

of our planet. Lets unleash America's entrepreneurial spirit and search for new approaches and new incentives to protect America's air, soil, and water. Happy Earth Day.

EXPRESSING THE GRATITUDE OF THE UNITED STATES SENATE FOR THE SERVICE OF THOMAS B. GRIFFITH

Mr. GRAMS. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 82, submitted earlier today by Senator THURMOND.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 82) expressing the gratitude of the United States Senate for the service of Thomas B. Griffith, Legal Counsel for the United States Senate.

There being no objection, the Senate proceeded to consider the resolution.

Mr. THURMOND. Mr. President, I rise today to commend Mr. Thomas B. Griffith, who, on April 18, 1999, resigned from the position of Senate Legal Counsel to return to the private practice of law. Mr. Griffith served in that office for the past four years.

Mr. President, as President pro tempore of the Senate, it was my pleasure to oversee the work of the Office of Legal Counsel during Mr. Griffith's tenure. I appreciated the great dedication and professionalism he displayed in his capacity as Legal Counsel.

The Office of Senate Legal Counsel plays an important role for the United States Senate. It is responsible for providing legal defense to the Senate, its committees, Members, officers, and employees when authorized to do so. The Legal Counsel represents Senate committees in proceedings to obtain evidence for Senate investigations. As directed, it intervenes or appears as *amicus curiae* in the name of the Senate and Senate committees. It also represents the interests of the Senate as *intervenor* or *amicus curiae* in various other court cases. On an ongoing basis, the Senate Legal Counsel Office provides legal advice to Members, committees, and officers of the Senate.

Among the highlights of Mr. Griffith's career in the Senate would undoubtedly be the impeachment trial of the President of the United States. During those proceedings, Mr. Griffith provided the Senate with professional and nonpartisan advice on a range of issues related to the impeachment process.

Other significant actions in which Mr. Griffith participated or directed as Senate Legal Counsel include the consideration of the Louisiana Contested Election Petition by the Committee on Rules and Administration; the investigation of Campaign Finance Practices by the Senate Committee on Governmental Affairs; the Judiciary Committee's review of the White House use of FBI files; and the work of the Spe-

cial Committee To Investigate White-water Development Corporation.

In addition, Mr. Griffith represented the interest of the Senate, its Members, employees and Officers, in a number of cases filed in the courts. At the top of this list would be his work on the Line Item Veto cases.

In all of these activities, Mr. Griffith has seen to it that we are all served well by a professional, career, and non-partisan staff.

Mr. President, I am proud to sponsor this resolution and I am proud to have known and worked with Thomas Griffith. He has served his Nation well. I wish Thomas, his wife Susan, and their children the very best for the future.

Mr. DODD. Mr. President, as an original cosponsor of the resolution, I rise today to add my remarks in support of, and in gratitude to, our former Senate Legal Counsel, Mr. Tom Griffith.

It is always with mixed emotions that I speak on occasions such as this; while I am glad for Tom and wish him well in his return to private practice, I know that the Senate will miss the wise counsel and dedication he demonstrated during his nearly 4 years of service to this body.

The ancient Chinese had a curse in which they wished their victim a life "in interesting times". For better or for worse, Tom lived such a life as Senate Legal Counsel. From my place on the Rules Committee—first as a member and now as Ranking Member—I had a unique perspective on the Legal Counsel's efforts to deal with numerous "interesting" issues presenting novel, rare and in some cases historic issues, including implementation of the Congressional Accountability Act, resolution of the Louisiana election challenge, and, of course, the recent impeachment trial. Speaking for myself—and, I suspect, most of my colleagues—I must say that Tom handled those difficult responsibilities with great confidence and skill.

A more contemporary observer—and one of Connecticut's most famous residents—Mark Twain, once suggested: "Always do right—this will gratify some and astonish the rest." During his tenure as Legal Counsel, Tom exemplified this philosophy, impressing all who knew him with his knowledge of the law and never succumbing to the temptation to bend the law to partisan ends. All of us who serve here in the Senate know the importance of the rule of law; but let us never forget that it is individuals like Mr. Thomas Griffith whose calling it is to put that ideal into practice.

Once again, I wish to express my gratitude to Tom for his years of service, and I ask that my colleagues join me in supporting this resolution.

Mr. GRAMS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 82) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 82

Whereas Thomas B. Griffith, the Legal Counsel of the United States Senate, became an employee of the Senate on March 18, 1995, and since that date has ably and faithfully upheld the high standards and traditions of the Office of Legal Counsel of the United States Senate;

Whereas Thomas B. Griffith, from October 24, 1995, to April 18, 1999, served as the Legal Counsel of the United States Senate and demonstrated great dedication, professionalism, and integrity in faithfully discharging the duties and responsibilities of his position, including providing legal defense of the Senate, its committees, Members, officers, and employees; representing committees in proceedings to obtain evidence for Senate investigations; representing the interests of the Senate as *intervenor* or *amicus curiae* in various court cases; and otherwise providing legal advice to Members, committees, and officers of the Senate;

Whereas Thomas B. Griffith, only the second person to hold the position of Senate Legal Counsel since it was created in 1979, has met the needs of the United States Senate for legal counsel with unfailing professionalism, skill, dedication, and good humor during his entire tenure; and

Whereas Thomas B. Griffith has tendered his resignation as Senate Legal Counsel, effective as of April 18, 1999, to return to the private practice of law; Now, therefore, be it

Resolved, That the United States Senate commends Thomas B. Griffith for his more than 4 years of faithful and exemplary service to the United States Senate and the Nation, including 3½ years as Senate Legal Counsel, and expresses its deep appreciation and gratitude for his faithful and outstanding service.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to Thomas B. Griffith.

ADJOURNMENT UNTIL MONDAY, APRIL 26, 1999, AT 1 P.M.

Mr. GRAMS. Mr. President, I understand that there is no further business to come before the Senate, so I ask unanimous consent that the Senate now stand in adjournment under the previous order.

There being no objection, the Senate, at 3:12 p.m., adjourned until Monday, April 26, 1999, at 1 p.m.

NOMINATIONS

Executive nominations received by the Senate April 22, 1999:

THE JUDICIARY

H. ALSTON JOHNSON, III, OF LOUISIANA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH CIRCUIT, VICE JOHN M. DUHE, JR., RETIRED.

KERMIT BYE, OF NORTH DAKOTA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE EIGHTH CIRCUIT, VICE JOHN D. KELLY, DECEASED.

ANNA J. BROWN, OF OREGON, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF OREGON, VICE MALCOLM F. MARSH, RETIRED.

FAITH S. HOCHBERG, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY, VICE JOSEPH H. RODRIGUEZ, RETIRED.

DEPARTMENT OF DEFENSE

IKRAM U. KHAN, OF NEVADA, TO BE A MEMBER OF THE BOARD OF REGENTS OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES FOR A TERM EXPIRING MAY 1, 1999, VICE ALAN MARSHALL ELKINS, TERM EXPIRED.

IKRAM U. KHAN, OF NEVADA, TO BE A MEMBER OF THE BOARD OF REGENTS OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES FOR A TERM EXPIRING MAY 1, 2005. (REAPPOINTMENT)

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. THOMAS J. NICHOLSON, 0000.
COL. DOUGLAS V. ODELL, JR., 0000.
COL. CORNELL A. WILSON, JR., 0000.

CONFIRMATION

Executive nomination confirmed by the Senate April 22, 1999:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

GORDON DAVIDSON, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2004.