

The yeas and nays have not be ordered.

Mr. LEAHY. I request the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the conference report. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative assistant called the roll.

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 312 Leg.]

YEAS—51

Abraham	Enzi	Mack
Allard	Fitzgerald	McCain
Ashcroft	Frist	McConnell
Bennett	Gorton	Murkowski
Bond	Gramm	Nickles
Brownback	Grams	Roberts
Bunning	Grassley	Roth
Burns	Gregg	Santorum
Campbell	Hatch	Sessions
Chafee	Helms	Shelby
Cochran	Hutchinson	Snowe
Collins	Hutchison	Specter
Coverdell	Inhofe	Stevens
Craig	Jeffords	Thomas
Crapo	Kyl	Thompson
DeWine	Lott	Thurmond
Domenici	Lugar	Warner

NAYS—49

Akaka	Feinstein	Mikulski
Baucus	Graham	Moynihan
Bayh	Hagel	Murray
Biden	Harkin	Reed
Bingaman	Hollings	Reid
Boxer	Inouye	Robb
Breaux	Johnson	Rockefeller
Bryan	Kennedy	Sarbanes
Byrd	Kerrey	Schumer
Cleland	Kerry	Smith (NH)
Conrad	Kohl	Smith (OR)
Daschle	Landrieu	Torricelli
Dodd	Lautenberg	Voinovich
Dorgan	Leahy	Wellstone
Durbin	Levin	Wyden
Edwards	Lieberman	
Feingold	Lincoln	

The conference report was agreed to. Mr. GRAMM. Mr. President, I move to reconsider the vote.

Mr. BENNETT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

DEPARTMENTS OF LABOR,
HEALTH AND HUMAN SERVICES,
AND EDUCATION, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 2000—Continued

VOTE ON AMENDMENT NO. 1889

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to amendment No. 1889 to amendment No. 1851. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 54, nays 46, as follows:

[Rollcall Vote No. 313 Leg.]

YEAS—54

Abraham	Fitzgerald	McConnell
Allard	Frist	Murkowski
Ashcroft	Gorton	Nickles
Bennett	Gramm	Roberts
Bond	Grams	Roth
Brownback	Grassley	Santorum
Bunning	Gregg	Sessions
Burns	Hagel	Shelby
Campbell	Hatch	Smith (NH)
Chafee	Helms	Smith (OR)
Cochran	Hutchinson	Snowe
Collins	Hutchison	Specter
Coverdell	Inhofe	Stevens
Craig	Jeffords	Thomas
Crapo	Kyl	Thompson
DeWine	Lott	Thurmond
Domenici	Lugar	Voinovich
Enzi	Mack	Warner

NAYS—46

Akaka	Feingold	Lincoln
Baucus	Feinstein	McCain
Bayh	Graham	Mikulski
Biden	Harkin	Moynihan
Bingaman	Hollings	Murray
Boxer	Inouye	Reed
Breaux	Johnson	Reid
Bryan	Kennedy	Robb
Byrd	Kerrey	Rockefeller
Cleland	Kerry	Sarbanes
Conrad	Kohl	Schumer
Daschle	Landrieu	Torricelli
Dodd	Lautenberg	Torricelli
Dorgan	Leahy	Wellstone
Durbin	Levin	Wyden
Edwards	Lieberman	

The amendment (No. 1889) was agreed to.

Mr. HARKIN. Mr. President, I move to reconsider the vote.

Mr. COVERDELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SPECTER. Mr. President, I ask unanimous consent that the next order of business be 9 minutes for the Senator from North Carolina, Mr. HELMS. I further ask consent that Senator LAUTENBERG be recognized to offer a second-degree amendment and there be up to 1 hour for debate equally divided in the usual form. I further ask consent that upon the use or yielding back of the time, the vote on the Lautenberg amendment be stacked for consideration later today.

The PRESIDING OFFICER (Mr. BUNNING). Is there objection?

Mr. WELLSTONE. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. SPECTER. Mr. President, I withdraw the request. Why, I don't understand, but I will withdraw the request because it is faster to do that than to find out what the reason is why we can't stack. I say, by way of explanation, if we stack the votes, we can move more expeditiously to dispose of the Senate's business. But I hear an objection to that.

I ask unanimous consent that after Senator HELMS is recognized for 9 minutes, that we proceed to Senator LAUTENBERG's second-degree amendment for 1 hour, equally divided, and that the Senate vote in relation to the Lautenberg second-degree amendment without intervening action.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. SPECTER. Might I add, before proceeding to Senator HELMS' recognition, Senator HARKIN and I are in agreement, as are others managing the bill, to try to get time agreements for 30 minutes equally divided. If we are to move the bill, we need to do that. I think it is not inappropriate to say that we can get as much done in 30 minutes equally divided as we can with an hour equally divided. I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. I concur with the Senator.

The PRESIDING OFFICER. Under the previous order, the Senator from North Carolina is recognized for 9 minutes.

COMPREHENSIVE TEST BAN
TREATY

Mr. HELMS. Mr. President, as the Senate proceeds toward its still-scheduled debate on the Comprehensive Test Ban Treaty, I am confident that the record will show most former senior U.S. government officials remain strongly opposed to Senate ratification of the CTBT.

The Senate—and the American people—will hear from many distinguished officials in the coming days, as they speak out against the CTBT. Of course, the Clinton Administration will try to counter that other well-known people support the CTBT, but those who support ratification of this proposed total nuclear test ban are a distinct minority.

In looking over the record, however, I found that many of the very people the Clinton Administration claims now support such a permanent and total nuclear test ban treaty in fact explicitly rejected it when they served in the U.S. Senate and in uniform.

They argued at that time (a) that such a test ban was unverifiable, and (b) that the U.S. needs to preserve the ability to conduct nuclear tests if the American people are to be assured of the safety and reliability of our nuclear weapons.

Make no mistake: These are all great Americans, whom I admire and respect, who served their country with distinction. In calling attention to their statements of the past for the record today, I certainly imply no disrespect.

To the contrary, I hope the record will reflect their judgements at that time because I believe that those judgements on a zero-yield test ban were right back then—and those judgements are still right today.

For example, as a U.S. Senator, our distinguished former colleague, Bill Cohen of Maine, was a leading light on defense issues in the U.S. Senate. Indeed, he vigorously objected to the termination of nuclear testing when he

served here as a U.S. Senator. He objected, he said, because the termination of nuclear testing would undermine efforts to make U.S. weapons safer.

Throughout the months of August and September 1992, Senator Cohen vigorously fought efforts by Senators Mitchell, Exon, and Hatfield to kill the United States nuclear test program.

Here is a sample of Senator Cohen's 1992 views as expressed on the Senate floor on September 18 of that year seven years ago:

We have made, in fact, remarkable progress in negotiating substantial reductions in nuclear arsenals. While we have made substantial reductions, we are not yet on the verge of eliminating nuclear weapons from our inventories. We are going to have to live with nuclear weapons for some time to come, so we have to ask ourselves the question: Exactly what kinds of nuclear weapons do we want to have during that time?

Senator Bill Cohen declared further seven years ago:

. . . [W]hat remains relevant is the fact that many of these nuclear weapons which we intend to keep in our stockpile for the indefinite future are dangerously unsafe. Equally relevant is the fact that we can make these weapons much safer if limited testing is allowed to be conducted. So, when crafting our policy regarding nuclear testing, this should be our principal objective: To make the weapons we retain safe.

. . . The amendment that was adopted last week . . . does not meet this test . . . [because] it would not permit the Department of Energy to conduct the necessary testing to make our weapons safe.

Similarly, Vice President AL GORE likewise adamantly opposed a "zero-yield" test ban—i.e., one that would ban all nuclear tests—as a United States Senator, on the grounds that such a ban was unverifiable.

Indeed, on May 12, 1988, Senator GORE objected to an amendment (offered to the 1989 defense bill) because it called for a test ban treaty and restricted all nuclear tests above 1 kiloton.

A 1 kiloton limit ban, Senator GORE said at that time, was unverifiable. At Senator GORE's insistence, the proposed amendment was modified to raise the limit for nuclear testing from a 1 kiloton limit to a 5 kiloton limit.

For the RECORD, here's what Senator GORE's position as taken on the Senate floor in 1988:

Mr. President, I want to express a lingering concern about the threshold contained in the amendment.

Without regard to the military usefulness of lack of usefulness of a 1 kiloton versus the 5 kiloton test, purely with regard to verification, I am concerned that a 1 kiloton test really pushes verification to the limit, even with extensive cooperative measures. . . . I express the desire that this threshold be changed from 1 to 5.

If Senator GORE argued on the Senate floor that a 1 kiloton test ban was unverifiable, surely the zero-yield—ban—i.e. a ban on all nuclear tests would be equally unverifiable.

President Clinton has argued that several former Chairmen of the Joint Chiefs of Staff strongly back his call for a Comprehensive Test Ban Treaty banning any and all nuclear tests.

It's interesting that their statements, when they were still in uniform, however, raise doubts about Administration's claims that they vigorously support the CTBT. Consider, for example, what General Colin Powell, then the Chairman of the Joint Chiefs, said on December 1, 1992:

With respect to a comprehensive test ban, that has always been a fundamental policy goal of ours, but as long as we have nuclear weapons, we have a responsibility for making sure that our stockpile remains safe. And to keep that stockpile safe, we have to conduct a limited number of nuclear tests to make sure that we know what a nuclear weapon will actually do and how it is aging and to find out a lot of other physical characteristics with respect to nuclear phenomenon. . . . As long as we have nuclear weapons, I think as good stewards of them, we have to conduct testing.

General Powell previously had made much the same declaration during a Senate hearing on September 20, 1991:

We need nuclear testing to ensure the safety, surety of our nuclear stockpile. As long as one has nuclear weapons, you have to know what it is they will do, and so I would recommend nuclear testing.

What General Powell said was as true back then as it is today.

Similarly, Admiral William Crowe also opposed the Comprehensive Test Ban Treaty while he was Chairman of the Joint Chiefs of Staff. In testimony before the Senate Foreign Relations Committee on May 5, 1986, he stated:

[A comprehensive test ban] would introduce elements of uncertainty that would be dangerous for all concerned.

He further declared:

I frankly do not understand why Congress would want to suspend testing on one of the most critical and sophisticated elements of our nuclear deterrent—namely the warhead.

General David Jones likewise stated, during his confirmation hearing before the Senate Armed Services Committee:

I would have difficulty recommending a zero test ban for an extended period.

Among the General's reasons for opposition were, according to a May 29, 1978 press account, that the CTBT

is not verifiable, and that U.S. stockpile reliability could not be assured.

Numerous press accounts from 1994 and 1995 indicated that General John Shalikashvili maintained strong reservations regarding a zero yield test ban, and made clear that he favored maintenance of the ability to conduct low-yield testing under any negotiated treaty.

Indeed, these comments by these former Chairmen of the Joint Chiefs—while in uniform—strongly echo the current views of other former Chairmen of the Joint Chiefs, such as Admiral Tom Moorer and General John Vessey, Jr., both of whom today strongly oppose the CTBT.

Again, I must emphasize that all of these men are distinguished Americans whom I greatly respect and admire.

Indeed, my point today is simply to show that the arguments of Senators Cohen and GORE, and Chairmen Powell, Crowe, Jones and Shalikashvili were right then—and they are still right today:

Nuclear testing is vital to maintaining the safety of our nuclear weapons and the reliability of our nuclear deterrent.

A "zero-yield"—i.e., a total and complete—nuclear test ban is unverifiable.

A Comprehensive Test Ban Treaty that bars any and all nuclear testing is dangerous for the American people, and I am confident that the United States Senate will not ratify such a dangerous treaty.

DEPARTMENTS OF LABOR,
HEALTH AND HUMAN SERVICES,
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AGENCIES APPROPRIATIONS
ACT, 2000—Continued

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

AMENDMENT NO. 2267 TO AMENDMENT NO. 1851
(Purpose: To reject indiscriminate across-the-board cuts and protect Social Security surpluses by closing special interest tax loopholes and using other appropriate offsets)

Mr. LAUTENBERG. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from New Jersey [Mr. LAUTENBERG] proposes an amendment numbered 2267 to amendment No. 1851.

At the end of the amendment add the following:

SEC. ____ . PROTECTING SOCIAL SECURITY SURPLUSES.

(a) FINDINGS.—The Senate finds the following:

(1) The Congressional Budget Office has projected that Congress is headed toward using at least \$19,000,000,000 of the social security surplus in fiscal year 2000.

(2) Amendment number 1851 calls for across-the-board cuts, which could result in a broad-based reduction of 10 percent, taking into consideration approved appropriations bills and other costs likely to be incurred in the future, such as relief for hurricane victims, Kosovo, and health care providers.

(3) These across-the-board cuts would sharply reduce military readiness and long-term defense modernization programs, cut emergency aid to farmers and hurricane victims, reduce the number of children served by Head Start, cut back aid to schools to help reduce the class size, severely limit the number of veterans served in VA hospitals, reduce the number of FBI and Border Patrol agents, restrict funding for important transportation investments, and limit funding for environmental cleanup sites.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that instead of raiding social security surpluses or indiscriminately cutting defense, emergency relief, education,