

The ISTEA transportation infrastructure bill; juvenile justice; the nomination of Margaret Morrow of California to a judgeship; and the nomination of Ann Aiken, prior to the end of the first week.

I do want to thank my colleagues for their cooperation throughout this session of Congress, and especially on the Executive Calendar. I know there has been a lot of effort made there on both sides of the aisle and we leave just a very few on that calendar. I note we have confirmed this year 36 judges. I believe we will act on at least four or five others very quickly in the beginning of the next session. We had three reported today by the Judiciary Committee, all of which I understand were noncontroversial, but it was late in the afternoon and we did not have the time to give Senators proper notice that we would proceed. So I expect that we will do those the first week back, also.

Mr. President, I yield the floor.

#### COMMENDING THE MAJORITY AND MINORITY LEADERS

Mr. NICKLES. Mr. President, I want to compliment my colleague, the majority leader, for doing an outstanding job, as well as the minority leader, Senator DASCHLE. They have worked very well together this session. We had some real trials and tribulations, but I think, together, they were an outstanding combination. They were able to pass the Nation's important business, such as the budget and historic tax relief.

I think this was a productive Congress. Again, I wish to compliment the majority and minority leaders for their effort and leadership.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina, the President pro tempore of the Senate, Mr. THURMOND, is recognized.

#### COMMENDING THE LEADERSHIP AND STAFF OF THE SENATE

Mr. THURMOND. Mr. President, as we come to the end of the session, I want to say that the Senate could not run without competent people. We have been fortunate to have an outstanding majority leader in Senator LOTT, who is a man of integrity, ability, and dedication, and an outstanding man in the minority leader, too, Senator DASCHLE. Both of them have performed outstanding service to their country and this body. I predict that, someday, Senator LOTT may become our President. I also want to thank our leadership, including Senators NICKLES, CRAIG, MACK, COVERDELL, and MCCONNELL, all who have cooperated and worked together to bring about the results that we have obtained.

Now, Mr. President, I want to compliment some other people, too, and I will read their names: Elizabeth Greene, David Schiappa, Greer Amburn, of the Republican floor staff;

the Democratic floor staff, Lula Davis and Marty Paone; the cloakroom staff, Brad Holsclaw, Laura Martin, Tripp Baird, and Mike Smythers.

I also want to thank the Secretary of the Senate, Gary Sisco; the Sergeant at Arms, Greg Casey; the Senate Chaplain, Lloyd J. Ogilvie; the clerks of the Senate; the Senate Parliamentarians, the Official Reporters of the Senate, and the Senate Pages, who have all contributed to make this a successful session. We are very proud to commend them for their outstanding work.

At the close of the session, I want to say that a lot has been done here. In years to come, people can look back and say that the 105th session of Congress accomplished a great deal. It is because of these leaders here and their staffs who worked hard. We could not run this place without these competent staff members. I am very proud of all of them.

Mr. President, in closing, I want to say that it has been a pleasure to work with all these people, the Senators and the staffs. As the holiday season approaches, I wish them all a happy Thanksgiving and a merry Christmas.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### PROVIDING FOR A CONDITIONAL ADJOURNMENT OF THE CONGRESS

Mr. LOTT. Mr. President, I send an adjournment resolution to the desk calling for a conditional adjournment of the first session of the 105th Congress until Tuesday, January 27, 1998. I ask unanimous consent that the current resolution be agreed to and the motion to reconsider be laid upon the table, all without further action or debate.

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

The concurrent resolution was agreed to.

The concurrent resolution (S. Con. Res. 68) is as follows:

#### S. CON. RES. 68

*Resolved by the Senate (the House of Representatives concurring), That when the House adjourns on the legislative day of Thursday, November 13, 1997, or Friday, November 14, 1997, on a motion offered pursuant to this concurrent resolution by the Majority Leader or his designee, it stand adjourned sine die, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, and that when the Senate adjourns on Thursday, November 13, 1997, or Friday, November 14, 1997, on a motion offered pursuant to this concurrent resolution by the Majority Leader or his designee, it stand adjourned sine die, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution.*

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

SEC. 3. The Congress declares that clause 5 of rule III of the Rules of the House of Representatives and the order of the Senate of January 7, 1997, authorize for the duration of the One Hundred Fifth Congress the Clerk of the House of Representatives and the Secretary of the Senate, respectively; to receive messages from the President during periods when the House and Senate are not in session and thereby preserve until adjournment sine die of the final regular session of the One Hundred Fifth Congress the constitutional prerogative of the House and Senate to reconsider vetoed measures in light of the objections of the President, since the availability of the Clerk and the Secretary during any earlier adjournment of either House during the current Congress does not prevent the return by the President of any bill presented to him for approval.

SEC. 4. The Clerk of the House of Representatives shall inform the President of the United States of the adoption of this concurrent resolution.

Mr. LOTT. Mr. President, I yield the floor.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

#### COMMENDING THE MINORITY LEADER

Mr. FORD. Mr. President, this will be next to my last end-of-session period, and at the end of next year and the 105th Congress I will be joining my family back in Kentucky.

But let me say that in all of my 23 years so far here I have never enjoyed so much the friendship and watched the work of the Democratic leader to be any more outstanding or any more caring, developed with integrity and character. He is one individual who I think, when you look back at his theme of "families first"—that was the view of all of the 100 Senators—that not only would this Chamber be covered with accolades for the job he has done, but we would see this country progress in a much better and finer fashion.

So to the Democratic leader, I pay my respect, and my everlasting thanks for his courtesy in working with me during the year.

Having said that, I want to say that he has developed one of the finest staffs not only on the floor but in his office that anyone could work with. All of us are anxious to do good. All of us are anxious to say the right things. But we have to have the right kind of support.

So as we observe the Senate floor and see who is doing the work and putting the package together, we all understand that we have chosen well in the staff on both sides.

So, Mr. President, I didn't want to leave here without saying to my friend from South Dakota when he reached out to help all families that he reached

out to my family and to my family's family. And I see what good will come from his efforts and his desire and his hope and vision for the future.

Also, I want to say that I think he has worked very well with the majority leader. The majority leader has had some tremendous stress and strain. But had it not been for the cooperation and effort of the Democratic leader, the first session of the 105th Congress would not be ending on the high note that I believe it is.

I thank the Chair.

I suggest the absence of a quorum.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Democratic leader.

#### THANKS TO SENATOR WENDELL FORD

Mr. DASCHLE. Mr. President, let me thank the Senator from Kentucky for his very generous comments. I am not worthy of his remarks. I appreciate very much the kindness that he has shown me in all the years that we have worked together but in particular the last three. I couldn't be a luckier leader than I am to have the ability to work as closely as I can and do with the distinguished minority whip. It has been a real joy for me.

This has not been an easy year for him. As the ranking member of the Rules Committee, he had to deal with a very, very contentious issue with the seating of Senator LANDRIEU.

He has had an array of challenges presented to him, and each and every time I had the confidence and the good fortune to know that he was going to successfully work through those challenges and difficulties with the kind of ability and tenacity and extraordinary work that he does so routinely.

So I thank him for his work. I thank him for his friendship and the tremendous effort that he has put forward in making our caucus what it is today. I truly believe that any leader is only as good as the team he has to work with. I have the good fortune to have, in my view, one of the best teams the Democratic caucus has ever had in leadership. And he is the preeminent example of what I am referring to. He is respected so widely and so enthusiastically that it goes without saying that when it comes to respect and when it comes to the extraordinary admiration that his colleagues have for him, Wendell Ford is in a class by himself.

#### THANKING THE STAFF

Mr. DASCHLE. Mr. President, let me also commend, as Senator FORD did, our floor staffs on both sides. The Senator has expressed his gratitude to my staff in the leader's office. I do so as well. They have just been remarkable all year long. But whether it is in the leader's office or here on the floor, it has made my job one that has been so much easier as a result of their efforts and their knowledge of the way our

process works. They bring to work each day an extensive experience but, more than experience, an attitude that I think epitomizes the kind of quality of people that we have.

So I thank our staff. I thank our leadership team. I thank the caucus. I am very grateful once more to celebrate what I consider to be good teamwork all the way around.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### DEMOCRATIC LEADERSHIP

Mr. DURBIN. Mr. President, I am completing my first year in the Senate. I will be the first to confess I have a lot to learn, but it has certainly been a rewarding experience serving in this great body. Having had the opportunity to serve 14 years in the House, I was no stranger to Capitol Hill, but this is a much different institution. The dynamic of 100 men and women working together as opposed to 435 is substantially different. I have been impressed with the volume of work that each Senator is asked to shoulder. I have also been very impressed with the leadership, and I join my colleague from Kentucky, Senator FORD, in noting the fine work of Senator DASCHLE as the Democratic minority leader. It is a tough job. He is lucky to have a good staff to have the energy and talent he brings to it. We are fortunate on the Democratic side to have him.

#### NOMINATION OF BILL LANN LEE

Mr. DURBIN. Mr. President, at this moment I would like to make reference to what happened in the Senate Judiciary Committee today relative to the nomination of Bill Lann Lee.

Bill Lann Lee is a Chinese-American who was designated by President Clinton to head the Civil Rights Division in the Department of Justice. It is probably one of the more controversial jobs in the Federal Government.

Civil rights, of course, throughout our history has evoked great emotion. Bill Lann Lee is a person, the son of Chinese immigrants, who came up the hard way, faced challenges which many of us have never faced, overcame them, and then devoted 23 years of his life serving with the NAACP Legal Defense Fund. It is interesting; he filed some 200 different civil rights lawsuits in his public career, settled all but six of them—settled all but six of them.

As the mayor of Los Angeles, a Republican, Richard Riordan, said, Bill Lann Lee is the mainstream of civil rights law. He is a person who looks for

practical and pragmatic solutions to civil rights challenges.

Mr. President, in my estimation, he is exactly the right person for this job, and I am glad the President nominated him. What happened to Bill Lann Lee today in the Judiciary Committee was a very sad situation for Bill Lann Lee. Unfortunately, he did not have the votes and had his name been called, he would not have been approved by the Senate Judiciary Committee and sent to the floor of the Senate for confirmation. So as a result, there was a parliamentary tangle, and when all was said and done very little was done after 2 or 3 hours of speeches.

It strikes me as sad that we have now reached a point in this debate over race and civil rights in this country where we are headed in the wrong direction. It is sad that the leaders of both political parties do not look for opportunities to bind the wounds of this country, wounds of several centuries over the issue of race, but instead continue to look for flash points, buzz words, bringing up issues like quotas and preferences and such.

Bill Lann Lee was asked directly, what is his position on quotas. He said, unequivocally, decisively, "I am against them." Bill Lann Lee said, "I am against quotas." But if you would listen to his critics in the Judiciary Committee today, you would think his answer was exactly the opposite. They won't accept yes for an answer. Bill Lann Lee said, "Yes, I am opposed to quotas," and yet they continue to badger him and say, oh, that isn't what he really means.

It is ironic, too, when they quizzed him about the important Supreme Court decisions in the area of civil rights, he gave what I thought were very cogent, thoughtful answers and complete to the best of his ability. In fact, his answers, as the New York Times reported this morning, were virtually identical to the answers of Seth Waxman, a man who sought the position of Solicitor General, who was well qualified for the job, and was approved by the Judiciary Committee and by the Senate without much of any kind of resistance. But along comes Bill Lann Lee, and for some reason, giving the same answers to the same questions, he is being rejected.

I said today in the Judiciary Committee that I wasn't certain that if Thurgood Marshall's name had been submitted today to head the Civil Rights Division, he could have made it through that committee. In fact, I will go beyond that; he could not have made it through that committee because, you see, Thurgood Marshall, who distinguished himself in the field of civil rights throughout his lifetime and went on to serve this country with distinction on the Supreme Court, was an activist, a man who actively pursued the cause of equal rights in America. And I have to tell you that the political sentiment in the Senate Judiciary Committee is not open to that sort of individual.