

reserve, in which a joint team of Federal and State scientists will make recommendations on where fishing should occur and at what level.

A further special provision is also included in one area where there is significant potential for conflict between fishermen and certain limited non-motorized uses, such as kayaking, during the brief 3-month summer period.

This area is in the Beardslee Islands, near the entrance of the bay. Under this bill, the only commercial fishing that would be allowed in the Beardslees would be crab fishing, and that only in a very small area, by a very small number of people who historically are dependent on this fishing—less than a dozen people. This would only include people who can show both a significant history of participation and a real dependence on that fishery for their livelihoods. This privilege could be transferred to one successor, when the original fisherman retires, but will cease after that. And at any point the Park Service could eliminate all fishing in the Beardslees with a fair payment to the individual fisherman.

The reason for such a special rule in the Beardslees is simply that these fishermen have no other option than fishing in the Beardslees, due to the small size of their vessels and their reliance on this one fishery, and a few other factors.

So this bill will not contribute to any increase in fishing. In fact, over time the opposite may occur. It will simply provide for the scientifically sound continuation of an environmentally benign activity. Finally, I think it's important also to note that the continuation of both subsistence and commercial fishing enjoys wide support from local residents of Southeastern Alaska, including environmental groups such as the Southeastern Alaska Conservation Council.

I look to my colleagues for support on the merits of the bill.

Mr. President, I see no other Senators in the Chamber. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ALLARD). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### NOMINATIONS

Mr. COVERDELL. Mr. President, we had a very unfortunate story appear in the Washington Post this morning by Helen Dewar.

The first paragraph:

President Clinton had "some choice words" about the pace of Senate action on administration nominations during a Wednesday night meeting with Senate Democrats.

And then it quotes our distinguished minority leader:

Daschle estimated there are 30 ambassadorial nominations awaiting action for countries that, according to a Senate list, include Britain, France, Canada, Saudi Arabia, Bosnia and, as of Tuesday, Mexico.

This is ill-placed and irresponsible criticism and does not serve the efficient management of these nominations. I read the article while I was conducting a hearing that we had hurried to deal with the nomination of the Ambassadors for Guyana and Paraguay. I have just left a meeting with the potential nominee for Ambassador to France, and I spent the better part of the last month doing everything we might do to get our Ambassador to Canada, which, I might add, has been without an ambassador for over a year and a half. We just received the nomination for that Ambassador on July 2—July 2—of this year. The vacancy began in April 1996—Canada. And there have been extended vacancies in Germany, Moscow, et cetera.

To clarify, this year, we have had 56 nominations received by the Foreign Relations Committee; 14 have been confirmed, 9 are pending on the Executive Calendar; 33 are pending in the committee. That sounds like a lot. But the issue is, 26 of the 44 we have just received in the last month. I repeat, there are 44 pending in the committee; 26 of them we have just gotten.

The problem here is not in the Senate, nor is it in the Foreign Relations Committee. The problem with ambassadorial nominations is at the other end of Pennsylvania Avenue.

I point out that Tokyo has been vacant since December, and we have no nominee. South Korea has been vacant since December, and we have no nominee. These are not just incidental relationships, I might add. We are talking about Japan and South Korea.

So, Mr. President, I think those were unfortunate words, and they paint an improper and inappropriate picture, and they do not help anything. I assume they are just ill-informed. But when you are going to make accusations of this kind, and you are the President of the United States, the word travels far. I think it would be more prudent to have your own description of the condition before you start hurling spears, because this kind of thing only confuses the process and makes the work of both the Senate and the administration much more complicated.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### AMBASSADORIAL NOMINATIONS

Mr. HELMS. Mr. President, partisan politics, I guess, is a game like foot-

ball, baseball, or checkers, and that game has, no doubt, been played in the Senate for as long as there has been a Senate. In it, you win some, you lose some, and, as the saying goes, some are rained out. It has been suggested from time to time that maybe a time or two I have played a little bit of it myself, and I plead *nolo contendere* to the suggestion.

But the game, it seems to me, that the distinguished minority leader, Mr. DASCHLE, has been playing of late has sometimes been marked by a rather interesting degree of misstatements of fact—unintentional, I'm sure—and curious conclusions. That, too, has not been unknown heretofore in the history of the Senate. And I do not suggest that the minority leader's misstatements or insinuations are deliberate, and I am willing to assume that his errors are accidental and unintentional.

Just the same, my observations this afternoon are based on my incredulous reaction early this morning when I read an article in the Washington Post, page A21, under a headline reading "Confirmation Process Frustrates President." That was, of course, Mr. Clinton, with whom Senator DASCHLE says he met this past Wednesday night. It indicates that Senator DASCHLE confided to the Washington Post's very competent reporter, Helen Dewar, that—and I quote from Ms. Dewar's story—"The President . . . expressed probably the highest level of exasperation I've heard him express on the subject, Daschle said, making clear that he (Senator DASCHLE) shares Clinton's frustration."

Further, according to Ms. Dewar's report, "[Senator] Daschle estimated that there are 30 ambassadorial nominations awaiting action for countries that, according to a Senate list, include Britain, France, Canada, Saudi Arabia, Bosnia, and, as of Tuesday, Mexico."

Well, Mr. President, if Mr. Clinton and Mr. DASCHLE are suffering their "highest levels of exasperation," and if the President uttered the "choice words" attributed to him by Senator DASCHLE regarding the work of the Senate's Foreign Relations Committee, then I suggest that both gentlemen dismount their high horses, examine the true facts, and correct their joint misstatements about the excellent work of the Foreign Relations Committee, which I have the honor of serving as chairman, with Senator JOE BIDEN as the ranking member.

What the President is purported to have implied—and Mr. DASCHLE says he agrees with it—is nonsense, I say respectfully; it is nonsense regarding the work and cooperation of the staff of the Senate Foreign Relations Committee, of which Adm. "Bud" Nance is the Chief of Staff. Bud Nance is among the top chiefs of staff ever to serve the Senate's committees, and I believe Mr. Clinton's State Department will join

me in that assessment of the committee staff members, both majority and minority.

Now, let's look at some specific things and respond to the President with what the actual facts are.

First, Thomas Pickering left the position of Ambassador to Russia on November 1, 1996. The Foreign Relations Committee received the nomination of James Collins to succeed Tom Pickering 7 months later, on June 2, 1997. Let me just remind anybody who may be interested that Russia is selling sophisticated weaponry to terrorist states, such as Iran, and Russia barely maintains control of its 20,000 warhead nuclear arsenal. Now, by Mr. Clinton's own choice, the position of Ambassador to Russia went vacant for 7 months. We didn't get a piece of paper from the White House. When we did get the nomination, we expedited the hearing process for this nomination, and we are prepared to send it to the full Senate—that is, the nomination of James Collins—next week.

Second, Charles Redman left the position of Ambassador to Germany on June 20, 1996, over a year ago. The Foreign Relations Committee received the nomination of John Kornblum for this position on May 22 of this year, 1997. Now, Mr. President, Germany is the most powerful country in Europe and is central to virtually every decision made by our European allies. By the White House's own choice, don't you see, the position of Ambassador to Germany was vacant for almost a full year. The committee scheduled a hearing after finally getting the papers on the nomination of Mr. Kornblum, and we are prepared to send the nomination to the Senate next week.

Third, John Menzies left the position of Ambassador to Bosnia in December 1996. The Foreign Relations Committee received the nomination of Richard Kauzlarich on July 8, 1997, just a couple of weeks ago. Now, it was the White House's choice that the position of Ambassador to Bosnia was vacant for more than 8 months before we got a scrap of paper from the White House in the Foreign Relations Committee. Of course, thousands of American soldiers have been kept in Bosnia for 8 months, but for 8 months the White House has delayed sending the nomination of the successor, Mr. Kauzlarich. The committee, again, has scheduled a hearing to consider this nomination. We are prepared to send it to the Senate next week.

Fourth, James Blanchard left the position of Ambassador to Canada in April 1996, over a year ago. The Foreign Relations Committee received the nomination of Gordon Griffin on June 26, 1997. The Foreign Relations Committee held a hearing on July 15, after we had gotten all of the papers prepared, and reported his nomination to the full Senate on July 17, where it is pending on the Executive Calendar of the Senate. The United States is engaged in foreign policy and trade dis-

putes with Canada, ranging from the Pacific Northwest to Cuba, and the position to Ambassador to Canada was vacant—not the responsibility of the Foreign Relations Committee, but of the White House—the White House—for more than a year.

Fifth, the post of United States Ambassador to France has been vacant since the death of Ambassador Pamela Harriman. She died on February 5 of this year. And then, after that, there was a month-long public battle between several of President Clinton's political supporters and a career Foreign Service officer who wanted the post, and the President finally selected one of the substantial donors to the Democratic Party for this position. Now, that is not unusual. The point is that all this time elapsed. It was not the Foreign Relations Committee staff's fault. It was the White House's fault. Mr. DASCHLE is bound to have known that.

Let me say that the French leaders have opposed the United States on almost every foreign policy decision regarding United States-European relations, but by President Clinton's choice, the position of Ambassador to France, nevertheless, was vacant for just about 6 months.

The committee again has scheduled a hearing to consider the nomination next Tuesday, less than a week after the papers got up to us from the White House. So who is delaying all of these nominations, Mr. President? I think the facts speak for themselves.

Then there is the nomination of Philip Lader. I believe it came on July 22, just a few days ago. The committee has immediately scheduled a hearing for Mr. Lader for next Tuesday, less than a week after receiving this nomination.

Seventh, the President has yet to name ambassadors for Japan and South Korea. Now, these Embassies have been minus ambassadors since the end of last year, nearly 8 months—not the fault of the Foreign Relations Committee, not the fault of the Senate, not the fault of anybody in the Senate, but the White House.

Let me reiterate and emphasize that there has been a high degree of cooperation between the State Department and the Senators who serve on the Foreign Relations Committee and, I might add, between the excellent staff of the committee and the State Department staff. I think that the cooperation between the various entities has been remarkable and unheard of for several years prior to this year and last year. In fact, we have done our best to work with and consult with the White House.

Therefore, statements made by Senator DASCHLE are not acceptable. To the extent that the President has stated or has implied that any lag in the ambassadorial nomination process is the fault of the Senate Foreign Relations Committee, I have to say, no, sir; you are wrong.

Some time back the White House publicly identified a possible—a pos-

sible—nomination about which I had and still have a problem. I have tried to be as candid and up front about my position regarding that nomination since long before the nomination was made. When? Just this past week.

I feel that it will be useful to have the CONGRESSIONAL RECORD reflect the specific names, dates, and places involved in diplomatic nominations. Therefore, I ask unanimous consent, since I have discussed several specific nominations, the entire list be printed in the RECORD.

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

#### CLINTON ADMINISTRATION NOMINATIONS—JULY 25, 1997

##### HEARINGS HAVE BEEN SCHEDULED

James W. Pardew, Jr., (NC) for rank of Amb as U.S. Special Representative for Military Stabilization in the Balkans—referred 5/20; file complete 6/18; hearing scheduled for 7/29.

Anne Marie Sigmund (C) to be Amb to Krygyz Republic—referred 6/26; file complete 7/22; hearing scheduled for 7/29.

Keith C. Smith (C) to be Amb to Lithuania—referred 6/26; file complete 7/22; hearing scheduled for 7/29.

Richard D. Kauzlarich (C) to be Amb to Bosnia & Herzegovina—referred 7/8; file complete 7/22; hearing scheduled for 7/29.

Daniel V. Speckhard (C) to be Amb to Belarus—referred 6/26; file complete 7/22; hearing scheduled for 7/29.

##### HEARINGS TO BE SCHEDULED

Wyche Fowler, Jr., (NC) to be Amb to the Kingdom of Saudi Arabia—referred 2/25; file complete 3/6; hearing to be scheduled.

Richard W. Bogosian (C) for rank of Amb as Special Coordinator for Rwanda/Burundi—referred 1/9; file complete 2/4; hearing to be scheduled. (Left pending on Executive Calendar at end of 104th Congress.)

Brian Dean Curran (C) to be Amb to Mozambique—referred 4/16; file complete 4/22; hearing to be scheduled.

Susan E. Rice (NC) to be Assistant Secretary of State for African Affairs—referred 6/12; file complete 6/20; hearing to be scheduled.

Timberlake Foster (C) to be Amb to Islamic Republic of Mauritania—referred 6/11; file complete 6/24; hearing to be scheduled.

Amelia E. Shipley (C) to be Amb to Republic of Malawi—referred 6/11; file complete 6/24; hearing to be scheduled.

Donna Jean Hrinak (C) to be Amb to Bolivia—referred 7/8; file not complete 7/22; hearing to be scheduled.

##### FILES NOT COMPLETE

Stanley A. Riveles (C) for the rank of Amb during his tenure of service as U.S. Commissioner to the Standing Consultative Commission—referred 1/30; file not complete.

Nancy Jo Powell (C) to be Amb to Republic of Uganda—referred 6/11; file not complete (in w/Patti for review).

Martin Indyk (NC) to be Assistant Secretary of State for Near Eastern Affairs—referred 6/23; file not complete (in w/Patti for review).

Curtis W. Kamman (C) to be Amb to Colombia—referred 6/26; file not complete (in w/Patti for review).

Felix G. Rohatyn (NC) to be Amb to France—referred 7/17; file not complete.

Philip Lader (NC) to be Amb to United Kingdom of Great Britain & Northern Ireland—referred 7/22; file not complete.

Harold C. Pachios (NC) to be Member, U.S. Advisory Commission on Public Diplomacy

for term exp 7/1/99 (reappointment))referred 7/22; file not complete.

William F. Weld (NC) to be Amb to Mexico—referred 7/23; file not complete.

NOMINATIONS THAT COULD BE PLACED ON BUSINESS MEETING AGENDA IF NO OBJECTIONS HEARD

Marc Grossman (C) to be Assistant Secretary of State for European and Canadian Affairs—referred 5/22; file complete 6/18; hearing held 7/15. Wellstone questions (6) sent down 7/16; no reply. Helms' questions (4) FAX'd 7/18; no reply.

Stephen R. Sestanovich (NC) to be Amb at Large & Special Adviser to the Secretary of State for the New Independent States—referred 6/19; file complete 6/20; hearing held 7/15. Helms' questions (7) FAX'd 7/18; no reply.

John C. Kornblum (C) to be Amb to Fed Rep of Germany—referred 5/22; file complete 6/18; hearing held 7/15. Helms' questions (2) FAX'd 7/18; no reply.

James F. Collins (C) to be Ambassador to the Russian Federation—referred 6/2; file complete 6/20; hearing held 7/15. Helms' questions (2) sent down 7/18; no reply.

Stanley O. Roth (NC) to be Assistant Secretary of State for East Asian & Pacific Affairs—referred 5/22; file complete 6/18; hearing held 7/22. Questions all submitted 7/23; Wellstone (7); no reply. Ashcroft (5); no reply. Feingold (6); no reply. Helms (8); no reply. Lugar (4); no reply. Biden (16); no reply.

Bonnie R. Cohen (NC) to be Under Secretary of State for Management—referred 5/23; file complete 6/18; hearing held 7/24.

James P. Rubin (NC) to be Assistant Secretary of State for Public Affairs—referred 5/23; file complete 6/18; hearing held 7/24.

Edward William Gnehm, Jr., (C) to be Director General of the Foreign Service—referred 4/28; file complete 7/21; hearing held 7/24.

David Andrews (NC) to be Legal Adviser of the Department of State—referred 6/11; file complete 7/19; hearing held 7/24.

Wendy R. Sherman (NC) to be Counselor of the Department of State, with rank of Amb during tenure of service—referred 6/26; file complete 7/21; hearing held 7/24.

George Munoz (NC) to be President, Overseas Private Investment Corporation—referred 6/26; file complete 7/21; hearing held 7/24. Wellstone questions (5) FAX'd 7/24; no reply.

James F. Mack (C) to be Amb to Guyana—referred 6/26; file complete 7/24; hearing held 7/25.

Maura Harty (C) to be Amb to Paraguay—referred 6/26; file complete 7/24; hearing held 7/25.

#### NOMINATIONS PENDING ON EXECUTIVE CALENDAR

Jeffrey Davidow (C) to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring September 20, 2002—referred 1/21; file complete 3/27; sent out by memo dated 3/27. Reported 5/8.

Marilyn E. Hulbert, a Career Member of the Foreign Service of the U.S. Information Agency, for promotion into the Senior Foreign Service to Class of Counselor. Reported 7/17.

FSO Promotion List, Swallow et al.—referred 4/25; file complete 7/16; (sent out by memo dated 6/20). Reported 7/17.

Ralph Frank (C) to be Amb to the Kingdom of Nepal—referred 6/11; file complete 6/18; hearing held 7/10. Helms' questions (1) sent down 7/11; reply recv'd 7/16. Additional Helms' questions (3) sent down 7/14; reply recv'd 7/16. Reported 7/17.

Karl F. Inderfurth (NC) to be Assistant Secretary of State for South Asian Affairs—referred 6/11; file complete 6/24; hearing held 7/10. Helms' questions (25) sent down 7/11; reply recv'd 7/16. Reported 7/17.

John C. Holzman (C) to be Amb to People's Republic of Bangladesh—referred 6/11; file complete 6/24; hearing held 7/10. Helms' questions (3) sent down 7/11; reply recv'd 7/16. Reported 7/17.

Linda Jane Zack Tarr-Whelan (NC) for rank of Amb as U.S. Representative to the Commission on the Status of Women of the Economic & Social Council of the United Nations—referred 4/15; file complete 6/18; hearing held 7/15. Reported 7/17.

Richard Sklar (NC) to be US Rep to the UN for UN Management and Reform, w/rank of Amb—referred 5/6; file complete 6/18; hearing held 7/15. Reported 7/17.

A. Peter Burleigh (C) to be Deputy U.S. Representative to the UN, w/rank of Ambassador—referred 5/20; file complete 6/18; hearing held 7/15. Reported 7/17.

David J. Scheffer (NC) to be Amb at Large for War Crimes Issues—referred 5/22; file complete 6/18; hearing held 7/15. Feinstein questions (12) transmitted 7/15; reply received 7/23. Reported 7/17.

Gordon D. Giffin (NC) to be Amb to Canada—referred 6/26; file complete 7/7; hearing held 7/15. Questions (5) sent down to State 7/16; reply recv'd 7/17. Reported 7/17.

#### NOTICE OF INTENT TO NOMINATE

Lange Schermerhorn (C) to be Amb to Djibouti—7/9/97.

Victor Marrero (NC) to be US Rep to Organization of American States, w/rank of Amb—7/15/97.

George E. Moose (C) to be US Rep to European Office of the UN, w/rank of Amb—7/16/97.

Mr. HELMS. Mr. President, I know I have delayed the recess of the Senate this afternoon. For that I apologize. 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. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### SUPREME COURT JUSTICE WILLIAM BRENNAN

Mr. DASCHLE. Mr. President, it is with great sadness that we mark the passing of William Brennan, who served so ably on the U.S. Supreme Court.

Appointed by President Dwight Eisenhower in 1956, the New Jersey judge soon rose to a position of intellectual leadership on the Court. Even his critics acknowledge that he has exercised a fundamental influence on the direction of American jurisprudence. He wrote almost 1,400 opinions and helped shape countless others, providing guidance on issues from civil liberties, race relations and privacy to criminal justice, economic fairness, and governmental power.

Justice Brennan believed deeply that law must protect human dignity and that the Founding Fathers recognized that principle when they drafted our Constitution. He saw the Constitution as a guarantee that our fundamental rights cannot be diminished or denied simply because that is the will of the majority.

During his 34 years on the Court, Justice Brennan did not waiver in his convictions, speaking out in his opinions and in public on the most important moral issues of the day. His deeply held beliefs and carefully crafted judicial opinions have had a profound influence upon us all.

Along with his distinction as a jurist, Justice Brennan was well known for his warmth and good humor, and he had friends from all parts of the political spectrum. I know that I speak for all of us in saying that he will be missed.

#### TRIBUTE TO JUSTICE WILLIAM J. BRENNAN, JR.

Mr. LAUTENBERG. Mr. President, it is with a sad and heavy heart that I rise to pay tribute to a great American and New Jerseyan, Justice William J. Brennan, Jr., who passed away yesterday at age 91. The thoughts and prayers of all the people of our State and country are with his wife Mary, his three children William J., III, Hugh, and Nancy, as well as his seven grandchildren.

Mr. President, during nearly 34 years on the Supreme Court, Justice Brennan had an enormous impact on this Nation's constitutional jurisprudence. Justice Brennan was a consistent champion of freedom of expression, of strict separation of church and state, and of equality for the poor, racial minorities, and women. In fact, he was a life-long defender of the freedoms of all Americans.

William Brennan's life was truly the epitome of the American Dream. He was born in Newark, NJ, on April 25, 1906, the second oldest of the eight children of an Irish immigrant who started as a laborer but rose through the ranks to become an important labor leader and the city's commissioner of public safety. "Everything I am," the justice later wrote, "I am because of my father."

He was an outstanding student at Barringer High School in Newark. He then went on to study at the University of Pennsylvania's Wharton School of Finance and Commerce. He was graduated with honors and won a scholarship to the Harvard Law School, from which he received a degree in 1931.

Upon graduation, Bill Brennan embarked upon a successful and distinguished career in private legal practice. He later served his country by entering active military service in 1942, eventually becoming a colonel and troubleshooter for Army procurement.

After returning from the war, he quickly emerged as a leader of the New Jersey bar, particularly his involvement in New Jersey's court reform movement under a nationally renowned Chief Justice Arthur Vanderbilt. His talents were widely recognized in the legal community, leading to his appointment to the New Jersey trial bench, from which he rapidly ascended to the State supreme court.