

Republic to the hands of the 'plain people' with whom it originated," he said.

We should do no less. If we want to sustain a vibrant rural economy and a thriving democracy, we need urgent reform of our farm and antitrust laws. We must act now. We can start by passing an 18-month moratorium on the largest agribusiness mergers.

I yield the floor, and I reserve the remainder of our time for the minority.

Mr. COCHRAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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. INHOFE. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business.

Mr. COCHRAN. Mr. President, I ask unanimous consent—and I do not intend to object—that the time consumed by the Senator be charged equally to all time under the order on the appropriations bill.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The Senator is recognized.

Mr. INHOFE. Mr. President, I am not going to take much time. I certainly hope the Senator from Minnesota did not cut his remarks short because he certainly is articulating something in which we are all very interested. I would do what I could to protect his rights to get a vote if he needed a vote, the same as I ask my rights be protected to either get a vote or to object to a unanimous consent request, which I have been doing with regularity in the last few days.

Mr. WELLSTONE. Mr. President, I thank my colleague for his remarks.

COMPREHENSIVE NUCLEAR TEST-BAN TREATY

Mr. INHOFE. Mr. President, I will take a few minutes to share with the Senate something that has not been mentioned yet in this whole CTBT debate.

First of all, let me respond to a couple of things that were said by the last speaker who spoke in favor of the Comprehensive Test Ban Treaty. I hate to be redundant, but I cannot let these things continue to go by. People will actually believe them when, in fact, they are not true.

The statement was made by one of the Senators that the Directors of the labs—the three energy labs—were in favor of this treaty. I listened to this, and yet we had them before our committee which I chair. They were very emphatic about their feelings. I am going to read to make sure the record reflects this.

Dr. Paul Robinson, one of the Directors, said:

The Treaty bans any "nuclear explosion," but unfortunately, compliance with a zero-yield requirement is unverifiable. The limitations of verifiability introduce the possibility of inconsistent observance of the ban under the threshold of detectability.

The threshold of detectability is something that is there. What that means is, no matter what equipment we use, we are unable to detect certain tests that are underground under certain yields. This is a zero-yield test.

We kept hearing from the same individual yesterday that they can get on-site inspections. Onsite inspections are not assured. Under this treaty, it is very specific. Going back to Paul Robinson, the Director of Sandia Lab:

The decision to approve a request for an onsite inspection must be made by an affirmative vote of at least 30 of the 51 members of the treaty organization's Executive Council.

I know there is supposedly some informal agreement that we in the United States would be a member of that executive council. I do not see anything in this treaty that says we are. We are putting our fate in the hands of some 30 nations, and we do not know at this point who those 30 nations will be.

I will quote further to get my point across, although the Senator was well meaning yesterday in making the comment this was endorsed by the Directors of the labs. I will quote Dr. Paul Robinson again. He was referring to himself and the Directors of the other two labs. I am talking about all three labs:

I and others who are or have been responsible for the safety and reliability of the U.S. stockpile of nuclear weapons have testified to this obvious conclusion many times in the past. To forego that validation through testing is, in short, to live with uncertainty.

He goes on to say:

If the United States scrupulously restricts itself to zero yield while other nations may conduct experiments up to the threshold of international detectability—

The one I just talked about—
we will be at an intolerable disadvantage.

We have to read that over and over because people are not getting that message.

The second thing he said was, what is the rush? This morning, I heard the President in his press conference of yesterday talk about the rush. Here is the President who has been saying over and over that he demands this come before this Senate and be acted upon by November of this year. Here it is. That is next month. We are doing exactly what he wanted. Yet now he wants to withdraw this treaty because he does not believe he has the votes for the ratification. I agree. He does not have the votes. It would shock me if he had the votes.

Yet we have had a chance for a very deliberative session. We have talked for hours and hours, some 22 hours of debate and committee activity on this subject. We are all very familiar with it.

I also suggest that any Member of the Senate who stands up now and says

we should not be doing this and how unconscionable that we are considering something of this magnitude right now, any one of those Senators saying that had the opportunity, as the Senator from Illinois would have had the opportunity, to object to bringing it up because it was done so by unanimous consent.

The third thing they were talking about is how everyone is a strong supporter of this treaty. For the record, one more time, we have 6 former Secretaries of Defense and several former Directors of Central Intelligence, as well as some 13 former commanding generals, all of whom are in the RECORD right now, and I do not need to put it in again, I have already put that in the RECORD; also, the statement by Bill Cohen. There is no one for whom I have greater respect than my former colleague on the Senate Armed Services Committee, the former Senator Bill Cohen, now Secretary of Defense Bill Cohen.

But I had to remind him, during our committee meeting, that maybe now his attitude is different on some of these critical things because he is now working for the President. But what he said in September of 1992—and I remember when he said it when he was leading the fight to stop this type of a treaty; in fact, it is the same provisions—he said:

... [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 ...

This is back in 1992, but this is the same language we are talking about today—

does not meet this test ... [because] it would not permit the Department of Energy to conduct the necessary testing to make our weapons safe.

Here is the same Secretary of Defense, back when he was in the Senate, talking about the fact that our weapons are not safe. By the way, we had a chart that we showed of information that came from all three of the Energy labs which is in the Cloakroom right now, but we have used on the floor several times, showing specifically not one of the nine weapons in that arsenal meet the safety tests today. In other words, we have gone 7 years now without testing, and it has now taken its toll. We are having a problem. So anyway, that is very significant to remember those words of Secretary Cohen.

I have been asked the question by a number of people as to why I am so adamant about objecting to the unanimous consent request—and I do not care who makes it—to take this from the calendar and put it back into the Foreign Relations Committee.

I do so because there is something that has not even been discussed on

this floor yet; and that is, unless we kill it and actually reject this treaty by a formal action, the provisions of this treaty are going to remain somewhat in effect. In other words, we are going to have to comply with this treaty that has been signed—going back to a document of the Vienna Convention that was actually signed on May 23, 1969, but it did not become a part of the international law until January of 1980.

Article 18—and this is in effect today—says:

Obligation not to defeat the object and purpose of a treaty prior to its entry into force.

A State is obliged to refrain from acts which would defeat the object and purpose of a treaty when:

(a) it has signed the treaty or has exchanged instruments constituting the treaty subject to ratification, acceptance or approval, until it shall have made its intention clear not to become a party to the treaty...

What that means is, we have this flawed treaty, this treaty that allows our adversaries to conduct underground tests. Yet while we cannot do it, we have to comply with this treaty, if we merely send it back to committee.

So I just want to make sure—I am going to read that again. This is from the Vienna Convention. This is something that we are a party to. It says—I will take out some of the other language—

A State is obliged to refrain from acts which would defeat the object and purpose of a treaty when:

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(a) it has signed the treaty or has exchanged instruments constituting the treaty subject to ratification, acceptance or approval, until it shall have made its intention clear not to become a party to the treaty...

How do you make your intentions clear? Under the Vienna Convention language, not to be a party to this treaty you have to vote it down. You have to bring this up for ratification and reject it formally on the floor of this Senate. To do anything other than that is to leave it alive and to force us to comply with this flawed treaty, which is a great threat to our safety in this country.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COCHRAN. 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. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I want to make a couple comments about the conference report on Agriculture appropriations. Before I do, I would like to make a comment or two about the presentation just offered by my friend from Oklahoma.

The Senator from Oklahoma, as he always does, makes a strong presentation for something he believes very strongly in. I believe very strongly that he is wrong. I believe very strongly in the other side of the issue. Let me describe why just for a few moments.

The Comprehensive Nuclear Test-Ban Treaty is a question presented to this country in this form: Will the United States of America assume the moral leadership that it must assume, in my judgment, to help stop the spread of nuclear weapons around the world? There are two nuclear weapons superpowers—the United States and Russia. Between us, we have roughly 30,000 nuclear weapons. Some other countries have them, and many other countries want them. There are many countries, there are rogue nations, and there are terrorist groups that want to have access to nuclear weapons.

The question of what kind of a future we will have in this world depends, in large part, upon the direction this country takes in assuming its responsibility to stop the spread of nuclear weapons.

We already decided 7 years ago, as a country, we will no longer test nuclear weapons. We made that decision unilaterally. Over 40 years ago, President Eisenhower said: We must have a Comprehensive Nuclear Test-Ban Treaty; we must do that. About 5 or 6 years ago, we began negotiating with other countries to develop such a treaty. Two years ago, President Clinton sent to the Senate a treaty that would provide a comprehensive nuclear test ban all around the world.

For 2 years, that treaty languished here without 1 day of hearings before the primary committee that it was sent to, the Foreign Relations Committee. I know there is disagreement on that, but I tell you, Senator BIDEN, who is the ranking Democrat of that committee, says there was not 1 day of hearings devoted to that treaty.

I understand some people want to kill it.

Mr. INHOFE. Will the Senator yield on that?

Mr. DORGAN. I am happy to yield.

Mr. INHOFE. I ask the Senator, if it should not have been brought up for the purpose he just articulated, why did this Senator not object to the unanimous consent request to have a vote on it?

Mr. DORGAN. Let me say this about the unanimous consent request. If you take a look at all the arms control treaties that have been offered to the Senate—the ABM Treaty, the START I treaty, the START II treaty, on down the line—and take a look at how many days of comprehensive hearings they had, No. 1, in the committee of jurisdiction and, No. 2, how many days they were debated on the floor of the Senate, what the Senator will discover is this treaty, that has been treated lightly, it is a serious matter—treated lightly by the fact that the majority leader said, even without comprehensive hearings, we will bring this treaty to the floor of the Senate and kill it.

It alone is the arms control treaty that has been treated in this manner. All other treaties were dealt with seriously with long, thoughtful, comprehensive hearings—day, after day, after day—and then a debate on the floor of the Senate—day after day—which involved the American people and public opinion; and then this country made decisions about those treaties.

I know there are some who have never supported an arms control treaty under any condition. They have not.

Mr. INHOFE. If the Senator will yield further?

Mr. DORGAN. Let me finish my statement.

They do not support arms control treaties. I respect that. I just think they are dead wrong. I have on my desk—I ask consent to show it again—a piece of a bomber. This is a piece of a Backfire bomber, a Russian bomber. Why is a Russian bomber in a circumstance where its wing was sawed off—not shot down, its wing sawed off? Because arms control agreements have reduced the number of delivery systems and nuclear weapons.

This part was sawed off a Russian bomber wing as part of the reduction of the threat under our arms control treaties. These treaties work. We know they work. That is why, without shooting down a bomber, I have a piece of a Russian Backfire bomber wing, just to remind us that arms control treaties work.

Mr. INHOFE. Will the Senator yield further?

Mr. DORGAN. Just for a moment.

Mr. INHOFE. I think it is very significant because this subject has come up during 14 hearings before the Senate Foreign Relations Committee. We have over 130 pages of testimony on this. We have discussed it for hours and hours over the last 2 days. Again, any Senator could have objected to this and apparently believed it was not necessary.

But I have to ask you this question. You talked about only two countries having these weapons.

Mr. DORGAN. I did not say that. Let me reclaim my time. I did not talk about “only two countries.”

Mr. INHOFE. There was a time when that was true. During the cold war that was a valid argument. It is no longer true. Virtually every country has weapons of mass destruction. Now it is a matter of which countries have missiles that could deliver them, of which now we know of North Korea and Russia and China—and whoever else we don't know because they have been trading technology with countries like Iraq and Iran, and other countries.

Mr. DORGAN. I did not say that the United States and Russia are the only countries that have nuclear weapons. I said we have 30,000 between the two countries. Other countries have nuclear weapons as well, and many other countries aspire to have nuclear weapons.

The Senator from Oklahoma said something that is not the case. He said virtually every other country has weapons of mass destruction. That is not the case. The nuclear club, those countries that possess nuclear weapons, is still rather small, but the aspiration to get a hold of nuclear weapons is pretty large. A lot of countries—more than just countries, terrorist groups—want to lay their hands on nuclear weapons. What happens when they do? Then we will see significant threats to the rest of this world.

It is in our interest as a country to do everything we can possibly do to stop the spread of nuclear weapons. Do we want Bin Laden to have a nuclear weapon? Do we want Qadhafi to have a nuclear weapon? Do we want Saddam Hussein to acquire a nuclear weapon? I don't think so. Arms control agreements and the opportunities to prevent the spread of nuclear weapons are critical.

How do we best do that? Many of us believe one of the best ways to do that is to pass this treaty, the Comprehensive Nuclear Test-Ban Treaty.

We are going to have this treaty back on the floor, I think, for 3 hours today. I will make it a point to come and I will spend the entire 3 hours with the Senator from Oklahoma.

Mr. INHOFE. If the Senator will yield for a response.

Mr. DORGAN. I have not yielded, Mr. President.

The PRESIDING OFFICER. The Senator from North Dakota has the floor.

Mr. DORGAN. This treaty was brought to the floor for 14 hours of debate. Name another arms control treaty that came to the floor with only 14 hours of debate. The Senator asks: Why didn't someone object? The burden is on us. Because the majority leader treated a serious matter lightly, the burden is on someone else.

The Senator from Oklahoma knows we objected the first time the Senator from Mississippi proposed it. He knows an objection was raised. The second time the Senator from Mississippi proposed it, he linked it to a time. If that is the only basis on which we had the opportunity to consider this treaty, so be it. But it is not treating a serious

matter seriously, in my judgment. Name another treaty that has come to the floor of the Senate dealing with arms control, the arms control issues embodied in this treaty, trying to prevent the spread of nuclear weapons, that has had this little debate and comes to the floor, despite what my colleague says, without having had 1 day of comprehensive hearings devoted to this treaty in the committee to which it was assigned? Those are the facts.

Mr. INHOFE. If the Senator will yield on that point.

Mr. DORGAN. Mr. President, I came to speak about the Agriculture appropriations bill. The only reason I made these comments is, the Senator from Oklahoma was, once again, making statements. He is good at it. He feels passionately about these things. But I think, with all due respect, he is wrong on this issue.

This country has a responsibility to treat these issues seriously. This country has a responsibility to lead in the area of preventing the spread of nuclear weapons. We don't lead in that regard by turning down or rejecting this treaty. There was a coup in Pakistan yesterday; we are told. We don't know the dimensions or consequences of it. Pakistan is a nuclear power. Pakistan and India are two countries that don't like each other. They exploded nuclear weapons, literally under each other's chin, within the last year. Is that a serious concern to the rest of the world? It is.

Mr. INHOFE. Absolutely, if the Senator will yield.

Mr. DORGAN. Are we going to lead and try to stop nuclear testing? Are we going to lead in trying to stop the spread of nuclear weapons? I hope so. I cast my vote to ratify this treaty, believing it is the best hope we have as a country to weigh in and be a leader, to say we want to stop the spread of nuclear weapons around the rest of the country.

Mr. President, I see my friend from Arizona has also joined us. I came to speak about this Agriculture bill. I know my colleague from Illinois is waiting to address these issues as well.

Mr. KYL. I wonder if I might prevail on the courtesy of the Senator for 30 seconds.

Mr. DORGAN. Thirty seconds.

Mr. KYL. The Senator asked a question which I think deserves an answer: Name one other treaty that had less time or more time than this. Here are the treaties: The Chemical Weapons Convention had 18 hours allotted for it.

Mr. DORGAN. Is that less than 14?

Mr. KYL. That includes amendments.

Mr. DORGAN. How many comprehensive hearings did that treaty have?

Mr. KYL. If I could complete my answer to the Senator, which is that this treaty, pursuant to a request by the minority, had 14 hours associated with it, plus 4 hours per amendment, if there were amendments offered. There was an amendment offered on the Demo-

cratic side. The Democratic side used 2 hours allotted to them for that. The Conventional Forces in Europe Treaty had 6 hours, compared to 14 for the CTBT. The START Treaty had 9½ hours, about 6 hours less. The START II Treaty had 6 hours, and the CFE Flank Agreement, 2 hours. So every one of these treaties ended up having less time than the CTBT allotted for debate on the floor.

All of last week was consumed by hearings in the Intelligence Committee, the Foreign Relations Committee, and the Senate Armed Services Committee; I don't know how many hours total. Prior to that time, the Government Operations Committee had three separate hearings. That is the specific answer to the Senator's question.

Mr. DORGAN. One thing I hate in politics is losing an argument I am not having. The Senator from Arizona cites the number of hours this treaty or that treaty was considered on the floor of the Senate. I will bring to the floor this afternoon the compendium of action by the Senate on the range of arms control treaties, START I, START II, ABM, so on. What I will show is that in the committee of jurisdiction, there were days and days and days of comprehensive hearings and the length of time those treaties were considered, in terms of number of days on the floor of the Senate, were extensive. It allows the American people to be involved in this discussion and this debate. This approach, which treats a very serious issue, in my judgment, too lightly, says, let us not hold comprehensive hearings. I remind the Senator that the request from the minority was of the majority leader to hold comprehensive hearings, allow consideration, and allow a vote on this treaty. That is not the course the majority leader chose.

Having said all that, I am happy to come back this afternoon. I feel passionately about this issue. We should talk about all the things the Senator from Oklahoma is raising. We haven't tested for 7 years, and we think this country is weaker because of it. I don't know how some people can sleep at night. North Korea is going to attack the Aleutian Islands with some missile. Our nuclear stockpile is unsafe, one Senator said the other day. The bombs in storage are unsafe. We have been storing nuclear weapons for over 40 years in this country. All of a sudden they are unsafe, on the eve of the Comprehensive Nuclear Test-Ban Treaty.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2000—CONFERENCE REPORT—Continued

Mr. DORGAN. Having said all that, let me turn to the question of the Agriculture Appropriations bill. Let me ask how much time I have remaining? I had sought 20 minutes.