

now ask unanimous consent that at 10 a.m. on Friday, December 8, the Senate turn to the consideration of Senate Joint Resolution 31, the constitutional amendment concerning the flag desecration.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DOLE. I further add that there will not be any votes tomorrow. There will be debate tomorrow. Then tomorrow, if we can reach an agreement for Monday, there may be two or three amendments to Senate Joint Resolution 31.

If we can agree on the amendments and final passage, then we could do that on Tuesday morning. There would be no votes on Monday. If we cannot agree, then there will be no votes before 6 o'clock on Monday. But I think we can agree. We have had a discussion between the two leaders.

Finally, I would say there are a couple of colloquys that Senator DASCHLE and I were going to enter into, and I think I pretty much responded to the one on START. The others I think can be printed in the RECORD at the appropriate point if we initial each.

Is that satisfactory with the managers?

I thank the Senators.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. We have reached the point now this evening that we could have reached back in August, but better late than never.

#### UNANIMOUS-CONSENT AGREEMENT

Mr. HELMS. Madam President, I ask unanimous consent that following the disposition of H.R. 1561, as amended, the Senate then proceed immediately, without intervening action or debate, to executive session to consider the following list of nominations, and if the nominations are not on the Executive Calendar at that time the Foreign Relations Committee be discharged from further consideration of these nominations, and the Senate proceed to their consideration en bloc; that they be confirmed en bloc, the motion to reconsider be laid on the table, and the President be immediately notified of the Senate's action, and the Senate then resume legislative session; that if the nominations are on the calendar at that time, they still be considered and confirmed in accordance with the above provisions.

Now, the list of nominations I shall send to the desk, and ask the clerk to report.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

Mr. A. Peter Burleigh, of California, to be Ambassador to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without compensation as Ambassador to the Republic of Maldives;

Mr. James Franklin Collins, of Illinois, to be Ambassador at Large and Special Advisor

to the Secretary of State for the New Independent States;

Ms. Frances D. Cook, of Florida, to be Ambassador to the Sultanate of Oman;

Mr. Don Lee Gevirtz, of California, to be Ambassador to the Republic of Fiji, and to serve concurrently and without additional compensation as Ambassador to the Republic of Nauru, Ambassador to the United Kingdom of Tonga, and Ambassador to Tuvalu;

Mr. Robert E. Gribben, III, of Alabama, to be Ambassador to the Republic of Rwanda;

Mr. William H. Itoh, of New Mexico, to be Ambassador to the Kingdom of Thailand;

Mr. Richard Henry Jones, of Nebraska, to be Ambassador to the Republic of Lebanon;

Mr. James A. Joseph, of Virginia, to be Ambassador to the Republic of South Africa;

Ms. Sandra J. Kristoff, of Virginia, for the rank of Ambassador as U.S. Coordinator for the Asia Pacific Economic Corporation;

Mr. John Raymond Malott, of Virginia, to be Ambassador of Malaysia;

Ms. Joan M. Plaisted, of California to be Ambassador to the Republic of the Marshall Islands, and to serve concurrently and without additional compensation as Ambassador to the Republic of Kiribati;

Mr. Kenneth Michael Quinn, of Iowa, to be Ambassador to Cambodia;

Mr. David P. Rawson, of Michigan, to be Ambassador to the Republic of Mali;

Mr. J. Stapleton Roy, of Pennsylvania, to be Ambassador to the Republic of Indonesia;

Mr. Jim Sasser, of Tennessee, to be Ambassador to the People's Republic of China;

Mr. Gerald Wesley Scott, of Oklahoma, to be Ambassador to the Republic of the Gambia;

Mr. Thomas W. Simons, Jr., of the District of Columbia, to be Ambassador to the Islamic Republic of Pakistan;

Mr. Charles H. Twining, of Maryland, to be Ambassador to the Republic of Cameroon;

FSO Promotion List, Barrett, et. al;

FSO Promotion List, Gelbard, et. al;

FSO Promotion List, Goddard, et. al;

FSO Promotion List, Peasley, et. al.

Mr. HELMS. I thank the clerk.

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

Mr. HELMS. I further ask unanimous consent that immediately following the resumption of legislative session, the Senate insist on its amendment to H.R. 1561, request a conference with the House on the disagreeing votes of the two Houses, and that the Chair be authorized to appoint conferees. Further, as in executive session, I ask unanimous consent that on a date to be determined by the majority leader, after consultation with the Democratic leader, but in any case no later than the last day of the first session of the 104th Congress, 1 hour after the Senate convenes, the Senate proceed to executive session to consider the START II treaty; that if the committee has not reported the treaty by that time, the treaty be discharged from committee and the Senate proceed to its immediate consideration.

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

Mr. HELMS. I thank the Chair.

I further ask unanimous consent that immediately after the Chair appoints the conferees on H.R. 1561, the Chair then lay before the Senate the message from the House on H.R. 927, the Cuban Liberty and Solidarity Act; that the Senate insist on its amendment, agree

to the request for a conference on the disagreeing votes of the two Houses, and that the Chair be authorized to appoint conferees.

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

#### NOMINATION OF KATHLEEN A. MCGINTY

Mr. DASCHLE. Mr. President, it is my understanding that the majority leader has committed to the consideration of and final action on Executive Calendar Nomination No. 340, Ms. Kathleen A. McGinty to be a member of the Council on Environmental Quality before the Senate completes its business this session am I correct in that understanding?

Mr. DOLE. Yes. I have committed to final disposition before Christmas.

Mr. DASCHLE. I thank the majority leader for that commitment.

#### UNANIMOUS-CONSENT AGREEMENT — CHEMICAL WEAPONS CONVENTION

Mr. HELMS. Madam President, I further ask unanimous consent that if the Chemical Weapons Convention has not been reported by the close of business on April 30, 1996, that convention be discharged from the Foreign Relations Committee and placed on the Executive Calendar.

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

Mr. HELMS. I thank the Chair.

Mr. DASCHLE. Mr. President, I understand the majority leader's difficulty in long-term planning of the Senate schedule, but I ask the majority leader if it would be his intention to schedule consideration of the Chemical Weapons Convention in a reasonable time after it has been reported or discharged from the Committee?

Mr. DOLE. It would be my intention that the Senate would consider the Convention in a reasonable time period once the Convention is on the Executive Calendar.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, it will be my intention to review for the record briefly the summary as agreed upon of the amendment to H.R. 1561. Before I do, however, I would like to inquire of the chairman the following.

Madam President, a number of Members from the Senate on both sides of the aisle have been very concerned, and the ranking member shares this concern, about the disposition of the Chemical Weapons Convention which was submitted to the Congress many months ago, and since that time it has been pending before the Foreign Relations Committee.

I would like to ask the chairman concerning the Chemical Weapons Convention. I am aware that the committee's consideration of this treaty is not as far along as the consideration of

START II and that several members of the committee have a number of questions about it and its implications that they believe must be explored more fully before they are prepared to act on the treaty.

I ask the chairman if he would describe his commitment to the committee and the Senate on action on the Chemical Weapons Convention.

Mr. HELMS. Madam President, I am happy to respond to the inquiry by the distinguished Senator from Massachusetts.

He has correctly stated that I and several other members of the committee have what we believe to be critical unanswered questions concerning the implications of the Convention on Chemical Weapons coming into force and whether the treaty is in the best interests of our Nation. So it is not possible for us to move as expeditiously concerning it as we can move on the START II treaty.

However, I would say to the Senator that the Foreign Relations Committee will immediately establish a hearing schedule on the convention which will begin hearings in February 1996. The committee will complete its hearings on the convention by April 30, 1996. By April 30, the committee will meet in a business session to consider the Chemical Weapons Convention.

Prior to the final committee vote on whether to report the treaty to the Senate, the committee could adopt any or all of the following: recommendations to amend the treaty; reservations and understandings; modifications of the resolution of ratification; or direction for the renegotiation of the treaty. The final committee vote could allow that the treaty be reported favorably, unfavorably, or without recommendation.

Mr. KERRY. Madam President, I would ask the distinguished chairman—I believe at this point are the colloquies of Senator DASCHLE and Senator DOLE now a part of the record?

Mr. HELMS. They are now a part of the RECORD. I will ask the Chair to confirm that.

The PRESIDING OFFICER. That is correct.

Mr. KERRY. That is as to both the Chemical Weapons Convention as well as the nomination of Katie McGinty to be Chairman of the Council on Environmental Quality. Is that correct?

Mr. HELMS. That is correct.

The PRESIDING OFFICER. That is correct.

Mr. KERRY. It is my understanding that there is a further unanimous-consent request with respect to the Chemical Weapons Convention if it is not reported by the close of business. Or is that accomplished?

Mr. HELMS. Already done.

The PRESIDING OFFICER. It is.

#### ORDER OF PROCEDURE

Mr. KERRY. In that case, Madam President, if I may, I would like to re-

view with the Senator very briefly those items as we understand them that are summarized within H.R. 1561.

On Monday when we take up this issue we have agreed, have we not, that as to the issue of consolidation, that we have agreed on compromise language with technical changes which will propound a \$1.7 billion savings over 5 years with a baseline of fiscal year 1995 at the appropriated level, that there would be no mandatory abolition of agencies, there would be not more than 30 percent of the savings realized for programmatic reductions, and there would be not more than 15 percent of the savings realized from State Department administrative accounts.

Does the chairman agree with my summary of the consolidation?

Mr. HELMS. That is correct. And it will be made a part of the RECORD.

Mr. KERRY. With respect to other bill issues, there is agreement on language reflected in a summary of changes in Division A which will be made a part of the RECORD.

There is a deletion of section 168 based on Senator DODD's request in writing to have this dealt with in conference on the Cuban Liberty and Solidarity Act. There is a deletion of section 603 relating to coercive population control policies. And there is an addition of \$10 million in fiscal year 1996 for the East-West Center pursuant to an agreement between the chairman and ranking member and Senator INOUE.

Mr. HELMS. That is correct.

Mr. KERRY. With respect to Iraqi claims, there is a compromise which contemplates satisfying licensing for those people with letters of advice while simultaneously expanding—compromise language which we arrived at this evening which basically splits the difference between the parties with respect to the concerns that have been expressed.

Mr. HELMS. That is correct, Madam President.

Mr. KERRY. With respect to the authorization levels, there is an agreement that those authorization levels currently set out in the bill will be addressed in conference with an understanding among the parties that we will make a good-faith effort and seek to increase the levels of operating accounts for the agencies affected by the bill.

Mr. HELMS. That is correct.

Mr. KERRY. With respect to conference issues as to consolidation, there is an agreement that the Senate conferees will operate under consensus with respect to the consolidation proposal regarding mandatory cost savings, the abolition of the agencies, and the limitations as to where those cost savings may be achieved?

Mr. HELMS. That is correct.

Mr. KERRY. With respect to the foreign aid provisions, the population provisions will be a Member issue in the conference. And there is agreement that foreign aid provisions of the U.S.

Senate will be neither added nor dropped in conference without a mutual discussion, involvement by Senate conferees?

Mr. HELMS. That is customary.

Mr. KERRY. Similarly, any discussion or consideration of the foreign aid provisions of the House bill will be by similar participation?

Mr. HELMS. That is customary. The Senator will be a member of the conference committee.

Mr. KERRY. Procedural, as to procedural issues that have now been set forth within the context of the unanimous consent agreement—and there is no need to repeat those. And the chairman has agreed to schedule hearings for early next year, with committee action on the convention in the early spring for the Chemical Weapons Convention. It is also the understanding that the committee will resume normal activities with respect to the scheduling of hearings and committee actions on all currently pending nominees and other committee business.

Mr. HELMS. That was my intent all along, Madam President.

Mr. KERRY. Well, Madam President, let me say that I want to thank the distinguished chairman and his staff. This has been a complicated and long negotiating process. But I think it has been one where both parties fairly attempted to try to work the best compromise possible to effect some very complicated changes within the structure of our foreign policy establishment.

I am convinced that what we have achieved here is a strong beginning for a reevaluation of how we are doing business, of the responsibilities of these various agencies and departments. I am convinced that as the parties proceed in good faith into the conference itself, that we have an opportunity to make our delivery of the foreign policy product of this country far more effective, far more efficient, and the taxpayers of this country will benefit significantly from the changes which are promoted here.

The chairman has stood his ground on many issues and fought hard, as have we. And I think, as in all efforts to make the compromise, this represents exactly that, a sound meeting of the minds and a sound effort to try to bring the parties together. I am convinced that it is a good product.

There are still some issues that we need to work on. The chairman understands that. I understand that. Members understand that. But I think what we have done, by breaking through here in the last week, is to bring the committee back together in an important way and to indicate that we are all intending to do our utmost to try to see to it that there is a strong bipartisan effort to present the strongest possible future work product from this important committee. And I thank the chairman for his continued efforts even when the road was difficult to keep the lines of communication open and to help to make this happen.