

such, this compromise should provide the basis for broad bipartisan support, as it did during a meeting I called with the Republican members of the Senate Armed Services Committee.

Before I comment on the substance of the compromise, let me express my gratitude to Senators WARNER, COHEN, NUNN, and LEVIN for their hard work and dedication. The task they undertook in working out this package was a very difficult one and they handled it well.

While I do support the missile defense substitute as a means to advance the Defense authorization bill, I want to make clear my view that a compromise was not needed. The committee-reported bill was strong and worthy of the Senate's support. Senators had a full debate on the subject and several amendments were offered and voted on. It is a sad and unfortunate state of affairs when those on the losing side of an amendment are willing to kill a bill as important as the Defense authorization bill before it has even gotten to conference.

During last week's debate on missile defense, many arguments were raised against the Missile Defense Act of 1995. In my view these were either incorrect or exaggerated. Nonetheless, we leaned over backward to accommodate the concerns that were raised. I believe that the outcome should be satisfactory to an overwhelming majority of Senators.

While the missile defense compromise deals with virtually every aspect of the Missile Defense Act, I would like to address the two major issues that were focused on.

On section 238, to so-called theater missile defense demarcation provision, the compromise makes clear that we are not attempting to constrain the President's ability to negotiate arms control agreements. It remains clear, however, that theater missile defense systems are not and should not be limited by the ABM Treaty. We retain a funding limitation, consistent with Congress' constitutional power of the purse. This provision would prevent the executive branch from implementing any agreement that would set a demarcation that is inconsistent with the standard originally contained in section 238. The new language also prohibits the use of funds to implement any restriction on U.S. theater missile defense systems unless the restriction is subsequently authorized by Congress, is consistent with the approved demarcation standard, or is part of an agreement submitted to the Senate for advice and consent.

This means that the United States cannot implement a TMD agreement which includes performance limitations—such as interceptor velocity, deployment limitations—such as geographical constraints, or operational limitations—such as restrictions on the use of external sensors, without getting explicit congressional approval, either through a subsequent act

or through advice and consent to a treaty.

The second major area of concern in the compromise has to do with national missile defense and the ABM Treaty. The committee bill called for the deployment of a multiple-site NMD system by 2003, but did not specifically address the issue of amending the ABM Treaty. The compromise says that the United States will develop such a system for deployment, and that it is the policy of the United States to seek amendments to the ABM Treaty to accomplish this end. In the compromise, it is clear that the United States has not yet made a deployment decision, but that we are clearly on the path to deploying a multiple-site NMD system.

Mr. President, I want to make it clear that Republicans have given up quite a bit in order to achieve this compromise. Amendments to weaken the Missile Defense Act were defeated in markup and on the floor. Our members feel that the bill reported by the committee was solid and did not need any change. Nonetheless, we have shown a good faith effort to listen and accommodate. I hope that our compromise will now clear the path for the Defense authorization bill to proceed through conference and to the President's desk for signature.

Mr. WARNER. Mr. President, the first amendment was the bipartisan missile defense amendment. It may be that the distinguished ranking member of the committee, the Senator from Georgia, at some point today would wish to submit that into the RECORD. In the event he does so, there would be statements by myself, possibly the Senator from Maine, [Mr. COHEN], and the Senator from Michigan, [Mr. LEVIN]. Therefore, I ask unanimous consent, thereafter in the appropriate place in the RECORD such statements relating thereto, as other Senators wish to make, can be placed.

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

Mr. WARNER. Mr. President, I cannot express my appreciation too much to all, particularly the distinguished majority leader, the distinguished Democratic leader and others who made this agreement possible. It is just absolutely essential for this country that we move forward in a timely way on issues relating to our national security. And, indeed, this bill is a landmark bill in that effort. It reflects, I hope, a strong bipartisan consensus, which consensus is always needed to support the men and women of the Armed Forces and the security policies of our country. I yield the floor.

Mr. GRAMS addressed the Chair.

The PRESIDING OFFICER. The Senate from Minnesota is recognized.

MAXIMUM SECURITY

Mr. GRAMS. Mr. President, there is a new Federal facility in the town of Florence, CO—about 100 miles southwest of Denver—that I wish to tell you about.

It was dedicated only last January, without a lot of fanfare, and most people have probably never heard of it. But if you are invited for a visit, it is a request you cannot refuse, and an experience you will likely never forget.

This new complex is the U.S. Penitentiary Administrative Maximum Facility—or the Super Max, for short—and already, it has become known as the Alcatraz of the Rockies.

It is a place where the guests check in, but they do not check out, at least not on their own.

The Super Max is the most secure prison in the Nation. A \$60 million, state-of-the-art, high-technology fortress of steel, concrete, and barbed wire.

It is where the worst of the worst are shipped to when society decides they can no longer be tolerated. It is a place where these most violent offenders are strictly controlled. It is a place where everyone is watched; where everyone is monitored.

To call the Super Max cold and unfriendly would be a profound understatement. Visitors to the highest-security prison in the Nation first notice the fences—12-foot fences crowned with razor wires. They see the six guard towers, and the rolls of razor wire, and the armed guards who are not only authorized to use their weapons, but are instructed to shoot to kill.

To enter the facility itself, the walls of which are reinforced with seven layers of steel and cement, visitors must pass through metal detectors. Their hands are stamped with a secret code in ultraviolet dye—that is to keep inmates from escaping by impersonating visitors.

Mr. President, this is what you will find in a prison that has been labeled "the end of the line" for the Nation's hardcore offenders.

You might think that the incredible security measures undertaken at the Colorado Super Max would be unique among Federal facilities. After all, where else except a maximum security prison, home to some of society's most malicious predators, would such intense restrictions need to be in effect?

If you thought that, however, you would be wrong. There is another Federal compound with a security arrangement that is equally complex. There are armed guards with dogs, cement barriers, an extensive network of closed-circuit TV monitors, marked and unmarked pursuit vehicles, metal detectors and x ray scanners, signs, and barricades.

But the guests who spend time in this Federal complex are not Mafia bosses, they are not convicted spies, hit men, drug kingpins, or arms smugglers. They are not dangerous, either, and they certainly do not deserve the intense security measures they are subjected to.

They are average Americans who come here, to the U.S. Capitol Building, to see their Government at work

and visit us, their representatives in Congress.

And look how we greet them—not with signs of welcome, but with security arrangements which rival those of the Super Max, the most security-conscious prison in America.

Mr. President, earlier this week, my staff made an informal survey around the Capitol and the Senate office buildings. We wanted to see this place through the eyes of a tourist, one of the 15 million Americans who visit us every year.

And what we found was shocking and disappointing: 27 armed police officers, one with a dog, patrolling the grounds, checking identification, and searching car trunks; 33 retractable traffic barriers, designed to allow only certain vehicles access to Capitol Hill parking areas; 26 portable concrete barricades—when these are in place, no vehicles can get past; 34 portable traffic signs, labeled “Stop” or “Do Not Enter”; 4 permanent guard boxes staffed with armed sentries; police cruisers, marked and unmarked; dozens of metal racks stamped “U.S. Government” blocking areas of the Capitol terrace once open to visitors; yards of rope, limiting access between sections of the Capitol grounds; yards of yellow tape reading “Police Line—Do Not Cross”; and perhaps ugliest of all, 758 enormous, round, concrete barricades thinly disguised as flower pots, rimming the entire Capitol complex.

That is just outside. Once inside our buildings, tourists will find: Checkpoints at 20 entrances where their handbags and personal belongings are analyzed by x ray scanners.

A battery of 30 metal detectors through which visitors must pass. If metal is found—and often it is, but mostly keys and coins—our guests are subjected to an embarrassing search with a hand-held metal detector—a search I have heard many women complain about.

There were 9 plainclothed officers, guarding the entrances to the House and Senate floors and visitors galleries; uniformed police officers—58 of them the day we checked—armed with guns and batons, watching everyone; and a video surveillance network that watches everyone, too.

Mr. President, that is how we welcome visitors to their own Capitol: not with open arms, but by daring them to come.

And just what are we trying to say to the American people when the battery of security measures used to control them as tourists rival the harsh measures used to control the most dangerous prisoners at the Nation's high-security prison?

What are we afraid of, Mr. President? Terrorists? Unfortunately, these security arrangements—many of which have been upgraded in the wake of the tragic bombing in Oklahoma City—would have little effect against a well-planned terrorist attack. I am afraid that we are perhaps using the horror of

the Oklahoma City bombing as an excuse to further restrict the access of average Americans to their government, and if we are, well, that is wrong.

Who suggested such an unwarranted assault on our visitors? Who put such a gestapo plan into effect? And most importantly, who in the administration or here in the Senate approved such a plan to barricade Capitol Hill, adding hundreds of new, armed guards?

Let me just say how much respect I have for the men and women of the Capitol Police force, and for the incredible effort they put forth each and every day. As individuals, and as a department, they have and deserve our deepest thanks.

My concerns are not directed at them. I want to quote Sgt. Dan Nichols, spokesman for the Capitol Police, when he was asked about the new security arrangements. Sergeant Nichols said:

People need access to their government. But they also need to be protected. There is a saying we go by—free access and security are basically opposing concepts. You can only increase one at the expense of the other.

Sergeant Nichols is exactly right. I believe we have erred too far on the side of security. With every new fence we put up, and every armed officer we station in front of it, we jeopardize a little bit more of the freedom symbolized by this great building.

This gleaming “jewel on the hill” is ever so slowly being transformed into Alcatraz on the Potomac.

What are we afraid of?

Very few Americans will ever be offered a guided tour of the U.S. Penitentiary Administrative Maximum Facility in Florence, CO. But once they have visited Washington, DC and make the trip to Capitol Hill, they will have a very good sense of the daily atmosphere at a maximum-security prison.

And that realization, Mr. President, ought to make them heartsick.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COVERDELL). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DEWINE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DEWINE. Mr. President, I thank the Chair.

(The remarks of Mr. DEWINE pertaining to the introduction of S. 1190 are located in today's RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

The PRESIDING OFFICER. The Senator from Ohio.

Mr. DEWINE. Mr. President, I thank the Chair.

(The remarks of Mr. DEWINE pertaining to the introduction of S. 1197 are located in today's RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

Mr. DEWINE. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

NOMINATION OF WILLIAM SESSIONS

Mr. LEAHY. Mr. President, there should be various confirmations by the Senate within the next few hours. I am hoping that one of those who will be confirmed will be William Sessions of Vermont to be a Federal District Judge. I am fairly confident that this will happen, so let me say a couple of things about Bill Sessions.

Mr. President, Bill Sessions is one of the most respected attorneys I have known in the years that I have practiced law in Vermont. I became a member of the bar of Vermont well over 30 years ago. Since that time I have seen hundreds of lawyers, men and women, who are some of the best I have seen in any part of the country. We are blessed in a small State like ours with having lawyers of extraordinary capability. But throughout that time there has always been a small cadre of the very, very best. Bill Sessions has always been on that list. He is considered one of the finest trial attorneys this year or any year in Vermont.

He is treated with great respect by both the plaintiff and defense bars, and by both the prosecution and the defendant bars. I have heard from prosecutors who had to face him in court and lost, who tell me that they have the utmost respect for him because of his honesty, his integrity, and his ability. And I have heard from people, over and over again, who have either been co-counsel with him or opposing counsel, who have equal praise, as do the Judges of Vermont.

We have had an extraordinary circumstance where all of the Federal Judge positions in Vermont became vacant through an elevation and retirements. We have had to replace one Judge on the second circuit court of appeals and two federal district judges.

I have had the privilege of recommending to President Clinton a person to be appointed to the second circuit court of appeals, Judge Fred Parker, who now serves there with distinction. I then had the privilege to recommend to the President Gar Murtha of Dummerston who now serves with distinction as the chief Federal Judge in Vermont.

I have now had the privilege of recommending to President Clinton the name of William Sessions to be a federal district judge. The President has nominated him, the Judiciary Committee has met on him and approved him,