

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 rec'd 7/16. Additional Helms' questions (3) sent down 7/14; reply rec'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 rec'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 rec'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 rec'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.

Mr. President, it was during this tenure on the New Jersey court that Justice Brennan first gained national attention. He was one of the first public figures to take on the infamous Senator Joseph McCarthy and the excesses of the McCarthy-era.

Specifically, in one famous speech at the Monmouth County Rotary Club, he boldly referred to certain congressional inquiries as modern counterparts to the Salem witch trials, sentiments very much ahead of his time.

After 8 years as a State judge, 4 on the State supreme court, Bill Brennan was nominated by President Dwight D. Eisenhower in 1956 to be an Associate Justice of the Supreme Court of the United States. Justice Brennan served on the Nation's highest court for 34 years before poor health forced him, at age 84, to retire in 1990. His tenure spanned those of eight Presidents. In the High Court's history, only William O. Douglas wrote more opinions.

In fact, Justice Brennan's own confirmation as an Associate Justice of the U.S. Supreme Court was opposed by some because of views that he had expressed about McCarthyism—the speeches that later caused Senator McCarthy to be the lone dissenting vote to President Eisenhower's nomination of Brennan to our Nation's High Court.

Mr. President, it is not his remarkable life or long tenure on the bench that made William Brennan a towering figure in our Nation's history. Rather, his true legacy is the preservation and expansion of the individual rights all Americans enjoy today. He was, in short, our country's strongest champion of the individual.

A recent survey of 96 scholars listed Justice Brennan as fifth in the list of all-time great Justices of the U.S. Supreme Court. Ahead of him ranked only John Marshall, Oliver Wendell Holmes, Jr., Earl Warren, and Louis Brandeis.

Justice Brennan crafted many landmark decisions associated with the Warren Court of the late 1950's and 1960's. His ruling led to the one-person, one-vote principle of political reapportionment, and empowered everyday citizens to use the courts to fight city hall.

In more than 1,200 opinions, Justice Brennan defined obscenity and broadened the rights of any person—including the poor, mentally handicapped, or imprisoned—to seek redress against the Government through the courts. He also gave news organizations first amendment protections in libel lawsuits.

During the Berger and Rehnquist years, he continued to champion the Bill of Rights and the 14th amendment. In all of his opinions and dissents, liberty and equality were his bywords.

Historian David Halberstam described the source of Justice Brennan's greatness. William Brennan, he wrote, never forgot where he came from. He never forgot his immigrant father shoveling coal for a living, coura-

geously joining a union in an era when to do so could cost a man his livelihood, if not his life. Brennan grew up on a house that knew the meaning of layoffs and discrimination. He instinctively identified with the disadvantaged and the dispossessed.

Justice Brennan himself revealed the secret of his unfailing humanity, compassion and passion for individual freedom. He wrote that he always focused on the people behind the cases, always aware that the case before the Court was there because of "a person who cried out for nothing more than common human dignity. In each case, our Constitution intervened to provide the cloak of dignity."

Mr. President, through it all, Justice Brennan remained universally liked, even adored, by colleagues, law clerks, Court personnel, and virtually everyone who came in contact with him. He was always described as warm, gracious, and utterly without pretense.

I had the privilege and the honor to get to know Bill Brennan on a personal level. Although it was late in his tenure on the bench, he was remarkably alert, witty and warm, and I greatly enjoyed our conversations.

Mr. President, Bill Brennan's character, personality, and intellect were perfectly matched, each so unique so as to be totally unforgettable.

Despite the brevity of our personal relationship, every meeting that we had—perhaps a half-dozen in all—left me feeling like I had just seen a life-long friend.

He stood for so much that he helped me stand taller for those I serve. Knowing him was one of my life's most treasured experiences. I deeply regret that our paths will not cross again.

In a tribute to Justice Brennan, his colleague Justice Byron White once remembered that Bill Brennan's creed was that a judge should proceed with "a sparkling vision of the supremacy of the human dignity of every individual."

Mr. President, that majestic statement is a fitting tribute to the life and work of Justice William J. Brennan, Jr.

#### SUPPORT THE ARMS TRANSFERS CODE OF CONDUCT

Mr. DORGAN. Mr. President, I rise in support of the bill introduced just yesterday by Senator KERRY of Massachusetts, the code of conduct on arms transfers.

Many of our colleagues will recall that Senator HATFIELD was the leader on this issue prior to his retirement last year. He introduced this bill as S. 1677 in the 103d Congress and S. 326 in the 104th Congress. I cosponsored both bills, and I was pleased to offer the code of conduct as an amendment to last year's foreign operations appropriations bill.

I am delighted that the Senator from Massachusetts is showing his usual leadership on arms control issues by authoring this bill in this Congress.

This is a particularly timely effort because the code of conduct is a part of the version of the State Department authorization bill approved by the House of Representatives, a bill that is now in conference between the House and the Senate. I hope that by introducing this bill we will encourage our Senate colleagues on the conference committee to support the House provision.

#### THE UNITED STATES LEADS IN ARMS SALES

This bill is also particularly timely because the end of the cold war has propelled the United States to the rank of the world's leading arms supplier.

During the last decade, U.S. arms sales have taken off. We now deliver 56 percent of all the world's arms exports, according to the Arms Control and Disarmament Agency. And in 1994 the United States supplied 43 percent of all weapons sold to the developing world—the countries who can least afford arms. We ranked first in arms shipments to developing nations from 1992 to 1995.

These countries have urgent domestic challenges, such as advancing public health, controlling disease, and achieving food self-sufficiency. Yet we are catering to their governments' appetite for the latest in high-technology weaponry.

#### OUR CUSTOMERS ARE UNSAVORY

It is bad enough that these governments have better things to do with their money than to buy American weapons. Still worse is what these governments do with our weapons once they receive them.

According to the State Department's own human rights reports, more than 75 percent of U.S. arms sales in 1993 went to governments that were undemocratic. And we supply aid to 72 percent of the countries that the State Department lists as authoritarian governments with serious human rights abuses.

Recent history tells a disturbing story of American weapons feeding ethnic conflict and instability around the globe. Of 48 ethnic conflicts underway in 1993, 39 involved forces that had U.S. weaponry. Indonesia used American weapons to occupy East Timor illegally, and Turkey used F-16 fighters in bombing raids against Kurdish rebels.

Countries that have cracked down on domestic dissent using U.S. arms include Thailand, Indonesia and Guatemala.

We are literally giving repressive regimes the means by which they maintain themselves in power. We must break ourselves of this habit.

#### THEY RESELL THE WEAPONS WE GIVE THEM

And what if these unsavory customers resell the weapons we send them? The answer is disturbing. We have too little effective control over what happens to our weapons once they leave our hands. The classic example of this is the Stinger missile, a highly portable, shoulder-launched anti-aircraft missile.