

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF JOHN M. DEUTCH, OF MASSACHUSETTS, TO BE DI- RECTOR OF THE CENTRAL IN- TELLIGENCE AGENCY

The PRESIDING OFFICER. Under the previous order, the Senate will go into executive session to consider the nomination of John Deutch to be Director of the Central Intelligence Agency, which the clerk will report.

The legislative clerk read as follows:

John M. Deutch, of Massachusetts, to be Director of the Central Intelligence Agency.

NOMINATION OF JOHN DEUTCH TO BE DIRECTOR OF CENTRAL INTELLIGENCE

Mr. LEVIN. Madam President, it is with enthusiasm that I will vote today to confirm the President's nomination of John Deutch to one of our country's most important and difficult jobs, Director of Central Intelligence.

As a member of the Senate Armed Services Committee, I have worked closely with John Deutch in both his present position as Deputy Secretary of Defense and in his prior capacity as Under Secretary of Defense for Acquisition and Technology. I have had the opportunity to admire his competence as a manager and his broad knowledge on and accomplishments in national security matters.

Secretary Deutch has firsthand experience in improving our national security institutions. He successfully led the Pentagon's effort to reform its acquisition process, a long overdue and badly needed initiative. He also took the lead on the controversial C-17 aircraft negotiations and produced a good solution. In short, he has taken some of the thorniest problems in our largest national security institution and produced positive and cost-effective results.

The U.S. intelligence community is at a critical crossroads as it responds to a host of new and demanding challenges. With the end of the cold war, the need for reliable intelligence for the President and the Nation's decisionmakers has not vanished, but it has changed. We have seen a dramatic shift in the nature of the threats to U.S. national security. We have seen a sharp rise in the number and intensity of regional conflicts including the Persian Gulf, Bosnia, Somalia, and Haiti. We have also seen the need to broaden the cope of our intelligence efforts to include work on emerging challenges in interdiction of the international drug trade, anti-terrorism, nonproliferation and in support of government decisionmaking in economics and trade.

At the same time, the intelligence community faces a number of internal challenges. The community should not,

has not, and will not be spared the budget cuts and downsizing facing all of the Federal Government. And, the intelligence community must work very hard to recover from the shocks of the Ames case and the current controversy over events in Guatemala.

The President could have named no more qualified nominee to grapple with these challenges. John Deutch's vast knowledge and experience, his track record in government, will assure that he will do so with the full confidence of those who work in within the intelligence community and those in the Congress responsible for oversight. While I have not agreed with him on every issue, I admire and respect his considerable abilities and the forthright manner in which he engages debate.

I am very pleased today to join in what I hope and expect will be the unanimous confirmation of the nomination of John Deutch to be the next Director of Central Intelligence.

Mr. KEMPTHORNE. Madam President, it is with great pleasure that I support John Deutch's nomination to serve as the Director of Central Intelligence. During Dr. Deutch's service at the Department of Defense, including his service as the Deputy Secretary of Defense, John Deutch has been a thoughtful, decisive, and professional public servant.

Over the last 2 years, I have worked with John Deutch on a number of important, complicated, and diverse issues. In every instance, Dr. Deutch was extremely knowledgeable about the issue, he demonstrated diligent follow-up, and he never deviated from his commitment to serve the national interest. I have appreciated working with John Deutch and he will be missed at the Department of Defense.

John Deutch will be an excellent Director of Central Intelligence. This is a crucial time for the U.S. intelligence community as it tries to adapt to the post-cold-war era. I have every confidence that John Deutch will lead the Central Intelligence Agency forward in the 21st century.

Madam President, I look forward to casting my vote in support of John Deutch's nomination to serve as the next Director of Central Intelligence.

Ms. MOSELEY-BRAUN. Madam President, I am proud to support President Clinton's nominee, John M. Deutch, as Director of Central Intelligence. This is a difficult time for the CIA, but John Deutch brings considerable skills and experience to the position, and I have every confidence that he will make a difference at the CIA.

Mr. Deutch has an impressive academic background. He has been a distinguished professor at the Massachusetts Institute of Technology. He was chair of the department of chemistry there. As a teacher and a scientist, Mr. Deutch understands the technical details of the newest emerging intelligence technology, and he also has the remarkable ability to explain this

technology in plain English, so that nonscientists understand.

Mr. Deutch has also served with distinction in Government. He worked at the Department of Energy, as Under Secretary of Energy Technology. In recognition of his contributions in that position, he was honored with the Secretary's Distinguished Service Medal and the Department's Distinguished Service Medal. More recently, he served at the Department of Defense as Under Secretary of Acquisition and Technology. And he leaves DOD as the distinguished Deputy Secretary of Defense.

Mr. Deutch will have to draw from this extraordinary experience to address a number of concerns at the Central Intelligence Agency. His responsibility is great. The CIA has been faced with a number of scandals of its own making. The Aldrich Ames spy case compromised U.S. intelligence gathering overseas. For years, the CIA was unable to detect his treachery, and more recently, the CIA appeared unwilling to appropriately discipline his superiors. This is unacceptable. I am confident that Mr. Deutch will address the flaws in the internal administration of the CIA which allowed Ames to flourish in the system undetected. He has pledged that in the future, anyone in a position of supervision over an agent who is spying on the United States, and does not take forceful action, will be fired.

Mr. Deutch's nomination also comes at a time when very serious questions have been raised about CIA operations in Guatemala. It has become clear through public hearings in recent weeks that a paid CIA informant in the Guatemalan military was involved in horrendous human rights abuses against Guatemalan people, and participated in the torture and death of an American citizen, and a Guatemalan who was married to an American citizen. Further, when this information became known to CIA officials, it was not properly reported to the House or Senate Intelligence Committees. The United States must stand for democracy and the protection of human rights abroad. I am deeply offended, as are many Americans, to learn of a relationship between the CIA and this Guatemalan colonel.

These and other scandals have plagued the CIA. Morale is low. John Deutch is clearly needed at this time to revitalize the CIA. With the end of the cold war, America's intelligence needs have changed. But they have not diminished. Our intelligence community is staffed with brave men and women who take risks every day to assist our policymakers by providing the best intelligence in the world. We must restore the confidence of the American people in these men and women, and in our intelligence gathering capabilities. John Deutch is a man of real quality. He is fully capable of meeting the challenges that lie before him.

(At the request of Mr. DOLE, the following statement was ordered to be printed in the RECORD.)

• Mr. WARNER. Madam President, I would like to express my strong support for the nomination of John Deutch to serve as Director of Central Intelligence.

I have had the privilege of working with Secretary Deutch since 1993 in his various capacities in the Department of Defense, first as Under Secretary of Defense for Acquisition and Technology, and most recently as Deputy Secretary of Defense. 3

Secretary Deutch has served his Nation well in these assignments, and I am pleased that he will be bringing his considerable expertise to the Nation's intelligence community.

This is a time of great challenge for the various elements of the intelligence community and, in particular, for the Central Intelligence Agency. As it continues the process of adapting to the intelligence challenges of the post-cold-war world, the CIA has been rocked recently by a number of problems—from the Aldrich Ames spy scandal to the recent revelations of possible problems with CIA activities in Guatemala. I am concerned about the well-being of this agency, and the morale of the fine intelligence professionals who serve our country—at great personal risk—at the CIA. The work of the CIA, and the many other agencies of the intelligence community, remains vital to the security of our great Nation. We should not lose sight of this basic fact as we contemplate reforms.

I am pleased that Secretary Deutch will be taking over stewardship of the intelligence community at this critical time. I was encouraged by Secretary Deutch's testimony at his confirmation hearing regarding the changes that he believes should be made at the CIA. I wish him well as he undertakes a difficult task which is so important to the future well-being of this Nation. •

Mr. KYL. Madam President, I rise to support the nomination of Deputy Secretary of Defense John Deutch to be the Director of Central Intelligence. I have had the opportunity to meet with Secretary Deutch on a number of occasions to discuss defense and intelligence issues and am impressed with his ability in both of these critical areas.

As the President's new senior advisor on intelligence, John Deutch will have the responsibility of placing before the Congress a vision for the intelligence profession that embodies the lessons learned from the cold war and lessons from recent unfortunate mistakes within the agency. He will also be required to steadfastly guard against the politicization of the intelligence mission by government officials who would use intelligence resources for other ends, at the expense of the core programs. My impression of John Deutch is that he is well prepared to meet these challenges.

I believe John Deutch will be someone who is prepared to think seriously about the place and purpose of intelligence in a democracy, both as he fulfills his responsibilities as a senior Government official and as he lays the President's plans and programs before the Congress. In short, Madam President, I believe John Deutch will be a fine Director of Central Intelligence and have every confidence in his ability to lead the intelligence community into the 21st century. I wholeheartedly support his nomination.

Mr. SANTORUM. Madam President, I ask for the yeas and nays on the nomination.

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, Will the Senate advise and consent to the nomination of John M. Deutch, of Massachusetts, to be the Director of the Central Intelligence Agency? On this question, the yeas and nays have been ordered.

The clerk will call the roll.

Mr. LOTT. I announce that the Senator from Virginia [Mr. WARNER] is necessarily absent.

Mr. FORD. I announce that the Senator from New York [Mr. MOYNIHAN] is necessarily absent.

I further announce that, if present and voting, the Senator from New York [Mr. MOYNIHAN] would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 155 Ex.]

YEAS—98

Abraham	Feingold	Lott
Akaka	Feinstein	Lugar
Ashcroft	Ford	Mack
Baucus	Frist	McCain
Bennett	Glenn	McConnell
Biden	Gorton	Mikulski
Bingaman	Graham	Moseley-Braun
Bond	Gramm	Murkowski
Boxer	Grams	Murray
Bradley	Grassley	Nickles
Breaux	Gregg	Nunn
Brown	Harkin	Packwood
Bryan	Hatch	Pell
Bumpers	Hatfield	Pressler
Burns	Heflin	Pryor
Byrd	Helms	Reid
Campbell	Hollings	Robb
Chafee	Hutchison	Rockefeller
Coats	Inhofe	Roth
Cochran	Inouye	Santorum
Cohen	Jeffords	Sarbanes
Conrad	Johnston	Shelby
Coverdell	Kassebaum	Simon
Craig	Kempthorne	Simpson
D'Amato	Kennedy	Smith
Daschle	Kerrey	Snowe
DeWine	Kerry	Specter
Dodd	Kohl	Stevens
Dole	Kyl	Thomas
Domenici	Lautenberg	Thompson
Dorgan	Leahy	Thurmond
Exon	Levin	Wellstone
Faircloth	Lieberman	

NOT VOTING—2

Moynihan Warner

So the nomination was confirmed.

Mr. DOLE. Madam President, this matter has been cleared with the Democratic leader. I ask unanimous

consent that the motion to reconsider the vote by which the Deutch nomination was confirmed be tabled and that the President be immediately notified of the Senate's action.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session and resume consideration of H.R. 956.

COMMONSENSE PRODUCT LIABILITY AND LEGAL REFORM ACT

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 956) to establish legal standards and procedures for product liability litigation, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Gorton amendment No. 596, in the nature of a substitute.

Coverdell-Dole amendment No. 690 (to amendment No. 596), in the nature of a substitute.

Gorton-Rockefeller modified amendment No. 709 (to amendment No. 690), in the nature of a substitute.

Ms. MOSELEY-BRAUN. Madam President, as I stated at the outset of debate on this bill, I believe it makes sense to have some basic, national product liability standards that apply across the board. In 1995, products manufactured in Illinois are no longer shipped down the street; instead, they are shipped throughout the 50 States, and beyond. The Constitution of the United States, in article 1, section 8, grants Congress the power to regulate interstate commerce. Where our product liability system acts as a disincentive to the manufacture and sale of goods in interstate commerce, Congress has not only a right, but a duty, to reform that system. I believe the Product Liability Fairness Act, while not perfect, is a good step in the reform process, and I am proud to cast my vote in favor of this bill.

I would like to add how pleased I am that, during the past weeks, the Senate very carefully considered and debated each and every amendment that was offered to this bill. I am particularly pleased by the compromise amendment that will soon be offered as a substitute amendment. I believe that the amendment significantly improves the committee reported bill, and I know that it would not have been possible without the vigorous debate that surrounded this legislation.

I strongly support the changes being made to the punitive damages section of the bill Rockefeller-Gorton substitute. While the original bill linked the calculation of punitive awards to economic damages, the amended bill instead links punitives to compensatory damages, a standard that is