



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

Vol. 146

WASHINGTON, TUESDAY, MAY 23, 2000

No. 65

Senate

The Senate met at 9:31 a.m. and was called to order by the Honorable RICK SANTORUM, a Senator from the State of Pennsylvania.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, as we begin this day of work here in the Senate our minds are focused on the people of New Mexico who have suffered the loss of their homes and personal property in the tragedy of the forest fires in both the northern and southern parts of the State. Especially, our hearts go out in profound sympathy for fire fighter Samuel James Tobias who lost his life while flying a spotter plane over the forest fires. Comfort his family and continue to give courage to his fellow fire fighters.

Father, we are profoundly grateful for the heroic service of fire fighters, police and emergency personnel who face danger and possible loss of life to preserve our forests, natural resources, homes, and our very lives.

Now, as we turn to the responsibilities of this day we ask You to fill the wells of our souls with Your strength and our intellects with fresh inspiration. Here are our minds, enlighten them; here are our wills, quicken them; here are our bodies, infuse them with energy. For You, Dear God, are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICK SANTORUM, a Senator from the State of Pennsylvania, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. THURMOND].

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 23, 2000.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICK SANTORUM, a Senator from the State of Pennsylvania, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

Mr. SANTORUM thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader.

SCHEDULE

Mr. LOTT. Mr. President, today the Senate will be in a period of morning business, with Senators GRAMS and DURBIN in control of the time until 11:30 a.m. Momentarily, I intend to propound a unanimous consent request that provides for debate on two FEC nominations, beginning at 11:30 a.m., and consuming the remainder of the day. There will also be debate time on several judicial nominations, with any votes ordered during today's session to occur on Wednesday.

For the information of all Senators, it is my intention to begin consideration of the legislative branch appropriations bill, as well as the Agriculture appropriations bill, later this week. It is hoped that the Senate can complete action on both of these very important spending bills prior to the Memorial Day recess.

Now, again, for the information of Senators, we will have this debate on the nominations throughout the day. Beginning tomorrow, in the morning, I presume, right after the opening activities, we will go to the legislative branch appropriations bill. We hope to be able to finish that in a reasonable period of time. But regardless of that, sometime in midafternoon—I presume, 3:30, 4:00, 4:30; we will have to look at the time and work out that exact time—we will begin a series of votes that will probably mean votes on either four or five or six—I hope it is five or four and not the full six, but we could still have as many as six votes in a row Wednesday afternoon. Then we hope to turn to the Agriculture appropriations bill.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. LOTT. In executive session, I ask unanimous consent that at 11:30 a.m., Tuesday, May 23, the Senate proceed to executive session to consider Executive Calendar No. 436, the nomination of Bradley Smith to be a member of the FEC. I further ask consent that debate be limited on the nomination as follows: Senator McCONNELL, 2 hours; Senator DODD, or his designee, 2 hours; Senator WELLSTONE, 2 hours; Senator MCCAIN, 2 hours; Senator FEINGOLD, 2 hours.

I further ask consent that following the use or yielding back of time, the nomination be laid aside, with a vote to occur on the confirmation of the nomination during Wednesday's session of the Senate at a time to be determined by the two leaders, with 20 minutes for closing remarks, equally divided, just prior to the vote. If we need a few more minutes than that, we will work with the interested parties to see if that can be achieved.

I also ask consent that immediately following that vote, the Senate proceed

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S4241

to a confirmation vote on the nomination of Danny McDonald, Calendar No. 435.

I further ask consent that also on Tuesday, May 23, the Senate then proceed to the nomination of Timothy Dyk to be a U.S. circuit judge, Calendar No. 291, and the debate be limited to the following: Senator SESSIONS, 30 minutes; Senator HATCH, 15 minutes; and Senator LEAHY, 15 minutes.

I further ask consent that on Tuesday, the Senate proceed to Calendar No. 498, the nomination of Gerard Lynch, and there be 40 minutes of debate, equally divided, between the opponents and proponents. I also ask consent that all debate time on the nominations be consumed or considered yielded back during Tuesday's session of the Senate.

I further ask consent that the vote occur on or in relation to the Dyk nomination third in the voting sequence on Wednesday, to be followed by votes on Executive Calendar No. 498, No. 519, and No. 520.

I ask unanimous consent that immediately following those votes, the Senate immediately proceed to the consideration of the following nominations on the Executive Calendar:

Nos. 206, 334, 424, 433, 434, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 452, 453, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 472, 476, 477, 478, 479, 480, 481, 482, 483, 496, 497, 499, 500, 501, 502, 503, 504, 505, 506, 518, 521, 522, 523, and all nominations on the Secretary's desk.

I further ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, any statements relating to the nominations be printed at the appropriate place in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. MCCAIN. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LOTT. I amend the unanimous consent request which stated there would be 20 minutes for closing remarks, equally divided, just prior to the vote. I amend that to say, 20 minutes for closing remarks, equally divided, plus an additional 10 minutes for Senator MCCAIN and 10 minutes for Senator FEINGOLD.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. DASCHLE. Reserving the right to object, let me just say that there are 19 nominations still pending on the calendar if we are able to adopt this unanimous consent request today. Some of those nominations have been on the calendar for well over a year. I think it is the view of virtually every member of the caucus on our side that to hold nominations that long is cruel. It is wrong. It should not be tolerated. We are in a position to clear all nominations, including those 19.

I ask whether the majority leader might be able to clear those as well?

Mr. LOTT. Mr. President, I will respond. I know that at least one appointment is waiting on a companion appointment from the administration, where you have a Democratic nominee for a commission or a board, and we usually try to move them together. That is one case. Then we have seven IRS members who can be cleared if—I understand there is opposition to at least one of those from the Democratic side.

But my goal in working to get this large package done is so we can continue to work to get companion nominations and move more nominations. I discussed this with Senator DASCHLE yesterday. It is not easy, but we hope to continue to work together to get the nominations in a position where they can be cleared, or where we have debate time and a vote and arrange for that to occur. We will keep working on it. It has been reduced by some 70 or more nominations if this entire package is completed, and if all of them—well, it will either be voted on and approved or defeated, leaving only 19. So that is a major step toward getting nominations confirmed.

Mr. DASCHLE. Reserving the right to object, and I will not, obviously, I hope the majority leader will work with us to work through these 19 names. As I say, some of them have put their lives on hold now for over a year. It is just intolerable to them, and it should be intolerable to us that we would accept that kind of a practice. I will work with the majority leader and, hopefully, resolve these outstanding problems. I will not object to this request.

Mr. FEINGOLD. Mr. President, reserving the right to object, I simply thank both the leaders for their patience in working out this very difficult agreement. I appreciate the majority leader extending us time prior to the vote to summarize our arguments.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, are we now in morning business?

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there

will now be a period for the transaction of morning business with Senators permitted to speak therein for up to 10 minutes each.

ORDER OF PROCEDURE

Mr. GREGG. Mr. PRESIDENT, I ask unanimous consent that I be allowed to speak for 5 minutes without having that time come off of the time allocated to the Senator from Minnesota, who, I understand, has time reserved during this period of morning business.

The ACTING PRESIDENT pro tempore. The Senator has time until 10 o'clock. The Senator from Minnesota has time until 10 o'clock.

Mr. GREGG. I ask unanimous consent that I be allowed to speak for 5 minutes and that his time be extended to reflect the time that I will take.

The ACTING PRESIDENT pro tempore. There are sequential times after that. The Senator from Wyoming has until 10:30, and the Senator from Illinois has until 11:30.

Mr. GREGG. I ask unanimous consent that my 5 minutes come off of the time of the Senator from Wyoming.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SIERRA LEONE

Mr. GREGG. Mr. President, I wanted to speak about Sierra Leone and especially about the attempts I have made to address this issue as chairman of the Appropriations Subcommittee on Commerce, Justice, State, and the Judiciary.

The New York Times and a number of other daily papers have reported that I have limited the ability of the State Department to spend money on behalf of the United Nations, or send money to the U.N. for the purpose of peacekeeping in Sierra Leone, and that is correct. However, the numbers that the New York Times, at least, used were incorrect.

I think the record needs to be corrected. I presume this story came from a momentum within the U.N. to try to put pressure on the Congress to spend money on U.N. initiatives. Obviously, the U.N. feels that by using our media sources in this country, they can influence the activity of the Congress, specifically of the Senate. However, I would have hoped that the New York Times reporter would have reviewed the actual facts and determined the facts before reporting them as facts. Obviously, this reporter got his information from somebody, I presume, at the U.N., or maybe the State Department, and did not bother to check the facts.

It was represented in the story, for example, that the amount of money that was owed to the U.N. in the area of peacekeeping was somewhere in the vicinity of \$1.7 billion. This number is inaccurate and the story was, therefore, inaccurate.