

over the course of her impressive career. I look forward to working with her upon her confirmation, which, I trust, will be accomplished today.

The PRESIDING OFFICER. Who yields time?

Mr. JEFFORDS. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Vermont has 1 minute 50 seconds.

Mr. JEFFORDS. Is there any time remaining on the minority side?

The PRESIDING OFFICER. The Senator has 52 seconds.

Mr. KENNEDY. Mr. President, I would like to use the last minute to thank a number of our staff. They have worked exceedingly hard during the course of this nomination. We are enormously grateful to them: Mark Childress, Jeff Huang, Brian Lee, Susan Green, Stephanie Williams, and Nick Littlefield. I know that Senator JEFFORDS will recognize his own staff, but we want to thank as well Mark Powden very much, and Scott Giles. They worked very closely with Todd Stern at the White House, and all of them deserve great thanks. They were of enormous help and assistance not only to Alexis Herman but to all the members of the committee, and we are grateful as always for their skill and their commitment to this institution.

The PRESIDING OFFICER. The Chair recognizes the Senator from Vermont.

Mr. JEFFORDS. Mr. President, I first of all want to thank the majority leader and majority whip for the expeditious way they have handled the resolution with respect to the Executive order. I know they dedicated the time necessary to make sure this got done as efficiently and as effectively as possible so we could move this nomination along.

I also want to thank the members of my committee, especially the Senator from Massachusetts [Mr. KENNEDY] for the way they controlled themselves and were able to, after a rather extensive amount of time required to fully review the nominee's record, bring this nomination before the body today. And of course, as Senator KENNEDY mentioned, I cannot tell anyone how hard the staff worked on this particular nomination, probably harder than any other nomination at least in my memory, especially Ted Verheggen and Scott Giles of the majority as well as the minority staff, especially Mark Childress, whom Senator KENNEDY mentioned. This took undue hours of committee staff time as well as members to review all of the material that was available.

I am pleased now that we have brought this to a conclusion. I would point out that the Labor Committee was unanimous in its vote with respect to nominee, and I urge all Members to support a woman who I know will bring real credit to the office of the Secretary of Labor.

Mr. President, I yield back the remainder of time and ask for the yeas and nays on the nomination.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Alexis M. Herman to be Secretary of Labor. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from Hawaii [Mr. INOUE] and the Senator from New York [Mr. MOYNIHAN] are necessarily absent.

I further announce that, if present and voting, the Senator from New York [Mr. MOYNIHAN] would vote "aye".

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 85, nays 13, as follows:

[Rollcall Vote No. 54 Ex.]

#### YEAS—85

Abraham	Enzi	Lott
Akaka	Feingold	Mack
Ashcroft	Feinstein	McCain
Baucus	Ford	McConnell
Bennett	Frist	Mikulski
Biden	Glenn	Moseley-Braun
Bingaman	Gorton	Murkowski
Bond	Graham	Murray
Boxer	Grams	Nickles
Breaux	Grassley	Reed
Brownback	Gregg	Reid
Bryan	Harkin	Robb
Bumpers	Hatch	Rockefeller
Burns	Hollings	Roth
Byrd	Hutchinson	Santorum
Chafee	Hutchison	Sarbanes
Cleland	Jeffords	Sessions
Coats	Johnson	Shelby
Cochran	Kempthorne	Smith (OR)
Collins	Kennedy	Snowe
Conrad	Kerrey	Specter
Coverdell	Kerry	Stevens
D'Amato	Kohl	Thurmond
Daschle	Kyl	Torricelli
DeWine	Landrieu	Warner
Dodd	Lautenberg	Wellstone
Domenici	Leahy	Wyden
Dorgan	Levin	
Durbin	Lieberman	

#### NAYS—13

Allard	Hagel	Smith (NH)
Campbell	Helms	Thomas
Craig	Inhofe	Thompson
Faircloth	Lugar	
Gramm	Roberts	

#### NOT VOTING—2

Inouye	Moynihan
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The nomination was confirmed.

Mr. JEFFORDS. Mr. President, I move to reconsider the vote by which the nomination was confirmed.

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

The motion to lay on the table was agreed to.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I am delighted that this unconscionable delay has ended and Alexis Herman has, at long last, been confirmed as Secretary of Labor. It was a mistake for the Republican leadership to hold her nomination hostage on a separate labor issue.

The compromise on that issue is entirely satisfactory. President Clinton

gave up nothing substantial. Project labor agreements will be considered and given important new emphasis by all Federal agencies on appropriate Federal construction projects.

I look forward to working closely with Secretary Herman on the wide range of issues important to working families and communities across America.

The big winners today are these working families. Alexis Herman will do an excellent job speaking for them.

#### LEGISLATIVE SESSION

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### MORNING BUSINESS

Mr. DEWINE. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Ohio.

#### ANOTHER AVOIDABLE TRAGEDY

Mr. DEWINE. Mr. President, last Saturday's Washington Post told the story of a devastating, but avoidable, tragedy. It is the story of a little 5-year-old boy in Montgomery County, MD, who was locked in his bedroom for 22 hours a day, tied to his bed with a cat leash. This little boy's mouth was taped shut, his hands and his feet were bound together. Little Richard Holmes suffered the kind of abuse that no child in this country, or anywhere, ought to suffer.

That there are 3 million reports of child abuse in America every year is a tragedy, but there is an even deeper tragedy in cases like that of Richard Holmes. It is the tragedy of a system that tries too hard to keep some families together when they are families in name only.

According to the story in the Washington Post, Richard's grandmother and his aunt complained to Montgomery County child protection services that Richard was being abused. They made this complaint last year, describing to county officials how Richard was returning home from visits to his father famished and with bite marks—bite marks—on his arms. Their complaints were ignored. In fact, they were accused of being troublemakers. Richard's father and his girlfriend are now

in prison on child abuse charges. This is not new territory for Richard's father, who was sentenced to 2 years probation back in 1992 after his neglect of Richard came to the court's attention the first time.

Mr. President, what on Earth was this little child, this little boy, doing back in his father's custody? It is easy to fault the child protection services to say that they should have done more, and they should have. What I would like to stress today is that those of us in the U.S. Senate should do more.

As I have discussed on this floor on numerous occasions, too often child protective services feel themselves hemmed in by a misinterpretation of a law that was passed by this Congress in 1980. Under the Federal Child Welfare Act, for a State to be eligible for Federal matching funds for foster care expenditures, the State must have a plan for the provision of child welfare services approved by the Secretary of HHS. The State plan must provide "that in each case, reasonable efforts will be made (A) prior to the placement of a child in foster care, to prevent or eliminate the need for removal of the child from his home, and (B) to make it possible for the child to return to his home."

In other words, no matter what the particular circumstances of a household may be, the State must make reasonable efforts to keep that family together and to put it back together after it falls apart.

There is strong evidence to suggest that in practice, throughout the 50 States, reasonable efforts have become extraordinary efforts, efforts to keep families together sometimes at all costs and sometimes to the detriment of these children.

I believe that the sad story of Richard Holmes is a very eloquent case in point. So is the story of a little Ohio girl named Jenny Lynn. She is only 3 years old, and she has already been in eight foster homes. Let me repeat that, 3 years old and this poor child has already been in eight foster homes. One set of foster parents after another have given her up because they are not likely to ever be awarded permanent custody, not likely ever to be able to adopt her. She now reacts with panic, understandably, whenever she sees trash bags. You see, every time she is moved, her clothes, her possessions are moved in trash bags. Now when she sees trash bags, she is afraid that she is being moved once again.

Why, Mr. President, is she being moved? Why is this little 3-year-old being moved time and time again? Because the county, Mr. President, is still trying to reunify her family in this case, still trying to reunify her with her parents. The problem is, nobody knows where her parents are. Meanwhile, she will continue—I guess until they are found—to be shuttled back and forth, back and forth, from foster home to foster home.

This child, this little 3-year-old, is being deprived of what all children de-

serve: Stability, love, loving parents, a home. She is being deprived of her childhood.

Mr. President, you do not need to be an expert on child development to know that that kind of childhood will not help Jenny Lynn grow up to be a happy adult. Frankly, the whole situation is absurd. And I believe we need to do everything we can to make this kind of nightmare occur less frequently in this country.

Today, our friends in the House of Representatives passed legislation—the Camp-Kennelly bill—that will help us avoid this kind of tragedy. Mr. President, the Senate should do likewise. I have been working on similar legislation here in the Senate, legislation sponsored by Senator CHAFEE, Senator ROCKEFELLER, and other Members of this body, legislation to make it plain that the health and safety of children is and ought to be the primary concern of child protective services.

Mr. President, we are building a bipartisan consensus in support of this idea. The case of Richard Holmes ought to remind us that there are a lot of kids out there who need our help. We should not delay any longer.

Again, Mr. President, the action of the House of Representatives today is great news. I look forward to moving our bill on the Senate floor, the Chafee-Rockefeller bill, which among other provisions contains this "reasonable efforts" language to clarify what we all really know and what we all believe and what I am sure Congress meant in 1980, and that is, while we should always try to reunify families, the best interests of the child, the safety of the child, the welfare of the child always—always—must be of paramount concern.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### U.S. FOREIGN OIL CONSUMPTION FOR WEEK ENDING APRIL 25

Mr. HELMS. Mr. President, the American Petroleum Institute reports that for the week ending April 25, the U.S. imported 7,983,000 barrels of oil each day, 69,000 barrels less than the 8,052,000 imported during the same week a year ago.

While this is one of the few weeks that Americans imported less oil than the same week a year ago, Americans still relied on foreign oil for 55.5 percent of their needs last week, and there are no signs that the upward spiral will abate. Before the Persian Gulf war, the United States obtained approximately 45 percent of its oil supply from foreign countries. During the Arab oil embargo

in the 1970's, foreign oil accounted for only 35 percent of America's oil supply.

Anybody else interested in restoring domestic production of oil—by U.S. producers using American workers? Politicians had better ponder the economic calamity sure to occur in America if and when foreign producers shut off our supply—or double the already enormous cost of imported oil flowing into the United States—now 7,983,000 barrels a day.

#### ERASE THE HATE DAY

Mr. BAUCUS. Mr. President, I rise today to commend the Senate for passing a piece of legislation this morning that designates today, National Erase the Hate and Eliminate Racism Day. The legislation we passed this morning also calls on President Clinton to issue a proclamation urging all Americans to use each day as an opportunity to take a stand against racism and hate.

In 1964, Mike Mansfield of Montana, then majority leader of the U.S. Senate, ushered through this body the landmark Civil Rights Act. His national foresight and courage in those years was widely praised in the press and by his peers. As one colleague said upon Senator Mansfield's retirement, "The distinguished majority leader votes his convictions and lets the chips fall where they will."

In the last several years, however, Montanans of a different generation have come under the microscope of less favorable scrutiny. The reputation of Montana as a State of forward-thinkers and tolerant individuals was marred by the standoff between the FBI and the so-called Freemen outside Jordan, and a series of hate crimes in some of our cities.

Make no mistake, it is important for the media and others to focus on these events, whether they occur in Montana or elsewhere. But equally, if we are to learn from them, then we also need to listen to the stories of hope, of the people who are willing to stand up to bigots and hate groups.

Because those stories are happening all the time in Montana. Whether it is a community like Billings that stands up to a group of skinheads, or a Missoula high school class that devotes an entire project to studying the Holocaust.

It was in this spirit and with the strong support of the YWCA of America, the Anti-Defamation League, and the USA Network, that I cosponsored the legislation that designated today as National Erase the Hate and Eliminate Racism Day.

There is no doubt that we have come a long way as a nation. But with 8,000 hate crimes reported to the U.S. Department of Justice each year, it is clear we still have much more work to do.

In addition to taking a day to recognize the importance of the fight, we must continue to support groups like the Northwest Coalition Against Malignant Harassment, the Montana Human