

the fact that on this beautiful Friday afternoon, approaching 3 o'clock, the distinguished Senator from Kentucky is here, on duty, and enjoying every moment of it.

Now, may I proceed to the closing?

Thank you for not responding, Mr. President, to my comments.

ORDERS FOR MONDAY, OCTOBER 4, 1999

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 12 noon on Monday, October 4. I further ask consent that on Monday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period of morning business until 12:30 p.m. with Senators speaking for up to 10 minutes each, and the time equally divided between the two leaders, or their designees.

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

PROGRAM

Mr. LOTT. I remind Senators that on Monday, at 5:30 p.m., the Senate will proceed to the Transportation appropriations conference report, and a vote will occur immediately on adoption of that conference report, so there will be at least one recorded vote at 5:30 on Monday, and it is on the Transportation appropriations conference report. I think a lot of credit, once again, goes to our Transportation appropriations subcommittee members. Senator SHELBY of Alabama has done a great job with a very important bill.

There may be other votes. There could be a vote on or in relation to relevant amendments on the FAA reauthorization bill, since that bill will be debated early in the day Monday. It could be that an amendment or amendments will be available for consideration at that time. But I wanted Senators to be on notice we do have the one vote for sure.

Also, all Senators should be aware we will convene at 12 noon and we will have a period for morning business until 12:30. We will take up the FAA reform bill the remainder of that day, then, on Monday, until 4:30, when we will go to, I believe it is, the judicial nominations discussion. We will very likely have recorded votes on Tuesday morning, and then we do have an agreement, I believe, to have recorded votes stacked on three nominations at 2:15 on Tuesday.

For the remainder of the week, the Senate will continue debate on the FAA reform bill and complete its action on Tuesday. Then we will return to the Labor-HHS appropriations bill

and consider nominations and conference reports that are available. I understand that the Agriculture appropriations conference report will be available on Monday. We could have that vote Monday or Tuesday, if a recorded vote is necessary. We are hoping the Interior appropriations bill will be on the heels of that one, and I believe we are still waiting for the foreign operations conference report. We will interrupt or take as quick action as possible on the conference reports once they are received and we get notification that we intend to have a vote.

I do have one further unanimous consent request. I wanted the distinguished Senator from South Dakota to be here. We have continued to work to see if we can get an agreement to vote on the test ban treaty.

UNANIMOUS CONSENT AGREEMENT—COMPREHENSIVE TEST BAN TREATY

Mr. LOTT. Mr. President, as in executive session, I ask unanimous consent that at 9:30 a.m. on Wednesday, October 6, the Foreign Relations Committee be discharged from further consideration of Treaty Document 105-28 and the document be placed on the Executive Calendar, if not previously reported by the committee.

I should note, that is something that was requested by the Democratic leadership, and we think it is a reasonable request.

I further ask consent that at 9:30 a.m. on Friday, October 8, the Senate begin consideration of Treaty Document 105-28 and the treaty be advanced through the various parliamentary stages, up to and including the presentation of the resolution of ratification, and there be one relevant amendment in order to the resolution of ratification to be offered by each leader.

There was a request for additional time for that debate. Therefore, I ask consent that there be a total of 14 hours of debate on the treaty itself, to be equally divided in the usual form, and no other amendments, reservations, conditions, declarations, statements, understandings, or motions be in order, and that amendments be filed at the desk 24 hours before they are called up.

I think it is fair. If we are going to have an amendment on our side and the other side, we need some notification of its content.

There was a thought we might need additional time for discussion on those amendments. Therefore, I ask there be a time limitation of 4 hours equally divided on each amendment, in addition to the 14 hours, for a total of 18 hours over a 2-day period, but spread over a period of time that I believe will run about 6 days.

I further ask consent that following the use or yielding back of time and

disposition of the amendments, the Senate proceed to vote on the adoption of the resolution of ratification, as amended, if amended, all without any intervening action or date.

The PRESIDING OFFICER. Is there objection?

The minority leader.

Mr. DASCHLE. Reserving the right to object, and I will not object, I think this unanimous consent request represents progress from the first request made by the majority leader. But I still believe this procedure is unfair, and I would even say dangerous.

This is the most significant treaty with which we will deal on nuclear proliferation maybe in the time that the majority leader and I will be leaders. We are going to be taking this up on the Senate floor without one hearing in the Foreign Relations Committee. We have looked back. We do not know when that has ever happened before, when the Foreign Relations Committee has not acted upon a treaty, even though it has been pending for 2 years.

We are hoping that the Committee on Armed Services will take up the treaty next week, but I believe that alone is irresponsible. But we believe we have no choice. Our choice is to send the message as an institution that this treaty is not important, it does not even deserve a hearing, or to send the message, God forbid, that the Senate would reject this treaty and say it was not the U.S. intention to send the message around the world that we will ban nuclear weapons testing. Those are the options on the negative side.

On the positive side, the option might be between now and October 12, we can convince the necessary two-thirds of the Senate to support this treaty. We still hope, we believe, that might be within our reach. But I know what some of the debate will be, and the Presiding Officer or the majority leader will mark my words. We will hear somebody say this treaty is not verifiable, in spite of the fact that expert after expert has noted that it is verifiable, but there will have been no hearings to verify the fact that, indeed, this treaty is subject to all the verification elements required of a treaty of this kind.

We are going to hear all kinds of complaints and all kinds of allegations and rumors about what this treaty does or does not do, and when you do not have hearings, that is what is going to happen.

So we are extremely disappointed with the way this has been handled. As I said, I believe it is irresponsible and dangerous. But we also note this may be the best we can get, and if it is the best we can get, as troubled as we are, we will take it. We will have our day in court. We will make our best arguments. We will let the judgment of this Senate prevail.

I am very hopeful the administration will be engaged. I am very hopeful

those who care as deeply as we care about this issue will join us in making the arguments and in dealing with the issue. I also say it is my intention, as Democratic leader, to conduct hearings of my own as part of the Democratic Policy Committee to ensure that we do have experts in Washington to express themselves. We will do that at the appropriate moment.

I do not object, but I must express very grave reservations.

Mr. LOTT. Has the Chair ruled?

The PRESIDING OFFICER (Mr. ROBERTS). Is there objection to the leader's request?

Without objection, it is so ordered.

Mr. LOTT. Mr. President, I appreciate the Democratic leader has agreed to this request. We have worked back and forth now over 2 or 3 days. This is a fair approach, especially with the two leaders' amendments, if they are needed, and a guarantee we will file them in time to take a look at them.

It is serious. I take it very seriously. I do want to make the Senator aware that at least one chairman has notified me he intends to have three hearings before the final vote—Senator WARNER of the Armed Services Committee, which certainly has an interest in this because of what it does involve, weapons.

I believe—I cannot confirm the exactness of these dates or that they will be able to do them all—he is thinking in terms of hearings on the 6th, 9th, and 12th, and that is a committee which has a great deal of jurisdiction. I do not know yet if Senator HELMS plans additional hearings before the 12th, although certainly that is a possibility now that we have a time agreed to.

In addition, I understand there have been discussions with regard to this treaty in the Foreign Relations Committee on February 10, 1998; May 13, 1998; June 3, 1998; June 18, 1998; July 13, 1998; February 24, 1999; and March 23, 1999. Perhaps it was not a full-blown hearing just on that subject; I cannot say, but I refer to these dates that were included in the RECORD just yesterday by Senator HELMS.

There will be at least a couple, if not more, hearings in the appropriate committee or committees prior to the final vote.

I see Senator WARNER is here. He might want to comment on his thinking as to the witnesses and how he plans to proceed.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, with my distinguished leader and Senator HELMS, we met today for the better part of an hour—and through Senator LEVIN. As my colleague knows, he is absent for reasons of a personal need today. We have carefully laid the foundation for a very thorough hearing by the Armed Services Committee. Our

committee has supervision over the stockpile, and really the stockpile is a central body of fact which I urge each Senator to study very carefully.

What we have proposed to do on Tuesday of next week is to have the experts from the Central Intelligence Agency, from the various laboratories, in closed hearing to lay out the facts with regard to this stockpile. The following Wednesday, we are going to invite the Secretary of Defense, the Chairman of the Joint Chiefs, and former Secretaries of Defense and former Chairmen of the Joint Chiefs, and Senator LEVIN, of course, will have his selection of witnesses.

The following day, on Thursday, we again, with the directors of the laboratories and others, will cover more details about the stockpile issue and the efforts by this country to put in place testing to be a substitute—that is, computer analysis, and so forth, as a substitute for actual testing.

Our committee will have a very thorough set of hearings. We will distill the facts, provide them for the record, and bring them to the respective leaders, and hopefully perhaps the Senate, as a whole, can consider parts or all of this important testimony.

Mr. LOTT. I thank Senator WARNER for that information and for his plan and for his working and discussing this with Senator HELMS. I believe it will add a great deal of vital and interesting information for the Senate, and I am sure he will have testimony based on what he just said on both sides of the issue. That will be helpful.

I have no further business at this time.

Mr. President, does Senator DASCHLE have anything further at this time?

Mr. DASCHLE. Mr. President, I do not. I appreciate the majority leader yielding.

The majority leader made reference to meetings where the CTBT has been discussed. Certainly we were not in any way acknowledging that this issue has never come up. But I think it is important for the record, once again, to say that in the time that this treaty has been before the Senate, not one hearing has been held.

I am grateful for the chair of the Armed Services Committee at least taking this initiative, as late as the date may be. It sounds to be a very comprehensive set of hearings. That will be helpful.

But I must say, it is equally irresponsible for us to be here at this moment without 1 day where the committee of jurisdiction has held hearings on an issue of this import and then ask our colleagues—the Senate—to pass judgment.

The majority leader knows we have attempted to bring the Senate to this point now for some time. We are pleased that we have made this progress. But, frankly, this isn't the

way to do it. We should have had hearings in the committee. We are glad we are having hearings in the Armed Services Committee. But to rush to judgment on an issue of this importance is not the way to do business.

I yield the floor.

Mr. WARNER. Mr. President, I say most respectfully to my good friend, the minority leader, each year the Armed Services Committee reviews the stockpile issues. Each year we go through our normal oversight hearings. A part of it relates to the very issues that we will again bring to the Senate by virtue of the hearings in our committee and the record that we will put together.

So I must say, most respectfully, our committee annually looks at these issues. So for members of our committee, and to the extent others have been interested, in fact, the record is there.

Mr. DASCHLE. Mr. President, let me just respond quickly.

I acknowledge that. But I believe there is a huge difference between looking at the issue of stockpile and looking at the importance of the treaty per se, at the language of the treaty, and whether or not we ought to ratify a treaty, whether or not we ought to send the message to the rest of the world that we want them to ratify the treaty, whether the treaty is in our long-term interests, and what the ramifications of the treaty are. That is what I am suggesting ought to be the subject of these hearings.

We ought to be looking at stockpiles, and we ought to be looking at the ramifications of our current nuclear weaponry. And certainly the chairman has done an admirable job of that, as has the committee as a whole, but we have not held hearings until now. I think they are long overdue. I think we as a Senate have made a very big mistake in calling this treaty to the floor prior to the time we have had that kind of consideration in the Foreign Relations Committee or, for that matter, in the Armed Services Committee.

Mr. LOTT. Mr. President, if I could respond on that.

I do think that a critical part of our decision involves the armed services aspect of it. The review of nuclear weapons—what their condition is, what it will be, what it means for the future—that is at the heart of the concerns that a lot of Senators have, including this Senator. I have enough background, having been on the Armed Services Committee in the House and the Senate, to be able to assess, as most Senators, after reading the documentation, the ramifications around the world.

But if we cannot be assured of the safety and the reliability of these weapons, then that goes right to the heart of the whole issue. Before you get to discussion about what it means to

Pakistan or India or North Korea, you need to know what is going to happen over a period of time in terms of safety, the risk to people in the areas, or the surety that we will have these weapons if, in fact, we do need them.

I say to Senator WARNER, you and I have discussed this already. I know that is the crux of what you are saying.

Mr. WARNER. Mr. President, my concern, as you have said, is a decade hence. Will there be some leader in the world or, indeed, some rogue or some other individual who wants to challenge our country who will have any basis to believe we have less than 100-percent reliability in that arsenal of weapons we will have in a decade or 15 years out? That is the critical period of time.

I say to my good friend, Senator DASCHLE, everyone knows my very strong opposition to this treaty. Frequently, colleagues on both sides of the aisle engage me in informal debate of what it is about the treaty, what it is about the facts that lead me to this conclusion.

So, yes, perhaps we could have been more formalized at some point in time. But I think it is important that we focus on it at this critical time, and that we are going to have very thorough hearings in our committee. I have looked over the hearings of the Foreign Relations Committee over the year and they, indeed, covered many of the subjects relating to this treaty in that period of time.

ADJOURNMENT UNTIL MONDAY, OCTOBER 4, 1999

Mr. LOTT. If there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 3:09 p.m., adjourned until Monday, October 4, 1999, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate October 1, 1999:

UNITED STATES POSTAL SERVICE

ALAN CRAIG KESSLER, OF PENNSYLVANIA, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE

FOR A TERM EXPIRING DECEMBER 8, 2008, VICE J. SAM WINTERS.

LA GREE SYLVIA DANIELS, OF PENNSYLVANIA, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2007. (REAPPOINTMENT)

SOCIAL SECURITY ADMINISTRATION

WILLIAM A. HALTER, OF ARKANSAS, TO BE DEPUTY COMMISSIONER OF SOCIAL SECURITY FOR THE TERM EXPIRING JANUARY 19, 2001. (NEW POSITION)

INTERNATIONAL ATOMIC ENERGY AGENCY

GRETA JOY DICUS, OF ARKANSAS, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE FORTY-THIRD SESSION OF THE GENERAL CONFERENCE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY.

NORMAN A. WULF, OF VIRGINIA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE FORTY-THIRD SESSION OF THE GENERAL CONFERENCE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY.

DEPARTMENT OF STATE

J. STAPLETON ROY, OF PENNSYLVANIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE WITH THE PERSONAL RANK OF CAREER AMBASSADOR, TO BE AN ASSISTANT SECRETARY OF STATE (INTELLIGENCE AND RESEARCH), VICE PHYLLIS E. OAKLEY.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

JOSEPH R. CRAPA, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE JILL B. BUCKLEY.

DEPARTMENT OF STATE

AVIS THAYER BOHLEN, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE (ARMS CONTROL). (NEW POSITION)

CONFIRMATIONS

Executive nominations confirmed by the Senate October 1, 1999:

NATIONAL CONSUMER COOPERATIVE BANK

HARRY J. BOWIE, OF MISSISSIPPI, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL CONSUMER COOPERATIVE BANK FOR A TERM OF THREE YEARS.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

PAUL L. HILL, JR., OF WEST VIRGINIA, TO BE CHAIRPERSON OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS. (REAPPOINTMENT)

PAUL L. HILL, JR., OF WEST VIRGINIA, TO BE MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS. (REAPPOINTMENT)

NUCLEAR REGULATORY COMMISSION

RICHARD A. MESERVE, OF VIRGINIA, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR A TERM OF FIVE YEARS EXPIRING JUNE 30, 2004.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

THE JUDICIARY

M. JAMES LORENZ, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA.

VICTOR MARRERO, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

To be rear admiral

REAR ADM. (LH) DAVID S. BELZ, 0000.
REAR ADM. (LH) JAMES S. CARMICHAEL, 0000.
REAR ADM. (LH) ROY J. CASTO, 0000.
REAR ADM. (LH) JAMES A. KINGHORN, JR., 0000.
REAR ADM. (LH) ERROLL M. BROWN, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

To be rear admiral (lower half)

CAPT. RALPH D. UTLEY, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 12203:

To be rear admiral

REAR ADM. (LH) CARLTON D. MOORE, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. MARY P. O'DONNELL, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

To be rear admiral (lower half)

CAPT. VIVIEN S. CREA, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

To be rear admiral (lower half)

CAPT. KENNETH T. VENUTO, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

To be rear admiral (lower half)

CAPT. JAMES W. UNDERWOOD, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

To be rear admiral (lower half)

CAPT. JAMES C. OLSON, 0000.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER OF THE UNITED STATES COAST GUARD TO BE A MEMBER OF THE PERMANENT COMMISSIONED TEACHING STAFF OF THE COAST GUARD ACADEMY IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 188:

To be lieutenant commander

KURT A. SEBASTIAN, 0000.

COAST GUARD NOMINATIONS BEGINNING ERNEST J. FINK, AND ENDING WILLIAM J. WAGNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 13, 1999.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION NOMINATIONS BEGINNING DONALD A. DREVES, AND ENDING KEVIN V. WERNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 9, 1999.