led to a highly unfair loss of benefits to naturalized citizens or others who are legally present. The provisions of that amendment would have posed great problems because it would have denied Social Security benefits to legally naturalized citizens, for instance, unless the Social Security Administration could affirmatively determine that the individual was legally authorized to work. This amendment would have placed an unmanageable burden on the Social Security Administration and seniors who have been legally present for decades, who could have unfairly lost their benefits.

This amendment also failed in the Senate.

Ms. SNOWE. Mr. President, the Social Security Administration, SSA, is currently facing nothing short of a crisis when it comes to processing disability claims. Indeed, SSA Commissioner Michael Astrue has called this issue his agency's most pressing challenge. Currently, there are over 756,000 individuals who are waiting for a hearing to have their claims adjudicated, and the average wait time is a staggering 512 days. That is the longest amount of time in SSA's history. In contrast, in 2001, disability applicants had to wait an average of 308 days for a hearing. While that was still far too long, individuals now have to wait 66 percent longer. Sadly, some people have died waiting for a hearing.

To help the SSA process disability claims more quickly, I was proud that, yesterday, the Senate voted 88 to 6 to approve an amendment to the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act that Senators BINGAMAN, BAUCUS, and I offered to increase funds dedicated to the agency's administrative costs by $150 million. We believe that this added funding will help the SSA reduce its disability backlog and enable individuals to access the benefits to which they are entitled and need for their basic living expenses. Because of the financial strains on applicants and their families, it is simply unconscionable to have individuals waiting for upwards of 2 years before they receive ruling on their disability claims. We can and must do better—it is our moral obligation.

Although I strongly believe that providing the SSA with additional resources is warranted, I would like to thank the two managers of the Labor-HHS bill—Senators HARKIN and SPECTER—for working so hard to increase funding for the SSA and for supporting our amendment. It is notable that the underlying bill they brought to the Senate floor would have provided $9.72 billion for the SSA in fiscal year 2008, an increase of $426.4 million over fiscal year 2007 and $125 million over President Bush's fiscal year 2008 budget.

The fact is that we have underfunded the SSA for years and must begin to reverse this trend. Indeed, according to SSA data, one reason wait times for disability hearings have risen so precipitously is that between fiscal years 2001 and 2007, Congress provided on average $150 million less than President Bush requested for the agency. At the same time, Congress gave SSA more work, including the responsibility to review Medicare beneficiaries' income and determine whether they should be charged higher premiums or if they are eligible for assistance to pay for premiums and fees in the Medicare prescription drug program. I would note that last year, Congress had to include an additional $36.6 million in the fiscal year 2007 continuing resolution just to prevent the agency from furloughing each of its employees for 10 days, as well as close offices around the Nation.

Finally, I would also like to thank the Senate for unanimously adopting a second amendment on Monday that I offered to require the Government Accountability Office, GAO, to evaluate the SSA's plan to both reduce the disability hearing backlog and improve disability benefits processing. Senators HARKIN and SPECTER presciently asked for the SSA to produce this report when the Appropriations Committee approved the underlying Labor-HHS bill. Commissioner Astrue submitted his Agency's plan to Congress on September 13.

I believe it would be extraordinarily useful for GAO to look at the SSA's plan and make recommendations to make it even more effective. The bottom line is that we know that it is crucial that we ensure that the plan to rectify problems of disability processing will be productive. While the SSA has been among our most efficient agencies, this GAO evaluation will help ensure that the plan put in place will best use the funds we are acting to provide.

Mr. President, in closing, I hope that conferees will retain the two SSA administrative costs amendments the Senate adopted so resoundingly this week in the forthcoming Labor-HHS conference report, so that President Bush may sign them into law. This Nation's disabled deserve nothing less.

DEFENSE AUTHORIZATION

Mr. KYL. Mr. President, I rise today to bring the attention of the Senate to a provision of the fiscal year 08 Defense Authorization Act, now in conference. Section 3122 of the bill undermines the Senate's position on the Comprehensive Nuclear Test Ban Treaty, CTBT, without the benefit of neither the historical treaty consideration process nor a senous policy debate.

It has been 9 years since the CTBT was the subject of any deliberation by the Senate, which ultimately concluded that its ratification was not in the Nation's interests. There were numerous objections that proved determinative then and remain true today.

First, the U.S. deterrent cannot be maintained without testing. U.S. nuclear weapons have the highest average age of any in the world. Some, like the W–76 warhead, the backbone of the submarine-based component of our nuclear triad, date back to 1966, making them more than four times as old as the average American car.

Given the high average age, now at its highest point in the six decade history of nuclear weapons, they require substantial, ongoing modification if they are to be maintained as a viable deterrent. As the then-Director of Sandia National Laboratories, Dr. C. Paul Robinson, testified to the Senate, ''To forego validation through testing is, in short, to live with uncertainty.'' We cannot afford uncertainty when it comes to the reliability, safety, and credibility of our most important weaponry.

Some believe that the reliable replacement warhead, RRW, can be developed and introduced without underground testing. Even if that judgment proves correct, it will be many years before we no longer need to rely on the older designs in the current arsenal for deterrence. As the administration noted in a recent statement by Secretaries Bodman, Gates, and Rice, ''delays on RRW also raise the prospect of having to return to underground nuclear testing to certify existing weapons.'' But, underground testing would be an option permanently denied to the United States through ratification of CTBT as section 3122 endorses.

This permanent loss of the testing option would be even more problematic if we need to continue to rely on these aging designs for decades more as we would if current plans, including those passed by the House and proposed in the Senate, that eliminate RRW funding are not rejected.

Further, the cuts proposed to RRW compound the impact of current plans to cut more than $500 million in funding for the nuclear weapons complex that supports, maintains, and refurbishes the weapons currently in the complex. These proposed cuts to RRW and the nuclear weapons complex have been rejected by individuals of great authority, including Secretaries Kissinger and Schultz, and Dr. Sidney Drell.

The second reason the Senate rejected the treaty in 1999, and would do so again today, is that the treaty is not verifiable. Militarily significant covert nuclear testing can—and almost certainly will—be conducted at low yields or in other ways aimed at masking the force of an explosion.

Assistant Secretary Paula DeSutter of the State Department's Bureau of Verification, Compliance, and Implementation recently made this point. She stated that the International Monitoring System set up to monitor compliance with CTBT is ''aimed to detect detonations over 1 kiloton; smaller or concealed detonations are less likely to be identified. Evasion techniques can easily reduce the signature of a nuclear explosion by factors of 50 or 100.''

Third, CTBT's unverifiability means a ban will not have uniform effects.

Our inability under CTBT to monitor the state of foreign nuclear weapons programs effectively means that hostile or potentially hostile countries will be able to modernize their weapons even as the U.S. arsenal steadily degrades. As a result, the long-term effect of CTBT accession would translate into the inevitable, if gradual, unilateral disarmament of our Nation's deterrent.

Fourth, CTBT would damage the struggle against proliferation. On the one hand, the inherent unverifiability of the CTBT can be expected to encourage rogue state regimes to believe they could pursue nuclear weapons programs with impunity. On the other, the attendant erosion of our deterrent would mean that allied countries—notably, Japan, Taiwan and perhaps South Korea—that currently rely on the U.S. deterrent ''umbrella'' would be more likely to develop their own nuclear weapons.

As Dr. James Schlesinger remarked in testimony before the Armed Services Committee in 1999, ''the chief barrier to proliferation in these last 55 years since Hiroshima has been confidence in the protection offered by the American deterrent. It is the reason, quite simply, that nations like [South] Korea or Japan, or more complicated, in the case of Germany, have not sought nuclear weapons. Because of the NATO agreement, because of the Japan Treaty, because of our agreements with the Koreans, they have not felt the necessity of taking that final plunge. As confidence on their part in the U.S. deterrent wanes over a period of . . . years, what is the likelihood that those nations will refrain from seeking nuclear weapons? I think that it is very modest.''

Finally, the Senate rejected the CTBT in 1999 because it realized that the Stockpile Stewardship Program, SSP, is a ''crap-shoot,'' as Troy Wade, a retired Department of Energy nuclear scientist, referred to it in his testimony before the Committee on Foreign Relations in 1999. It remains doubtful whether the SSP, supported by CTBT advocates as a substitute for nuclear testing, can adequately meet the maintenance and refurbishment needs of the U.S. nuclear arsenal. As a result, it will become ever more likely that dangerous anomalies in our weapons will pass unnoticed.

Despite these abiding concerns and the Senate vote in 1999, the 2008 Defense authorization bill would put the Senate on record in support of CTBT's ratification without hearings or debate. How can new Senators—37 since 1999—be expected to have reached such a conclusion?

Preordaining the ratification of a treaty, as is done in section 3122 of this bill, does a disservice to the Senate's history of thoughtful consideration of treaties proposed for ratification, especially when the treaties were on issues with the gravity of the Comprehensive Nuclear Test Ban Treaty.

I would be remiss if I didn't reference the comments of Secretary of State Rice in a recent letter. She stated that the administration does not support the Comprehensive Nuclear Test Ban Treaty and ''does not intend to seek Senate advice and consent to its ratification.''

I also call the attention of the Senate to the Statement of Administration Policy on this bill which states strong opposition to section 3122 due to its dangerous implications for the reliability of our nuclear deterrent.

Mr. President, I note that these are not simply the concerns of this Senator. The letter I will ask to have printed in the CONGRESSIONAL RECORD makes clear that 40 of my fellow Senators share many of these concerns about the CTBT and the unprecedented approach taken by this bill. My colleagues recognize as I do that since the reasons for the rejection of this treaty in 1999 have not changed, neither should the Senate's position.

Mr. President, I ask unanimous consent to have the letter to which I just referred printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, October 23, 2007.

Hon. CARL LEVIN,
Chairman, Committee on Armed Services, U.S. Senate, Washington, DC.

DEAR CHAIRMAN LEVIN: One of the Senate's most important national security debates of the last decade was whether to ratify the Comprehensive Nuclear-Test-Ban Treaty (CTBT). In the end, following a rigorous and thorough debate, 51 Senators voted to reject the CTBT, 17 more than necessary to assure its defeat.

The principal reasons the Senate rejected the CTBT were its lack of verifiability, adverse effect on the safety and reliability of our nuclear stockpile, and potential to increase nuclear proliferation.

We are not aware of any congressional hearings on this treaty since its rejection in 1999. The total absence of discussion in the more than eight years since its rejection belies the assertion in section 3122 of S. 1547 that the CTBT now should be ratified. Moreover, the 37 Senators who have joined the Senate since this treaty was rejected deserve to have the benefit of a careful and measured review of this treaty. There is no basis on which they can conclude that CTBT should be ratified.

The Constitution of the United States invests an extraordinary responsibility in the Senate to provide measured and thoughtful review of treaties when submitted by the President for our consideration. The Senate has not had the opportunity for such review since 1999. In a recent letter, Secretary of State Rice stated that the Administration does not support the Comprehensive Nuclear-Test-Ban Treaty and ''does not intend to seek Senate advice and consent to its ratification.'' The Statement of Administration Policy on S. 1547 likewise states strong opposition to section 3122 due to its dangerous implications for the reliability of our nuclear deterrent.

Under all of these circumstances, we believe it denigrates the serious role of the U.S. Senate to claim in section 3122 to express the ''sense of the Congress'' that the CTBT should be ratified.

Sincerely,

Jon Kyl, John McCain, Johnny Isakson, James Inhofe, Mike Crapo, Wayne Allard, Jeff Sessions, Michael B. Enzi, Sam Brownback, C.S. Bond, Larry E. Craig, Bob Corker, Saxby Chambliss, John Thune, Trent Lott, John Cornyn, Jim DeMint, Jim Bunning, David Vitter, John Ensign, Kay Bailey Hutchison, Ted Stevens, Pete V. Domenici, Olympia Snowe, Mitch McConnell, Elizabeth Dole, John Barrasso, Richard C. Shelby, Thad Cochran, Chuck Grassley, Norm Coleman, Mel Martinez, Tom Coburn, Lindsey Graham, Lisa Murkowski, Richard Burr, John E. Sununu, Judd Gregg, Orin Hatch, Lamar Alexander, Pat Roberts.

ADDITIONAL STATEMENTS

CONGRATULATING MOOSEHEAD MANUFACTURING COMPANY

• Ms. SNOWE. Mr. President, I wish to congratulate Moosehead Manufacturing Company, a small firm in Monson, Maine, that will soon be reopening its doors. For 60 years, Moosehead Manufacturing had been a thriving business that exemplified the quality of Maine production. Unfortunately, after facing tough challenges from the global economy earlier this year, Moosehead ceased production. With the help of new investors, the company recently announced that it will recommence production and hire 40 employees in Monson, continuing its legacy of providing quality furniture to the State of Maine and beyond.

Moosehead Manufacturing specializes in producing exceptional Maine-made furniture. The company prides itself on the durable and hand-finished aspects of its products, which it offers to consumers at competitive prices. Not only does Moosehead Manufacturing provide valuable employment opportunities, it procures all of its production resources from within the State, helping Maine's economy. The furniture is built from hardwoods harvested from neighboring forests, cut in Moosehead's own saw mills, and dried in its own kilns. Moosehead has been described as ''an amazing corporate citizen'' by Tom Lizotte, a Piscataquis county commissioner.

Moosehead Manufacturing was founded in 1947 by the Wentworth family. At its peak of production in the late 1990s, it was the largest privately owned furniture factory in New England, employing about 250 workers. Recently, increasing imports of cheap, foreign-made furniture have threatened Moosehead's business. In 2003, Moosehead Manufacturing joined a group of furniture makers nationwide in petitioning the Government to place duties on some of the furniture that China imports to the United States. I echoed their sentiments in a letter I sent to Secretary of Commerce Evans stating my deep concern with the impact Chinese imports were having on