

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

PATIENTS' BILL OF RIGHTS

Mr. LEAHY. Mr. President, I wish to commend the distinguished senior Senator from Illinois for his statement. The Senator from Illinois represents one of the greatest States of our country, a significant and very large State, with millions of people, ranging from one of the best known, most dynamic cities not only in this country but in the world, and also with very small rural areas. I, in turn, represent a very small State, where the largest city is 40,000 people. We go down to a town of 40 people. But I couldn't help but think, while listening to the statement of my good friend from Illinois, about some of the letters he read. The names of the towns might be different, but we might have heard similar letters from Vermont. Sometimes the problems are compounded by the fact that we are a rural State. As he knows, in the rural areas of his great State the problems are even worse because of the distances they have to travel and the lack of choices they may have. I hope he will continue to speak because he speaks not just for the people of Illinois, but for the people of Vermont and everywhere else.

THE POWERFUL GUN LOBBY

Mr. LEAHY. Mr. President, while we talk about the actions in the other body, it is fascinating to me what has happened in the dark of night. The members of the other body aren't controlling their destiny; it apparently was controlled by a powerful lobby in this country. For a while, the same thing happened in the U.S. Senate. I asked the question on the floor of the Senate: "Who will run the Senate, the U.S. Senators or the powerful gun lobby?" Finally, by the slimmest of margins, they answered the question and said that the U.S. Senate will represent the people of America.

I have watched how posturing and symbolism sometimes wins out over substance. Members of the other body are all sworn to uphold the Constitution of the United States. They have taken the same oath that I and every Member of the Senate have taken. They flew in the face of the Constitution, a Supreme Court decision outlined in the Constitution, and said that we, the Members of the Congress, will say the 10 commandments shall be or may be put on schoolhouse walls.

Why did the House of Representatives do this and turn against the Constitution that they are sworn to uphold? Why? So that the students seeing it would be inspired to uphold the law. That's fascinating. We say that the other body will—the House of Representatives—will turn its back on the Constitution, and in so doing will encourage children who should look to them for leadership to uphold the laws

of this country. It is an example that I cannot fathom. This is what they ought to do—work harder and make it possible for the parents of these children to spend more time with them, make it possible to have an educational system that can help teach the difference between right and wrong. Perhaps, if they are going to talk about the 10 commandments, they should remind the gun lobby of the fifth commandment: Thou shalt not kill.

PENDING NOMINATION OF BILL LANN LEE

Mr. LEAHY. Mr. President, on Wednesday of this week, I was fortunate to be present during the ceremony commemorating the presentation of the Congressional Gold Medal to Mrs. Rosa Parks. What an inspiring time. I heard Mrs. Parks, Reverend Jackson, and the President each take the occasion to remind us that the struggle for equality is not over.

I heard Jesse Norman, with that incomparable voice, sing to us both our National Anthem and really the anthem of the civil rights movement. Every one of us—black or white, old or young, man or woman, Republican or Democrat, were inspired by what we saw and heard. How could you not be inspired in the magnificent rotunda of the U.S. Capitol?

But then I went back to my office and I started asking myself, have we listened? I serve as the ranking Member of the Senate Judiciary Committee, and the committee still has pending before it, waiting, the nomination of another who has dedicated his life's work to the rights of others. I asked the Judiciary Committee on Thursday, in the spirit of the Congressional Gold Medal to Rosa Parks, and in the tradition of Rosa Parks, that the committee recognize the quiet dignity and strength of Bill Lann Lee and send his nomination to the full Senate so that the U.S. Senate may, at long last, vote on that nomination and, I hope, confirm this fine American to full rank as the Assistant Attorney General for Civil Rights.

Bill Lann Lee is the first Asian American to be nominated to head the Civil Rights Division in its 42-year history. He is currently serving as Acting Assistant Attorney General for Civil Rights, as he has for almost 18 months. He has done an impressive job in enforcing our Nation's civil rights laws. Mr. Lee was originally nominated in July of 1997, almost exactly 2 years ago. Two years is too long to have to wait for a vote by the Senate on this nomination. I hope the Senate will be allowed the opportunity to vote on his nomination before the Fourth of July recess.

Six former Assistant Attorneys General for Civil Rights, from the Eisenhower administration through the Bush administration, wrote the Judiciary Committee in November of 1997 in

support of this outstanding nominee: Harold Tyler, Burke Marshall, Stephen J. Pollak, J. Stanley Pottinger, Drew Days, and John R. Dunne. Nonetheless, the Senate did not vote, and Mr. Lee had to be renominated again in January of 1998 and, again, in March of 1999.

It is past time to do the right thing, the honorable thing, and report this qualified nominee to the Senate so the Senate may fulfill its constitutional duty under the advise and consent clause and vote on this nomination. In deference to the advise and consent power of the Senate, the President has not used his recess appointment power in connection with this nomination.

After consultation with the Senate in late 1997, the President chose to renominate Mr. Lee in January 1998. The Attorney General named him Acting Assistant Attorney General. When the Senate refused all last year to consider the nomination—not to vote him up or down, or not to even vote at all—the President sent that nomination to the Senate for a third time in a third succeeding year, in 1999. Now, no one can fairly contend that the Senate has not been respected. The President has gone the extra mile, and Mr. Lee has shown extraordinary patience during this extended period of Senate indifference to his nomination.

Acting Assistant Attorney General Lee is properly serving while his nomination remains pending. It is the responsibility of the Senate to vote on that nomination. I believe that in a fair and open vote on the merits of this nomination on the Senate floor, the Senate will embrace the opportunity to confirm this fine person, this dedicated public servant. They will confirm him.

If I am wrong, if the Senate were to disappoint me and all those who support this nomination, and if a majority of the Senate were to vote against the nomination, and then he could not continue to serve as Acting Assistant Attorney General—that is a mechanism Congress established by law, but it properly relies on a vote by the U.S. Senate.

Civil rights is about human dignity and opportunity. Bill Lann Lee's nomination ought to have the opportunity for an up-or-down vote on the Senate floor. Twenty-three months and 3 sessions of Congress is too long for this nomination to have to wait. He should no longer be forced to ride in the "back of the nominations bus," but be given the fair vote he deserves.

When Bill Lee appeared before our committee way back in 1997, he testified candidly about his views, his work and his values. He told us why he became a person who has dedicated his life to equal justice for all, specially when he talked about the treatment his parents received as immigrants. He told us how his parents faced prejudice almost every day here in this country. But Mr. Lee told us how, in spite of his father's personal treatment, the experience of prejudice he faced, the names he was called, and the slurs he had to