. Gen. William J. Bolt, 0000

The following-named officer for appointment in the U.S. Army to the grade indicated under title 10, United States Code, section 624:

To be brigadier general

Col. Henry W. Stratman, 0000

IN THE MARINE CORPS

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

To be lieutenant general

Lt. Gen. Peter Pace, 0000

IN THE NAVY

The following-named officer for appointment in the U.S. Navy to the grade indicated under title 10, United States Code, section 624:

To be rear admiral

Rear Adm. (lh) Louis M. Smith, 0000

The following-named officers for appointment in the Naval Reserve to the grade indicated under title 10, United States Code, section 12203:

To be rear admiral (lower half)

Capt. Kenneth C. Belisle, 0000

Capt. John G. Cotton, 0000

Capt. Stephen S. Israel, 0000

Capt. Gerald J. Scott, Jr., 0000

Capt. Joe S. Thompson, 0000

The following-named officers for appointment in the Reserve of the Navy to the grade indicated under title 10, United States Code, section 12203:

To be rear admiral (lower half)

Capt. Howard W. Dawson, Jr., 0000

Capt. William J. Lynch, 0000

Capt. Robert R. Percy, III, 0000

The following-named officer for appointment as Deputy Judge Advocate General of the U.S. Navy in the grade indicated under title 10, United States Code, section 5149:

To be rear admiral

Capt. Donald J. Guter, 0000

The following-named officer for appointment in the U.S. Navy to the grade indicated under title 10, United States Code, section 624:

To be rear admiral (lower half)

Capt. William W. Cobb, Jr., 0000

IN THE AIR FORCE, ARMY, COAST GUARD,
MARINE CORPS, NAVY, PUBLIC HEALTH SERVICE

Air Force nominations beginning Richard W. Aldrich, and ending Frank A. Yerkes, Jr., which nominations were received by the Senate and appeared in the Congressional Record of July 29, 1997.

Air Force nominations beginning Luis C. Arroyo, and ending Michael R. Emerson, which nominations were received by the Senate and appeared in the Congressional Record of July 31, 1997.

Air Force nominations beginning James M. Bartlett, and ending Ellis D. Dinsmore, which nominations were received by the Senate and appeared in the Congressional Record of July 31, 1997.

Air Force nomination of Robert J. Spermo, which was received by the Senate and appeared in the Congressional Record of September 3, 1997.

Air Force nominations beginning Carl M. Gough, and ending Samuel Strauss, which nominations were received by the Senate and appeared in the Congressional Record of September 3, 1997.

Air Force nominations beginning Joseph Argyle, and ending Michael D. Eller, which nominations were received by the Senate and appeared in the Congressional Record of September 3, 1997.

Air Force nominations beginning Arnold K. Abangan, and ending Darren L. Zwolinski, which nominations were received by the Senate and appeared in the Congressional Record of September 3, 1997.

Army nomination of Frank G. Whitehead, which was received by the Senate and appeared in the Congressional Record of July 31, 1997.

Army nominations beginning Mary A. Allred, and ending James R. Tinkham, which nominations were received by the Senate and appeared in the Congressional Record of July 31, 1997.

Army nominations beginning Robert C. Baker, and ending James R. Wooten, which nominations were received by the Senate and appeared in the Congressional Record of July 31, 1997.

Army nominations beginning Edwin E. Ahl, and ending Mark A. Zerger, which nomi-

nations were received by the Senate and appeared in the Congressional Record of July 31, 1997.

Army nominations beginning Christian F. Achleithner, and ending Daniel A. Zeleski, which nominations were received by the Senate and appeared in the Congressional Record of July 31, 1997.

Army nomination of Shri Kant Mishra, which was received by the Senate and appeared in the Congressional Record of September 3, 1997.

Army nomination of David S. Feigin, which was received by the Senate and appeared in the Congressional Record of September 3, 1997.

Army nomination of Clyde A. Moore, which was received by the Senate and appeared in the Congressional Record of September 3, 1997.

Army nominations beginning Terry A. Wikstrom, and ending Richard C. Butler, which nominations were received by the Senate and appeared in the Congressional Record of September 3, 1997.

Army nomination of James H. Wilson, which was received by the Senate and appeared in the Congressional Record of September 3, 1997.

Army nominations beginning Ellis E. Brumraugh, Jr., and ending John C. Zimmerman, which nominations were received by the Senate and appeared in the Congressional Record of September 3, 1997.

Army nominations beginning Graten D. Beavers, and ending John E. Zupko, which nominations were received by the Senate and appeared in the Congressional Record of September 3, 1997.

Army nominations beginning James L. Atkins, and ending Scott Wilkinson, which nominations were received by the Senate and appeared in the Congressional Record of September 3, 1997.

Army nominations beginning Frank J. Abbott, and ending X0383, which nominations were received by the Senate and appeared in the Congressional Record of September 3, 1997.

Army nominations beginning Madelfia A. Abb, and ending X0663, which nominations were received by the Senate and appeared in the Congressional Record of September 3, 1997.

Army nominations of Rafael Lara, Jr., which was received by the Senate and appeared in the Congressional Record of September 15, 1997.

Army nominations beginning Morris F. Adams, Jr., and ending George W. Wilson, which nominations were received by the Senate and appeared in the Congressional Record of September 15, 1997.

Army nominations beginning Cynthia A. Abbott, and ending Anthony W. Young, which nominations were received by the Senate and appeared in the Congressional Record of September 15, 1997.

Coast Guard nominations beginning Michael F. Holmes, and ending Beverly G. Kelley, which nominations were received by the Senate and appeared in the Congressional Record of September 3, 1997.

Coast Guard nominations beginning Stephen E. Flynn, and ending Vincent Wilczynski, which nominations were received by the Senate and appeared in the Congressional Record of September 15, 1997.

Coast Guard nominations beginning Frank M. Paskewich, and ending Robert M. Pyle, which nominations were received by the Senate and appeared in the Congressional Record of September 15, 1997.

Coast Guard nominations beginning Steven C. Acosta, and ending Marc A. Zlomek, which nominations were received by the Senate and appeared in the Congressional Record of September 18, 1997.

Marine Corps nomination of Franklin D. McKinney, Jr., which was received by the Senate and appeared in the Congressional Record of July 29, 1997.

Marine Corps nomination of William C. Johnson, which was received by the Senate and appeared in the Congressional Record of September 3, 1997.

Marine Corps nomination of Tony Weckerling, which was received by the Senate and appeared in the Congressional Record of September 3, 1997.

Marine Corps nomination of Jeffrey E. Lister, which was received by the Senate and appeared in the Congressional Record of September 3, 1997.

Marine Corps nomination of Harry Davis, Jr., which was received by the Senate and appeared in the Congressional Record of September 3, 1997.

Marine Corps nomination of Michael D. Dahl, which was received by the Senate and appeared in the Congressional Record of September 3, 1997.

Marine Corps nomination of James C. Clark, which was received by the Senate and appeared in the Congressional Record of September 3, 1997.

Marine Corps nomination of John C. Kotruch, which was received by the Senate and appeared in the Congressional Record of September 15, 1997.

Navy nominations beginning Lawrence E. Adler, and ending Thomas A. Zimmerman, which nominations were received by the Senate and appeared in the Congressional Record of September 3, 1997.

Navy nominations beginning David M. Belt, Jr., and ending Gene P. Theriot, which nominations were received by the Senate and appeared in the Congressional Record of September 15, 1997.

Navy nominations beginning Eugene M. Abler, and ending Eric A. Zoehrer, which nominations were received by the Senate and appeared in the Congressional Record of September 15, 1997.

Public Health Service nominations beginning Jennifer L. Betts, and ending Rebecca J. Werner, which nominations were received by the Senate and appeared in the Congressional Record of September 4, 1997.

Public Health Service nominations beginning William E. Halperin, and ending Trinh K. Nguyen, which nominations were received by the Senate and appeared in the Congressional Record of September 12, 1997.

STATEMENT ON THE NOMINATIONS OF MARJORIE

O. RENDELL AND RICHARD A. LAZZARA

Mr. LEAHY. Mr. President, I am delighted to see two more hostages released by the Republican majority to serve the American people as Federal judges.

Anticipation of the President's radio address on the judicial vacancy crisis has obviously reached the Senate. I expect even those who have spent so much time this year holding up the confirmations of Federal judges were uncomfortable defending this Senate's record of having proceeded on only 9 of the 61 nominees received through August of this year. As rumors of the President's impending address have circulated around Capitol Hill, this Senate has literally doubled its confirmations from 9 to 18 in the course of 23 days. That demonstrates just how low the Senate's output has been over the first 8 months of this year. With these two confirmations, the Senate will have finally achieved the snail-like pace of confirming two judges a month while still faced with almost 100 vacancies.

Unfortunately, the Republican leadership has once again chosen to skip over the nomination of Margaret Morrow and that of Christina Snyder who have been nominated to be district court judges in the Central District of California. As I detailed again yesterday, Ms. Morrow has been the victim of a mysterious hold for months.

Marjorie Rendell has been a fine district court judge since 1994. President Clinton nominated her to a seat on the Court of Appeals for the Third Circuit on the first day of this session. At the time, I could not have imagined that it would take nine months for the Judiciary Committee to accord her a hearing and report her nomination to the Senate. Senator SPECTER and Senator BIDEN are both to be commended for pressing their efforts to have this nomination considered. Indeed, Senator SPECTER ultimately chaired her confirmation hearing.

Judge Rendell received the ABA's highest rating of well qualified for appointment to the third circuit. She has been active in the Visiting Nurse Association of Greater Philadelphia and the Philadelphia Bar Foundation and active in the community. Senator KENNEDY described her career as "one of great distinction and insight." Even Senator SESSIONS concurred that Judge Rendell "was a very impressive witness."

The good news is that her confirmation fills a vacancy on the third circuit, the bad news is that it creates a vacancy on the district court at a time when it is taking far too long to confirm good nominees.

I congratulate Judge Rendell and her family and look forward to her service on the third circuit.

I am delighted to see the Senate moving forward with the nomination of Richard Lazzara to be a Federal judge in the Middle District of Florida. The Senate first received this nomination in early May 1996, over 16 months ago. It should not have taken us this long to get to this point.

I know that the chief judge in that district, Elizabeth Kovachevich, has been speaking out about the workload, backlogs and vacancies in her court. Judge Kovachevich has noted that serious crimes are up 28 percent in her district and civil filings are up 25 percent for the second straight year leading to a growing backlog of over 3,200 cases. Both Senator GRAHAM and Senator MACK were strong supporters of this nominee at his hearing in early September. I was struck that Senator MACK called the situation one of "crisis proportions" and pointed out that the district is having to take unprecedented steps to deal with a backlog growing "at an alarming proportion."

I have introduced legislation recommended by the Judicial Conference of the United States to add three additional judges for that district, but their needs remain unaddressed because that bill has not received the attention that it deserves.

Filling this vacancy without further delay is a start. The people of Orlando, Jacksonville, and Tampa have had to wait a long time for judge Lazzara. This nominee received the highest rating possible from the American Bar Association. He is an experienced Judge, having served as a Florida County judge, a Florida circuit judge and a Florida appellate judge over the last 10 years.

I congratulate Judge Lazzara and his family and look forward to his service on the Federal Court.

With Senate confirmation of these two judges, the Senate continues to lag well behind the pace established by Majority Leader Dole and Chairman HATCH in the 104th Congress. By this time 2 years ago, the Senate had confirmed 36 Federal judges. With today's actions, the Senate will have confirmed one-half that number, only 18 judges. We still face almost 100 vacancies and have over 50 pending nominees to consider with more arriving each week.

For purposes of perspective, let us also recall that by the end of September 1992, during the last year of President Bush's term, a Democratic majority in the Senate had confirmed 59 of the 72 nominees sent to us by a Republican President. This Senate is on pace to confirm less than one-third of a comparable number of nominations.

We still have more than 47 nominees among the 69 nominations sent to the Senate by the President pending before the Judiciary Committee who have yet to be accorded even a hearing during this Congress. Many of these nominations have been pending since the very first day of this session, having been re-nominated by the President. Several of those pending before the committee had hearings or were reported favorably last Congress but have been passed over so far this year, while the vacancies for which they were nominated over 2 years ago persist. The Committee has 10 nominees who have been pending for more than a year, including 5 who have been pending since 1995.

While I am encouraged that the Senate is today proceeding with the confirmations of Judge Rendell and Mr. Lazzara, there remains no excuse for the Committee's delay in considering the nominations of such outstanding individuals as Prof. William A. Fletcher, Judge James A. Beaty, Jr., Judge Richard A. Paez, Ms. M. Margaret McKeown, Ms. Ann L. Aiken, and Ms. Susan Oki Mollway, to name just a few of the outstanding nominees who have all been pending all year without so much as a hearing. Professor Fletcher and Ms. Mollway had both been favorably reported last year. Judge Paez and Ms. Aiken had hearings last year but have been passed over so far this year. Nor is there any explanation or excuse for the Senate not immediately proceeding to consider the other five judicial nominations pending on the Senate calendar.

Those who delay or prevent the filling of these vacancies must understand that they are delaying or preventing the administration of justice. We can pass all the crime bills we want, but you cannot try the cases and incarcerate the guilty if you do not have judges. The mounting backlogs of civil and criminal cases in the dozens of emergency districts, in particular, are growing taller by the day. National Public Radio has been running a series of reports all this week on the judicial crises and quoted the chief judge and U.S. attorney from San Diego earlier this week to the effect that criminal matters are being affected.

I have spoken about the crisis being created by the vacancies that are being perpetuated on the Federal courts around the country. At the rate that we are going, we are not keeping up with attrition. When we adjourned last Congress there were 64 vacancies on the Federal bench. After the confirmation of 18 judges in 9 months, there has been a net increase of 30 vacancies, an increase of almost 50 percent in the number of Federal judicial vacancies.

The Chief Justice of the Supreme Court has called the rising number of vacancies "the most immediate problem we face in the federal judiciary." Senator HATCH has said that we can do better. I agree with them and add that we must do better. I have urged those who have been stalling the consideration of these fine women and men to reconsider their action and work with us to have the Senate fulfill its constitutional responsibility.

LEGISLATIVE SESSION

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

MORNING BUSINESS

(During today's session of the Senate, the following morning business was transacted.)

TRIBUTE TO THE LATE GEN. ROBERT E. HUYSER

Mr. THURMOND. Mr. President, in the year that the Nation celebrates the 50th anniversary of the founding of the U.S. Air Force, we must pause today to mourn the passing of an individual who was one of the key figures in the history of that service, Gen. Robert E. "Dutch" Huyser.

For almost 40 years, Dutch Huyser helped to protect America through airpower. Drafted into the Army during World War II, he became a B-29 pilot and flew numerous missions in the Pacific in support of Allied efforts to defeat Imperialism. Following the war, when the Air Force was established as a separate military service, he became a bright and promising young officer who would help to shape cold war policy and become known as the father of