

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator from Massachusetts is recognized.

ORGANIZING A 50/50 SENATE

Mr. KERRY. Mr. President, I join the number of colleagues who have spoken on the floor with respect to this agreement. I share both the respect and admiration that have been expressed for the leadership for the work they have done in order to bring us here.

Particularly, I know the Senator from Mississippi, Mr. LOTT, worked hard within his caucus and had to be particularly persuasive in order to reach this accord.

I think this agreement respects the outcome of the election this year. It is a reflection of the closeness of the division in the Presidential race. It is, in my judgment, a fair and accurate reflection of what happened in the Senate itself with the losses that took place on one side of the aisle and a result that ended up with 50 Senators in both parties.

I have argued since day one that the only fair way, and the only sensible way, to try to bring the country together and set the stage to be able to reach the compromises we needed to reach was to reflect the representation of the Senate as a whole in the committee structures.

Some on the other side argued for some period of time that that is not the way it should work. We heard some people talking a few moments ago about how, if you are responsible for driving the train, you then need the extra vote in order to be able to guarantee that you can drive the train.

The problem with that argument all along is, that is not what the representation of the Senate itself reflects.

The second problem with the argument is that it relied essentially on the notion that, by having an extra vote, you somehow have an added power beyond the power of compromise, beyond the power of logic, beyond the power of the merits of your argument, that you have a power of the extra votes simply to drive your will through. We have seen that in operation in the last few years in the Senate, frankly. I think for many of us it has been a very negative and, frankly, a very unproductive experience.

The last few years saw us avoiding the rules of the Senate in order to drive through by virtue of the fact that there were more votes on one side. In the end, you may be able to do that on occasion, whether it is the reconciliation rules that allow you to do that, or it is a particular conference rule, or the Rule XXVIII issues we have had

over the last years. Those allowed you to do it.

But I know the distinguished Senator from West Virginia would give the most eloquent argument in the Senate for the fact that that didn't necessarily serve the interests of the Senate nor even the interests of the country.

What we have achieved today I believe stands to set the stage for the ability of the Senate to serve the interests of the country.

Is there something of a sense of loss for some by virtue of this agreement? I think yes. I think that is reflected in the sort of difficulty that was presented in getting here to this moment. But in the end, I think the logic was simply so powerful that 50/50 on both sides means you divide the Senators and their committees according to that number.

I admire and respect the Senator from Texas, who is one of the brightest and most articulate people in the Senate and who read from the Constitution about the powers of the Vice President to cast a vote to break a tie. Indeed, that is absolutely true. But I think most constitutional experts would tell you that is sort of the vote of last resort—that it never contemplated that the Vice President of the United States is somehow going to be represented on every single committee, and then he is going to go to each committee and cast a vote. It contemplates, if there is a tie and ultimately there is the inability of the Senate to work its will of compromise, that in that case the Vice President has the ability to cast his vote. Now the Vice President will still have that ability. That is respected in this agreement.

What this agreement achieves, which I think is perhaps the most important missing ingredient of the Senate, was reflected in the comments of the Senator from West Virginia, our former leader and President pro tempore, who turned to his colleague on the Appropriations Committee and talked about trust. He talked about respect. Those committees that work the best in the Senate don't need this resolution. Those chairmen of either party who want to make their committee work effectively don't need a resolution to know the best way to get something through the Senate and through the House is to be inclusive, not exclusive.

So, in fact, we in the minority were remarkably forbearing in the last year or two in not pressing the full advantage of the rules that we might have pressed in order to stop the Senate cold in its tracks in order to disrupt in the many ways possible, using the rules of parliamentary procedure, to require our colleagues to be repeatedly on the floor of the Senate to vote. In many ways, we were acquiescent, and some might blame us for having been so. I think it was out of respect for the process and out of the belief that there is a better way to get business done here.

What I believe this agreement now does is set the stage for us to be able in

the Senate to grow the respect and the trust about which the Senator from West Virginia talked. It gives Members the opportunity and requires Members in committee to look to the other side of the aisle to try to build the consensus necessary.

We all understand in that process we will never necessarily get 100 of our colleagues or 99 of our colleagues, but we can build enough of a consensus that we can send legislation to the floor with votes of 16-4 or 18-0 or of a sufficient number at least to recognize that there has been a respect for the views of both sides rather than a willingness to simply write a piece of legislation in conference without even including one Member of the Senate of the other side of the aisle and then bring it to the floor and expect people to be happy and expect to pass something that doesn't invite a veto or that somehow has the consent of the American people.

The American people are why we are here, all of us. I think this agreement today respects what the American people said on election day. I think it respects this institution. I think it gives everyone an opportunity, long awaited, to do a better job of being Senators and allowing this body to be the great deliberative entity that it is supposed to be.

In the end, this resolution and the words that comprise it in its three pages are not going to do the job. Any Senator who is sufficiently disgruntled by this agreement, who figures that they will go their own path, has the ability to continue to do things as we have done them in the last few years. But I think this is a message to all Members that we have an opportunity to try to legislate in the best sense of the word, to find the compromise. There is no way this will work without that compromise. All Members need to understand that.

I hope in the next days the American people will see the Senate set the example that we all want, and I know we can.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, let me express my appreciation to the distinguished Senator from Massachusetts. He is a Senator of enormous ability and great talents. One of those talents is the capability of elocution in such an impressive and persuasive manner. I want to thank him for his words today.

The President-elect can be very grateful to the two leaders of this body today and to the Senators who have acceded to the needs and the requirements of the moment to give up a little; everyone gives up a little. We are waiving some rules; we are temporarily changing some rules in this resolution. In the interests of going forward in the Nation and in the interests of making it possible for this institution to rise to the expectations of the American people and accede to their will, this resolution is really a unique instrument.

As the distinguished Senator from Massachusetts has just said, this resolution makes it possible for the Senate to work its will; and achieve legislative goals; it only makes it possible. We, the Members on both sides of the aisle, have to make it work. I am constrained to hope—yea, even believe—that we are going to make it work. The things I have heard said on this floor today make me believe that.

I thank the distinguished Senator. I have known him for a long time. I thank him for his contribution today.

Mr. President, if I may speak just for a few minutes, I ask unanimous consent I may address the Senate on another matter for not to exceed 10 minutes.

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

ALAN CRANSTON

Mr. BYRD. Mr. President, on December 31st the Nation lost a remarkable man.

At his home in Los Altos, California, lands-end of the Nation and State he served, Alan Cranston did not witness the beginning of the new millennium.

It has been said that death is the great leveler. But Alan Cranston's accomplishments in life have clearly set him apart.

Nearly seven decades ago, a young American journalist from California published an unexpurgated version of Adolf Hitler's "Mein Kampf" "My Struggle"—revealing, as few had previously done, the true depth of the danger and the evil that Hitler embodied. Hitler successfully sued for copyright violation, and Alan Cranston wore that loss as a proud badge throughout his life.

After a career in journalism, service in the U.S. Army during World War II, business, and local politics, Alan Cranston joined the members of this U.S. Senate in 1969 by virtue of his election in the previous November.

Here, Senator Cranston's vision and rich composition of experiences, talents, and wisdom enriched our Senate deliberations.

In 1977, when I was elected Senate Democratic Leader, Senator Cranston won election as Assistant Democratic Leader, or "whip." In all his years of working, first as my proverbial "right hand" and, subsequently, as a close colleague in the Senate leadership when I became President pro tempore, Senator Cranston was a conscientious adjutant and a congenial friend and partner in numerous legislative efforts. Unfortunately, words alone cannot adequately convey the respect in which I held Senator Cranston, nor the solid appreciation that I felt for Senator Cranston and for his loyalty, his supreme dedication, his high purpose, his contributions to the Senate's work through many years.

He was a fine lieutenant, if I may use that term. He was always there when I needed him. And many times I said

that he was absolutely the best nose counter that I had ever seen in the Senate.

But friendship and respect are not always easily forged. Tragedy makes a bond. In 1980, Senator Cranston was dealt Fate's glancing blow with the death of a child, a loss of a promise to the future, when, his son, Robin Cranston, died in a traffic accident in 1980, at the age of 33. Two years later, my wife, Erma, and I were dealt a similar blow with the death of our grandson, John Michael Moore, in a traffic accident.

Mr. President, a valedictory is not always sad and it is fitting that Senator Cranston's final words on this Floor regarding his career be repeated here. On October 8, 1992, he made these short and poignant remarks:

Mr. President, a Senator from California gets involved in myriad issues. Just about every issue that exists has an impact, somehow, in the remarkable State of 30 million people that I represent. So I have been involved in countless issues over my time in the Senate.

Most of all, I have dedicated myself to the cause of peace, and to the environment. In many a sense I believe that my work on the environment is probably the longest-lasting work I have accomplished here.

When you deal with a social issue, or a war and peace issue, or an economic issue, or whatever the results, the consequences are fleeting. Whatever you accomplish is soon changed, and often what you have done leads to new problems that then have to be dealt with.

But when you preserve a wild river, or a wilderness, or help create a national park, that is forever. That part of your State, our Nation, is then destined to be there forever after, as God created it.

I worked with particular dedication over these years, too, on issues of justice, equal rights, human rights, civil rights, voting rights, equal opportunity. I worked for democracy and freedom in my country and in all countries. I focused particularly on housing, and transportation, and veterans.

I thank the people of California for the remarkable opportunity I have had to serve them in the Senate for almost a quarter of a century.

Today, I along with millions of Americans, thank my friend, Alan Cranston, for his work, his life, and his vision.

No man is an island, entire of itself; every man is a piece of the continent, a part of the main; if a clod be washed away by the sea, Europe is the less, as well as if a promontory were, as well as if a manor of thy friends or of thine own were; any man's death diminishes me, because I am involved in mankind; and therefore never send to know for whom the bell tolls; it tolls for thee.

I yield the floor.

Mr. LEVIN. Mr. President, I ask unanimous consent I be allowed to speak for up to 10 minutes in morning business.

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

THE COMPREHENSIVE TEST BAN TREATY

Mr. LEVIN. Mr. President, I want to comment briefly on an issue that is im-

portant to our national security: the Comprehensive Test Ban Treaty, or CTBT, that would ban all nuclear weapon tests. This is an issue that the new President and the new Senate should think about carefully and deliberately during the 107th Congress.

Today General John Shalikashvili, former Chairman of the Joint Chiefs of Staff, presented a report to President Clinton on his findings and recommendations on the CTBT. President Clinton had asked General Shalikashvili to conduct a comprehensive and independent study of the CTBT after the Senate voted against a resolution of ratification in October of 1999.

The CTBT negotiations were completed in 1996, and the United States was the first nation to sign the Treaty. To date, 160 nations have signed it and 69 have ratified it, including all our NATO allies, Japan, South Korea and Russia. However, to enter into force, it must be ratified by 44 specified nations that have nuclear reactors, including the United States.

The Treaty would prohibit all nuclear explosive tests. In so doing, it would make it much harder for nations to develop nuclear weapons, thus putting in place an important roadblock to nuclear weapon proliferation. The treaty provides for an expanded and improved international monitoring system that would improve our ability to detect and deter nuclear tests by other nations—but only if we ratify the treaty and it enters into force.

Secretary of Defense Cohen and the Joint Chiefs of Staff all support ratification of the CTBT, as do four former Chairmen of the Joint Chiefs of Staff, including General Shalikashvili and Gen. Colin Powell.

When the Senate took up the CTBT in October 1999, it did so in haste and without the traditional bipartisan deliberation we have accorded other arms control treaties. On the eve of the vote, 62 Senators signed a letter urging the Senate leadership to delay that vote and to postpone final consideration of the CTBT until the 107th Congress. Unfortunately, that request, which was made by nearly two-thirds of the Members of the Senate, to delay the vote, was not heeded, and the result was that the resolution of ratification was defeated by a vote of 51-48, with one Senator voting present.

Again, General Shalikashvili was asked to review the entire situation, and in conducting his review, he met with a number of Senators from both sides of the aisle to discuss their concerns and their suggestions. He also met with many other experts on this issue, and he visited the nuclear weapons labs.

General Shalikashvili's report is a valuable contribution to this important topic. This report, which was just filed today, places the CTBT in the broader context of our nuclear non-proliferation goals and efforts and