

The result was announced—yeas 94, nays 4, as follows:

[Rollcall Vote No. 239 Leg.]

YEAS—94

Abraham	Feinstein	Lugar
Allard	Ford	Mack
Ashcroft	Frist	McCain
Baucus	Glenn	McConnell
Bennett	Gorton	Mikulski
Biden	Graham	Moseley-Braun
Bingaman	Gramm	Moynihan
Bond	Grams	Murkowski
Boxer	Grassley	Murray
Breaux	Gregg	Nickles
Brownback	Hagel	Reid
Bryan	Harkin	Robb
Bumpers	Hatch	Roberts
Burns	Helms	Rockefeller
Campbell	Hollings	Roth
Chafee	Hutchinson	Santorum
Cleland	Hutchison	Sarbanes
Coats	Inhofe	Sessions
Cochran	Inouye	Shelby
Collins	Jeffords	Smith (NH)
Conrad	Johnson	Smith (OR)
Coverdell	Kempthorne	Snowe
Craig	Kerrey	Specter
Daschle	Kerry	Stevens
DeWine	Kohl	Thomas
Dodd	Kyl	Thompson
Domenici	Landrieu	Thurmond
Dorgan	Lautenberg	Torricelli
Durbin	Leahy	Warner
Enzi	Levin	Wyden
Faircloth	Lieberman	
Feingold	Lott	

NAYS—4

Akaka	Reed
Kennedy	Wellstone

NOT VOTING—2

Byrd	D'Amato
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The PRESIDING OFFICER. On this vote, the yeas are 94, the nays are 4. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. WYDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

ORDER OF PROCEDURE

Mr. WYDEN. Mr. President, I ask unanimous consent to proceed as if in morning business for 10 minutes.

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

NOMINATION OF GENERAL SHELTON

Mr. WYDEN. Mr. President, I have asked for this time to notify my colleagues that I no longer intend to object to the U.S. Senate proceeding to the nomination of General Shelton to be Chairman of the Joint Chiefs of Staff.

Last Thursday morning, I announced publicly that I would object to the Senate proceeding to General Shelton's nomination. My colleague from Oregon, Senator SMITH, supported me in this effort. We did so not out of any reservation about the general's qualifications but because he is about to become the Nation's top ranking military officer.

Mr. President, General Shelton is in a position to assure that the military—and in this case the Air Force—respond to rather than ignore the requests of the Congress and our constituents. It is not too much to ask that the Nation's top general help us address the con-

cerns of the widows of the American airmen who have died serving our country. What they have wanted is simply to have the Air Force explain the reasons for the crash of a C-130 off the coast of California last November that killed 10 airmen on board. In April of this year, the Air Force informed the widows and families that the cause of the crash was engine failure due to fuel starvation. No further explanation was offered at that time. When the widows and families sought further explanation, they were told that the case was closed. Later that month, they came to me, and asked if we could help. I approached my colleague, Senator SMITH. And, at every step of the way, Senator SMITH has been exceptionally helpful in our joint efforts to work to make sure that the Air Force would provide the loved ones of these airmen an answer to what happened in this tragedy. The families, my colleagues, have a right to know.

We asked that an independent group be allowed to review the file. We asked that information about the crash be made available to the families. We asked that the Air Force give the National Transportation Safety Board's aviation experts access to the file.

The denying of the request to provide the National Transportation Safety Board access to the files was especially difficult for Senator SMITH and I to understand, because in the interim the Air Force had allowed a private contractor to look at these materials. On September 10, the National Transportation Safety Board informed us that, based on the limited data available, the Board was unable to determine whether the Air Force had conducted a thorough investigation.

Having exhausted all other avenues to get this critically needed information for Oregon families, it was my hope that we could command some attention at higher levels of the military by appealing to the soon-to-be most senior officer. General Shelton's staff responded quickly. The Air Force has now proposed an agreement with the National Transportation Safety Board that should provide us the information we seek. It is a solid agreement and we wish to thank the Air Force for the prompt response to this case.

The agreement between the Air Force and the National Transportation Safety Board is supported by the widows and the Oregon families, and provides for a joint, high-level review of the accident involving King-56 and other C-130 incidents. The agreement calls for the team to issue a preliminary report within 90 days. It is our hope the full participation of the National Transportation Safety Board in a manner that assures its independence of action will finally get the families and the widows the answers they have awaited for so long.

I want to yield to my colleague, Senator SMITH. Before I do, I thank the chairman of the Armed Services Committee, Senator THURMOND, and Sen-

ator MCCAIN, his colleague, and Senator LEVIN, for assisting Senator SMITH and me. In yielding to my colleague, I again express my appreciation and thanks for the opportunity to work together on this matter in a bipartisan way.

Mr. President, I yield the remainder of my time to my colleague from Oregon, Senator SMITH.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. SMITH of Oregon. Mr. President, I thank my colleague, Senator WYDEN, for yielding. I publicly commend my senior colleague from Oregon, with whom it has been my great pleasure to stand on this issue and ask for justice for our State. I want to point out a very pivotal role that Senator STROM THURMOND played in breaking a logjam, if you will, for the State of Oregon. For a very long time now, Senator WYDEN and I have been trying to get answers from the Air Force for widows and orphans, literally, as to why their loved ones, these airmen, perished in this tragic accident. For one reason or another, we were stalled and put off at every turn.

It was Senator THURMOND who, when he heard of Senator WYDEN's hold on this nomination—and, frankly, my encouragement of that—that he intervened in our behalf. I acknowledge it. I thank him. He asked me to go immediately with him to the cloakroom where we got on the phone with the Chief of Staff of the U.S. Air Force.

We laid out the terms of a deal that will include a new investigation into C-130 air transports generally, and this one in particular. It was promised to Oregon's families, that these widows and orphans would be given the information they need as to why this accident occurred. It was promised that a member of the National Transportation Safety Board would be a part of this investigative team. And I think that is important for the Air Force that has, in my State, lost some credibility. I thank the Air Force for their promise to provide to our State, and this issue generally, the kind of investigation that was conducted for Commerce Secretary Ron Brown, who perished in an accident in Bosnia.

So, I thank the Air Force for responding. I regret it took this level of intervention, but I compliment my senior colleague for his leadership on this. I have been proud to stand with him. I am grateful to Senator THURMOND. I am thankful the Air Force has come around to help us on this issue. I only hope that out of all of this will come information that will protect our men in the Air Force who fly C-130 air transports from this ever occurring again to anyone else.

With that, I encourage my colleagues in the Senate to vote for the confirmation of the Chairman of the Joint Chiefs of Staff and I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, it was a pleasure to work with the Senators from Oregon to resolve this matter. I am very pleased it has been resolved.

EXECUTIVE SESSION

Mr. THURMOND. I now ask unanimous consent that the Senate immediately proceed to executive session to consider the following nomination, reported from the Armed Services Committee, Calendar No. 244, Gen. Henry H. Shelton.

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

NOMINATION OF GEN. HENRY H. SHELTON FOR APPOINTMENT AS CHAIRMAN OF THE JOINT CHIEFS OF STAFF

The PRESIDING OFFICER. The clerk will report.

The bill clerk read the nomination of Gen. Henry H. Shelton to be Chairman of the Joint Chiefs of Staff.

Mr. THURMOND. Mr. President, I further ask unanimous consent that the nomination be confirmed, the motion to reconsider be laid on the table, any statements relating to the nomination appear at this point in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I ask unanimous consent I may speak as in morning business.

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

WILEY K. CARTER

Mr. COCHRAN. Mr. President, the U.S. Senate lost one of its most colorful and well liked staff members last Thursday night when my administrative assistant, Wiley Carter, died. His sudden and unexpected death at 61 years of age following surgery at a hospital in Jackson, MS, has deeply saddened us all. He began his work with me as manager of my campaign for reelection to the U.S. House of Representatives in 1974. In that turbulent election year, with his good assistance we received over 70 percent of the vote. After the election, Wiley joined my congressional staff in Mississippi where he served as my liaison to local governments and case worker. Two years later he became a member of my Washington staff and soon thereafter became my administrative assistant.

During these 23 years of close association, I developed a deep appreciation for Wiley Carter. His warm good nature

was constant, his loyalty never failing, and his enthusiasm an ever present inspiration. He was adept at handling constituents' problems, and he reminded all of us by his example that one of our highest priorities was to help solve the problems of the people of our State and to treat everyone who called on us with respect and courtesy. He really loved his job. He loved people. He loved politics. He loved campaigns. He loved Mississippi State University. But, most of all he loved his family. He cared about his children and his efforts to support and assist them in every possible way were well known.

One experience with Wiley and his wife Gwen, and their children, and their extended family is particularly memorable for me. We were all in Starkville, MS celebrating the donation of his political memorabilia and papers to the Mississippi State University Library. The love the family members felt for each other was obvious to me, and the pride they had in seeing Wiley's career celebrated with such ceremony—well attended by many friends—was evidence of their deep appreciation of him. And, he loved every minute of it as he should have.

One of his former classmates said to me, "Where did Wiley get any papers? When he was in school at State, he didn't have any papers."

Of course, there were a lot of clippings, photographs, and letters that had accumulated over a career dating from the organization of the Mississippi Young Democrats in the 1950's and the Carroll Gartin and John Bell Williams campaigns for Governor, to the present.

The skills he developed along the way led our mutual friend, Bill Simpson, to say to me recently, "Wiley Carter in my book is the best street politician in Mississippi."

I didn't know whether that was such a high compliment or not until I told Wiley what Bill had said about him, and Wiley said, "You know, that's one of the best compliments I've ever gotten."

In this day of cynicism about politics and government, more Wiley Carters would be good to have. People who devote their energy to doing their best to make our government respond to the needs of ordinary people and respect the opinion of average citizens.

Wiley engendered good will wherever he went. He warmed our hearts, and he put a smile on our faces.

Without Wiley, life will not be as interesting, and political campaigns won't be the same either. He would say, for example, "In a campaign, if you haven't heard a rumor by noon, you ought to start one." Wiley organized a War Room before Lee Atwater and James Carville made the term famous. He was so well-liked by so many in Mississippi and here in Washington too. A Capitol Hill policeman, Andy Anders, was one of the first Washington friends whom I called on Friday morning. Andy had taken his vacation a few years ago to come visit Mississippi at Wiley's suggestion, and

Wiley gave him the royal treatment. They walked up to the State Capitol. The legislature was in session. He introduced him to Gov. Kirk Fordice, the Speaker of the House, and many others. Of course Andy was impressed and delighted.

That says a lot about Wiley and his capacity and his sense of duty to reciprocate true acts of friendship and kindness.

There will never be another one like him. We all are so fortunate that we have had the benefit of his unique insights into human nature and his example of loyalty to his friends and family.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, I join my colleague to express my sadness at the loss of our friend and THAD's administrative assistant, Wiley Carter. I extend my sympathy to Senator COCHRAN and his staff, and certainly to the family and all the many friends that Wiley Carter had in Mississippi.

Senator COCHRAN did a wonderful job of talking about his indomitable spirit. He was a lovable guy, a great pleasure to be around. He was a friend of mine. And on many occasions when I needed advice and counsel, I can remember seeking out Wiley Carter. He did always have good spirits. I have never seen anybody who actually enjoyed Government and politics, which is the art of Government, any more than Wiley Carter. He was dedicated to maintaining an America in which we want our children to grow up. I am not the only person to note that more Wileys would serve us all well.

In the initial part of his 40-year career, Wiley worked for the State's economic development department, the Mississippi Democratic Party, former Lt. Gov. Carroll Gartin and former U.S. Representative John Bell Williams of Mississippi. But it was during his 23-year stint as Senator COCHRAN's administrative assistant that people throughout Mississippi knew him best.

Wiley spent much of that time crisscrossing our State, listening to its citizens, and working on THAD's behalf to carry out their mission. People trusted Wiley. They were comfortable sharing their concerns with him, and they knew that their words would go straight to THAD's ear.

THAD and I were not the only ones who counted on Wiley's knowledge. Very few people knew more about Mississippi politics than Wiley, and in past years, few young political hopefuls in our State have considered a run for office without first consulting him. He also provided advice and perspective for many who had been around for quite a while, and he did it with his infectious smile and sense of humor.

His wit always seemed to put political life in perspective. While running Senator COCHRAN's Senate race, Wiley