



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, FIRST SESSION

Vol. 147

WASHINGTON, TUESDAY, MAY 8, 2001

No. 62

Senate

The Senate met at 9:30 a.m. in executive session and was called to order by the Honorable LINCOLN CHAFEE, a Senator from the State of Rhode Island.

PRAYER

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

Almighty God, thank You for the exciting expectation that surges within us when we realize that You want to bless us with Your love, strength, and wisdom. It is Your way always to go beyond what You have done before. You do not measure Your generosity by our goodness or the eloquence of our prayers, but You give more grace as the challenges grow greater. All You require is that we desire a relationship with You, the Giver, as much as we desire the blessings You give. You guide the humble and teach them the way to go, how to decide on issues, and how to speak truth with love.

Lord, bless the Senators with Your maximizing power for the challenges, decisions, and responsibilities of this day. We join them in praying with the psalmist, "God be merciful to us and bless us, and cause Your face to shine upon us, that Your way may be known on earth."—Psalm 67:1-2. May Your shining face be reflected in our faces, radiant with joy and confidence for the demands of today. You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable LINCOLN CHAFEE 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 senior assistant bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 8, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable LINCOLN CHAFEE, a Senator from the State of Rhode Island, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

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

The ACTING PRESIDENT pro tempore. The Senate will be in order.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

NOMINATION OF JOHN ROBERT BOLTON OF MARYLAND TO BE UNDER SECRETARY OF STATE FOR ARMS CONTROL AND INTERNATIONAL SECURITY—Resumed

The ACTING PRESIDENT pro tempore. Under the previous order, the clerk will report the nomination.

The legislative clerk read the nomination of John Robert Bolton of Maryland to be Under Secretary of State for Arms Control and International Security.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. Mr. President, it is my understanding the time until 10:15 is reserved for proponents and opponents of this nomination; is that true?

The ACTING PRESIDENT pro tempore. Under the previous order three Senators each control 15 minutes.

Mr. REID. Senators DORGAN, BIDEN, and HELMS, is that right?

The ACTING PRESIDENT pro tempore. That is correct.

Mr. REID. I ask unanimous consent the time on the quorum call I will sug-

gest be divided equally among the three Senators.

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

Mr. REID. 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. DORGAN. 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. DORGAN. Mr. President, how much time am I allowed?

The ACTING PRESIDENT pro tempore. Twelve minutes.

Mr. DORGAN. Mr. President, the Senate will vote this morning on the nomination by President Bush of Mr. John Bolton to be Under Secretary of State for Arms Control.

This is a terrible nomination. I indicated yesterday that I don't know Mr. John Bolton. I have not met him. But I have read a great deal about what he said about a number of issues. To nominate Mr. John Bolton to be Under Secretary of State for Arms Control defies logic.

Arms control is a very important subject. The question of whether this country is going to assume the responsibility to lead internationally in stopping the spread of nuclear weapons is a very important question.

Are we going to be a world leader in stopping the spread of nuclear weapons or not? Are we going to be a leader in trying to make this a safer world? Are we going to be a leader in trying to reduce the number of nuclear weapons that exist in this world?

The answer from the President, it seems to me, in sending this nomination to the Senate is no; we don't intend to lead on anything. We intend to do our own thing notwithstanding what

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



Printed on recycled paper.

anybody else thinks about it, and notwithstanding the consequences with respect to the reduction of additional nuclear weapons and delivery systems.

Mr. Bolton has virtually no experience in the field of arms control. He has never served in an arms control position in any form. He is qualified perhaps for the dismantling of the systems of arms control as we know it. But he is not the person we would want consulting on arms control with our allies, and he is not the person we want negotiating treaties.

Mr. Bolton has expressed disdain for arms control and those who promote it. Let me give you some examples.

We had a debate on the floor of the Senate a year and a half ago on the subject of a comprehensive nuclear test-ban treaty. Our country has already decided to stop testing nuclear weapons. We decided that in the early 1990s. So the question wasn't for us. We had already decided to stop testing nuclear weapons. The question was whether we would join in a treaty with many other countries around the world—a treaty that has something like 150 different signatories. Would we join in that treaty to try to stop others from testing nuclear weapons? Regrettably, the answer by this Senate was no; we don't want to do that.

I think it was a terrible mistake. What an awful day for the Senate to say no. We stopped nuclear testing, but we don't want to join in a treaty to try to promote others to stop nuclear testing. What an awful thing for the Senate to do. The Senate has a right to do that. Of course, I think it was an awful mistake.

What happened when we turned down the Comprehensive Nuclear Test-Ban Treaty? Mr. John Bolton says the supporters of the Comprehensive Nuclear Test-Ban Treaty are timid and neopacifists. That is the way he described those who support efforts to have an international treaty to stop nuclear testing.

Then he states on the issue of treaties and arms control and so on that international law is not really law at all.

Quoting him, "While treaties may be politically or even morally binding, they are not legally obligatory. They are just not law as we apprehend the term."

That is a statement by Mr. Bolton.

He says with respect to our allies who try to put pressure on us to pass the Comprehensive Nuclear Test-Ban Treaty, that the Canadian Premier is "moral posturing." The Sun calls Mr. Bolton one of "Tony Blair's strongest critics." He says, "The Europeans can be sure that America's days as a well-bred doormat for EU political and military protections are coming to an end."

Then he gloated at the end of the Comprehensive Nuclear Test-Ban Treaty and its defeat, and said the Comprehensive Nuclear Test-Ban Treaty is dead.

He has been highly critical of the agreed-upon framework under which North Korea pledged to free its nuclear weapons program, and he says the United States suffers no downside if we never normalize relations with North Korea. Certainly South Korea and Japan, our friends, don't agree with him.

He thinks the United States should not give Taiwan diplomatic recognition as an independent country, in contradiction of several decades of official American policy. He says we have no vital interest in Kosovo or the rest of the Balkans. Tell that to the Europeans and the U.S. troops whose presence there stopped the genocide and stopped the killing of thousands or perhaps tens of thousands of people.

I think the world is going to see, if the Senate confirms this nomination, that Mr. Bolton's appointment is another sign of the President's hard line on these issues, as a unilateral policy to abandon ABM, or to get rid of the ABM Treaty, or ignore it, build a destabilizing national missile defense system, ignore the Kyoto treaty, abandon talks with North Korea, and oppose the international criminal court and the international landmine convention.

I think the signal is going to be quite clear if this Senate agrees with this President and puts John Bolton in as Under Secretary for Arms Control.

He comes to this position with very little experience, and with an attitude about these issues that is antithetical to the progress that we are making in these areas.

I mentioned that we have tens of thousands of nuclear weapons in this world. Russia has somewhere perhaps between 20,000 and 30,000 strategic and theater nuclear weapons. We have tens of thousands of nuclear weapons. There are a handful of other countries that have joined the nuclear club and have access to nuclear weapons. Many other countries want to possess nuclear weapons and are achieving and aspiring to try to get nuclear weapons. Some terrorists want nuclear weapons.

The question is, Will our country for our security and the security of the world provide a leadership role in trying to stop the spread of nuclear weapons? Will we be aggressive and vigilant? Will we be world leaders on this issue? Not if we decide to confirm the nomination of John Bolton. He is not someone who believes in arms control. He is not someone who believes in arms reduction.

The fact is, we have reduced the number of nuclear weapons not nearly far enough, but we have reduced the number of nuclear weapons in this world through the arms control agreements we have had with the old Soviet Union and now Russia.

The fact is, we have sawed the wings off Soviet bombers and long-range bombers. We have dismantled them. We have dismantled their submarines. We have dismantled their nuclear warheads? Why? Because we and the Rus-

sians have agreed upon a regimen of reducing nuclear weapons. Are we going to stop all of that? Are we going to make more and more determined efforts to continue it and do even more?

In my judgment, we should continue this approach. In my judgment, this leads to a safer world.

But we have now this nomination that comes to us today that is very distressful—having an administration put someone in a position whose job it is to deal with the issue of arms control who doesn't believe in arms control, who doesn't believe in treaties, who doesn't believe in a regimen of trying to stop nuclear testing, and believes that treaties and agreements have no legal impact at all and no effect.

He believes that we should just go it alone, apparently, notwithstanding what others want or say.

We are going to move into a very delicate and very difficult circumstance very soon. In addition to their being tens of thousands of nuclear weapons that now exist in this world and precious little effort to try to reduce them, and turning away from basic arms control agreements, including the ABM Treaty which has been the centerfold in attempts that have resulted in arms reduction—in addition to all of that—apparently we are deciding to build a national missile defense system to protect against a less likely threat: a rogue nation or a terrorist acquiring an ICBM, loading it with a nuclear tip and sending it to this country.

They are much more likely to load a pick-up truck with a nuclear bomb and threaten this country.

If we build a national missile defense and say it doesn't matter what others do, ignore nuclear arms treaties resulting in larger buildups and more weapons and delivery vehicles by the Russians, the Chinese and others, will we be safer, and will the world be safer with a national missile defense system to protect us against a Russian threat, or against a Chinese threat? The answer is clearly no.

My feeling is that we are at a moment in time in this country that is very important. We have reached the moment in this world that is very important. We have seen an explosion of nuclear weapons by Pakistan and India—two countries that don't like each other. They are building nuclear weapons.

We have seen circumstances with the Chinese and the Russians and the Europeans, and the others, who are concerned about us going it alone. As a columnist for the Washington Post said: Built to suit our interests and damn the other interests. It doesn't matter what the others think.

That, in my judgment, is very troubling, to try to find a way to have world leadership to stop the spread of nuclear weapons and to provide world leadership to reduce the number of nuclear weapons.

Mr. President, how much time is remaining?

The ACTING PRESIDENT pro tempore. The Senator from North Dakota has 1 minute 45 seconds.

Mr. DORGAN. Mr. President, I know others wish to speak today, and I spoke at some length yesterday about this issue. But I want to end by saying the following: All I know about this nominee is what he has said, what he has established as a public record. It is, in my judgment, antithetical to what we ought to aspire to be and what we ought to aspire to see from someone in the position we expect to provide leadership on arms control.

He, in fact, in my judgment, will not and cannot because he does not believe in arms control. He does not believe in doing this on the basis of reaching out with others to try to reduce the number of nuclear weapons with treaties and arms control agreements. He does not believe in trying to stop the testing through treaties of nuclear weapons, the Comprehensive Nuclear Test-Ban Treaty.

In my judgment, if this Senate sees fit today to vote positively on this nomination, we will have taken a significant step backwards. We will have impeded the efforts of this country to be a world leader in areas that really matter.

I hope the Senate will think long and hard about this and decide to tell the President this nomination is not appropriate for the position of Under Secretary of State for Arms Control.

Mr. President, I yield the floor.

Mr. KERRY. Mr. President, in a few moments, the Senate will vote on the President's nomination of John Bolton for Undersecretary of State for Arms Control and International Security. I am under no illusions about the fact that Mr. Bolton will be confirmed for this position. But I will vote against him, because I believe his views on the issues for which he will have responsibility are inconsistent with the best interests of the United States.

President Bush has promised to work with our friends and allies to build a new framework for U.S. policies on arms control and international security. But his nomination of John Bolton to be the principal advisor to the Secretary of State on these issues is just one of many steps that have sent a decidedly mixed message about his commitment to pursuing a thoughtful, cooperative approach.

In the last several weeks, President Bush has withdrawn the United States from the Kyoto Protocol, sent the South Korean President home with no commitment that we will continue to work on reducing the dangers from North Korea's ballistic missile program, reversed a more than 20-year-old United States policy that has kept the peace in the Taiwan Strait, and announced that the United States will no longer concern itself with negotiations to control and reduce the strategic nuclear arsenal of the former Soviet Union. Last week, in what will assuredly not be the last evidence of

growing concern and impatience with U.S. unilateralism, we were voted off the U.N. Human Rights Commission, to the delight of human rights abusers everywhere. This growing unilateralism is very troubling to those of us who understand that the interests of the American people are best protected when we work in concert with others on common interests and problems.

Senate confirmation of John Bolton to be Undersecretary of State for Arms Control and International Security will be another serious blow to U.S. leadership on these important issues. Over the last 8 years, John Bolton has expressed extreme views on a wide range of U.S. foreign policy issues. He has belittled the United Nations, referred to supporters of the Comprehensive Test Ban Treaty as neo-pacifists, labeled our closest allies "appeasers" for opposing sanctions policy also opposed by Vice President CHENEY, and questioned whether the United States is ever legally bound by its treaty obligations.

I find John Bolton's views most troubling on the arms control issues over which he will exercise a great deal of influence in this position. He is a staunch opponent of important treaties—including the Comprehensive Test Ban Treaty, the ABM Treaty, and the Ottawa Convention banning anti-personnel land mines which he has criticized as unenforceable, while at the same time opposing the development of international enforcement mechanisms. His antagonism to arms control threatens the Nuclear Non-proliferation Treaty (NPT), a cooperative, verifiable agreement that has effectively kept the nuclear weapons club to very low numbers for more than three decades span. But future international participation in the NPT is inextricably tied to the stability of treaties that Mr. Bolton has condemned. So too is the success of our cooperative nuclear threat-reduction measures with Russia.

Mr. Bolton has also consistently advocated that the United States give diplomatic recognition to Taiwan, a position at odds with decades of U.S. policy and with President Bush's declared One China stance. From 1994-1996, the Taiwanese government paid \$30,000 to Mr. Bolton for several papers on Taiwan and the U.N. It is troubling that during this time Mr. Bolton testified about this same issue before two House subcommittees. Should he be confirmed, Mr. Bolton will play a major role in overseeing United States arms sales to Taiwan, one of the most important—and most potentially volatile—issues in United States policy toward Asia. While the State Department has signed off on ethical questions surrounding this possible conflict of interest, I believe United States arms sales policy toward Taiwan can not help but be affected—least in perception, if not in fact—by Mr. Bolton's past relationship with the Government of Taiwan.

On another issue of great importance to stability in Asia, Mr. Bolton has

criticized the Clinton administration's efforts to freeze North Korea's nuclear and ballistic missile programs as "egregiously wrong." This despite the undisputed facts that the 1994 Agreed Framework has successfully stopped Pyongyang's nuclear program and more recent talks have convinced North Korea to unilaterally suspend its missile tests until 2003.

President Bush is now reviewing United States policy toward North Korea, which I hope will conclude with a decision to continue talks with Pyongyang about the future of its missile program. While I am sympathetic to the President's desire to review past policy, I believe it would be mistake to walk away from a dialogue that holds out the possibility of a verifiable agreement to freeze North Korea's missile program and halt their missile sales. John Bolton has taken a dismissive view of the value of dialogue with Pyongyang, and I am deeply concerned that adding his voice to the administration's debate on this issue will further undermine the United States interest in advancing peace and stability on the Korean Peninsula.

Finally, while Mr. Bolton's testimony before the Foreign Relations Committee seemed to suggest that his current views are more moderate than his writings indicate, I remain perplexed by the question of what views he will take with him into this administration. This is not an academic or inappropriate issue to raise. While, ultimately, Mr. Bolton's personal opinions will be subsumed by the decisions of the Secretary of State and the President, he will have an enormous amount of influence in the policy debates that shape those decisions. I find it difficult to imagine that a man who has dedicated his life to public service on behalf of a set of values that he has taken the time to articulate in public writings will suddenly cease to advocate on behalf of those values at exactly the moment when his ability to influence public debate is at its zenith.

Mr. President, the United States has a strong interest in maintaining and advancing transparent, verifiable arms control regimes and stopping the proliferation of weapons of mass destruction. These issues are far too important to be left in the hands of a man who has denied their very legitimacy. I urge my colleagues to vote against this nominee.

Mr. LEAHY. Mr. President, the Constitution gives the Senate the power to advise and consent on the President's nominations. This is a responsibility that I take very seriously. While I believe the President is entitled to the benefit of the doubt when selecting the senior members of his team, the Senate is not a rubber stamp, and there are times where a careful review leads one to the conclusion that a nomination must be opposed.

President Bush has made some excellent choices for several of the top foreign policy positions in his administration—from Colin Powell for Secretary

of State to Howard Baker for Ambassador to Japan. But the nomination of Mr. Bolton is not one of those choices. I will oppose the nomination of John Bolton for the position of Under Secretary of State for Arms Control and International Security, because I have serious concerns about Mr. Bolton's experience, his diplomatic temperament, and his record.

Before proceeding further, it should be stated that it is becoming increasingly clear that there is a double standard in the Senate's treatment of President Bush's nominees and those of President Clinton. During the Clinton administration, nominations often languished for months—and in some cases years—before the Senate, without ever coming to the floor for a vote. However, when Democrats object to a Bush administration nomination, Republicans cry foul and accuse Democrats of not playing by the rules.

This double standard is evident with this nomination. President Clinton's choice for Under Secretary for Arms Control and International Security was John Holum. After being confirmed by the Senate by voice vote, Mr. Holum served as Director for the Arms Control and Disarmament Agency, ACDA, for 6 years. When ACDA was going to be folded into the State Department, President Clinton made a sound decision to nominate Mr. Holum to be the Under Secretary of State for Arms Control and International Security. Despite his qualifications, a few Republicans blocked John Holum's nomination for nearly 2 years, successfully preventing a vote. This stands in stark contrast to President Bush's selection for the very same position. The nomination of Mr. Bolton—who unlike Mr. Holum is not well qualified for this position—is being voted on by the full Senate after just 2 months.

The first reason that I oppose this nomination is because Mr. Bolton does not have the requisite experience for the job. I am aware that he has some solid foreign policy credentials, previously serving on the Commission on International Religious Freedom, as Assistant Secretary of State for International Organization Affairs, and as Assistant Administrator of USAID for Program and Policy Coordination. But John Bolton has been nominated for the senior position at the State Department responsible for supervising and managing complicated negotiations for arms control and nonproliferation issues. In these areas, his experience is seriously deficient.

This is no time to learn on the job. We are confronted by a complex and rapidly changing security environment, which will require sensitive diplomatic negotiations and consultations on a wide range of international security matters with our friends, allies, and adversaries. We need someone in this position with long experience and a proven track record on these issues—which Mr. Bolton does not have.

Second, as Senator BIDEN appropriately pointed out at Mr. Bolton's

confirmation hearing, Mr. Bolton lacks the diplomatic temperament for this job.

He is prone to making confusing statements and using inflammatory rhetoric against those with whom he does not agree. He once stated that "Republicans are adults on foreign policy questions, and we define what we're willing to do militarily and politically by what is in the best interests of the United States." What does this mean? Do Democrats not act in the best interests of the United States? Are Democrats like Lee Hamilton, Sam Nunn, and James Sasser not adults on foreign policy? It is a ludicrous and offensive statement.

On another occasion, Mr. Bolton attacked those who were concerned about the defeat of the Comprehensive Nuclear Test Ban Treaty, CTBT. Some were worried that the Senate's decision to vote down a major international security pact for the first time since the Treaty of Versailles could signal a turn toward isolationism. Mr. Bolton's response was that these reactions were "indications of a profoundly misguided and potentially dangerous philosophy in American foreign policy" and that people who held this view were "timid and neo-pacifist." Again, is being vigilant about the possibility of American isolationism, something that contributed to the Second World War, timid or neo-pacifist? What is a neo-pacifist, anyway?

And with respect to the International Criminal Court, ICC, Mr. Bolton said that "[s]upport for the International Criminal Court concept is based largely on emotional appeals to an abstract ideal of an international judicial system unsupported by any meaningful evidence and running contrary to sound principles of international crisis resolution." Why was the decision to sign the Treaty, and join 139 other nations including 17 of our NATO allies, emotional? Is it not rational to conclude that signing the Treaty enables us to maintain the maximum influence over the ongoing negotiations and obtain additional concessions in the process?

These are representative of statements from Mr. Bolton that are confusing, inaccurate and inflammatory. While those of us in politics are used to this sort of thing, effective international diplomacy is not conducted in this manner. It is not the kind of temperament that we need from our most senior arms control official at the State Department.

I am also deeply concerned about Mr. Bolton's record on arms control and nonproliferation agreements and his views on international law. Although he has supported some security treaties in the past, he is philosophically opposed to most of the treaties that comprise the foundation of the international nonproliferation regime. He once said that the CTBT and other treaties are "unenforceable" and provide "illusionary protections." More-

over, he argued that "[w]hile treaties may well be politically or even morally binding, they are not legally obligatory. They are just not 'law' as we apprehend them." In fact, the principle that treaties and other forms of international law are binding is widely accepted. Whether trading with other nations or insisting on the right to traverse international water or airspace, we rely on treaties and international agreements to protect our interests.

It is true that treaties and other agreements are just one part of international security. Nevertheless, they are an extremely important part. Mr. Bolton's statements make me seriously question his commitment to this aspect of our security, and I do not want to confirm an individual with this record to a position that is responsible, in part, for advancing U.S. interests by upholding and promoting international nonproliferation agreements.

Finally, I would note that the timing of the vote on Mr. Bolton's nomination could not be worse. From Kyoto to missile defense, the Bush administration has made a number of unilateral decisions that have caused great concern among our allies in Europe and Asia. And, there are reports that more could be on the way—such as "unsigning" the ICC Treaty. I firmly believe that confirming someone to this important position who has limited experience on these issues, lacks the diplomatic temperament for the job, and has, at best, a mixed record of supporting international arms control agreements, sends yet another negative signal to our friends and allies.

We need a person in this important position who will help craft a bipartisan foreign policy and work with our friends and allies to make America more secure. Mr. Bolton is not that person, and I will vote "no" on his nomination.

Mr. President, I recognize that Mr. Bolton will receive sufficient votes to become our next Under Secretary of State for Arms Control and International Security. I hope that the fact that he was only reported out of the Foreign Relations Committee by a margin of one vote, and that several senior Senators with expertise and many years of experience in arms control opposed his nomination, will cause him to reflect on the way he has approached these issues in the past. This is a position of great responsibility. He should use it to demonstrate that he can work constructively and respectfully with people, whether they agree or disagree with him, to help advance the interests of this nation.

Mrs. FEINSTEIN. Mr. President, I rise today to oppose the nomination of John R. Bolton as Under Secretary of State for Arms Control and International Security. In many ways, Mr. Bolton's record, writing, and views lead me to believe that he is the wrong man at the wrong time for this position.

In considering this nomination I am most troubled by the fact that Mr.

Bolton's views appear to be antithetical to both arms control and international law.

Although he has supported some security treaties, on the whole he has been highly critical of most of the treaties that comprise the foundations for nuclear arms control and nonproliferation.

When the Senate voted down the Comprehensive Test Ban Treaty, CTBT, for example, it is my understanding that Mr. Bolton applauded the defeat of "the illusionary protection of unenforceable treaties".

Arms control treaties and international efforts to control the spread of weapons of mass destruction are not the only way to address these threats, the United States must have other means and capabilities as well, but they have a place in U.S. foreign policy, and can play a useful role in safeguarding American interests.

The CTBT, START, the Anti-Ballistic Missile treaty, the Non-Proliferation Treaty, the Chemical Weapons Convention, the Missile Technology Control Regime, alongside many other treaties negotiated by Presidents of both parties, can and do play an important role in reducing the risk to the United States posed by the proliferation of Weapons of Mass Destruction.

Likewise, Mr. Bolton has made comments that suggest that international treaties do not have the force of law, and raising questions about the commitment that states should have to their treaty obligations.

He has written that "while treaties may well be politically or even morally binding, they are not legally obligatory. They are just not 'law' as we apprehend the term."

In arguing that the U.S. has no obligation to pay our share of the United Nations dues Mr. Bolton argued that "Treaties are 'law' only for U.S. domestic purposes. In their international operation, treaties are simply 'political' obligations."

This approach suggests that international treaties are unenforceable; that signatories may pick and choose the sections they will adhere to; and that the United States, by virtue of our superpower status, may insist on other countries fulfilling their treaty obligations while reserving the right to ignore our own.

But how can the United States hope to compel other countries, especially states like Iraq, Iran, and North Korea to respect international law and norms on non-proliferation if the top State Department official for arms control does not?

Mr. Bolton has also suggested that "There is no such thing as the United Nations . . .".

How effective can United States leadership be in the international community if these views guide U.S. policy? In some ways, Mr. President, I think the recent loss of the U.S. seat on the Human Rights Commission provides us an early indication of what answer we

can expect from the rest of the international community to that question.

There are also questions about Mr. Bolton's approach to a range of other issues on the international agenda which, as Under Secretary and a senior member of the State Department decision-making apparatus, he will play a role.

Mr. Bolton's views on Taiwan appear to be out of step with thirty years of bipartisan U.S. policy as well as the views of the Bush Administration.

He has stated that he believes Taiwan to be a state, and argued for full diplomatic recognition of Taiwan and an end to the "One China" policy.

Over the past thirty years the Taiwan Relations Act, the "One China" policy, the three Joint Communiques, and a policy of purposeful ambiguity with regards to U.S. defense commitments to Taiwan have served U.S. interests, and those of Taiwan, extremely well. It is an approach that has provided the United States with both leverage and maneuvering room in our relations with both China and Taiwan, and has had the support of six Presidents from both parties as well as broad bipartisan backing in Congress.

These are but a few examples of the sort of worrisome issues which lead me to believe that Mr. Bolton is not the right person to serve as Under Secretary.

The questions that have been raised about Mr. Bolton's views on a range of arms control, international law, and other national security issues strongly suggests that Mr. Bolton does not meet the necessary threshold for confirmation by the Senate as Under Secretary of State. I do not make this statement lightly, but I do so with the recognition that the Senate has the right, the obligation, to provide advice and consent to the President's appointments.

I urge my colleagues to join me in opposing the confirmation of Mr. Bolton.

Mr. BINGAMAN. Mr. President, I rise to urge my colleagues to oppose the nomination of Mr. John Bolton to become the Under Secretary of State for Arms Control and International Security. Many in the Senate disagree with the substantive views of Mr. Bolton on particular policy issues and will oppose his nomination on the basis of those disagreements. I too disagree with Mr. Bolton on a range of important foreign policy issues, but my opposition to his nomination comes from broader and deeper concerns. First among them, I believe that whoever serves in this position should be experienced, knowledgeable, and philosophically compatible with the use of arms control as a legitimate tool of the national security objectives of the United States. Arms control treaties have served our national security interests well during past decades, including important major treaties signed and ratified by Republican administrations. Notable among the many important and effective arms control contributions by Re-

publican administrations are the Non-Proliferation Treaty, the ABM Treaty and Protocol, the Threshold Test Ban Treaty, and the Intermediate Nuclear Forces Treaty. I would hope that Mr. Bolton would uphold this tradition within his party, but I am skeptical that will be the case. If so, our nation stands to become more insecure rather than less in the volatile world of today's international system.

Recent testimony by Mr. Bolton suggests that he may not be as knowledgeable about the significant contributions of prior arms control treaties as he should be, and, more importantly, may not be inclined to support arms control as a useful mechanism to achieving national security goals. In his confirmation hearing before the Senate Foreign Relations Committee, for example, when asked about his views regarding whether the ABM Treaty is in force, he withheld his own views on this very important matter which now lies at the center of the most significant national security debate in our country as well as within the international community. It seems to me that if the Senate is to confirm a nominee for this important position as Under Secretary of State for Arms Control, it would not be unreasonable to expect that nominee, even if we are in disagreement, to have a well-developed, articulate view of this critical question. I believe that the Senate and the American people have a right to expect that someone who would assume this key advisory position would be able to answer that question in an informed, straightforward way. I'm concerned that we still don't know if Mr. Bolton is well-educated on the validity and utility of the ABM Treaty. I for one am reticent to hand over the keys to a car when I don't know where the driver is going to take me. The ABM Treaty is so vitally important, I believe the American people have a right to know where Mr. Bolton wants to go.

In his writings and testimony, Mr. Bolton referred generically to treaties that are unenforceable and that provide only illusory protections. He would include the Comprehensive Test Ban Treaty in that category, a belief that suggests to me a lack of understanding about our verification capabilities with respect to countries which might seek to initiate a nuclear weapons program as well as nuclear weapons states which might seek to advance their own capabilities in any militarily significant way. Though the Senate has not thoroughly debated this question, the experts I have spoken with assure me that the CTBT is verifiable consistent with our highest priority non-proliferation national security concerns. Before voting to confirm Mr. Bolton, the Senate should know more about the specifics of his views on this and similar matters in order to determine whether his views are well-grounded or simply an expression of a visceral distrust of arms control as a national security tool.

I am equally concerned that his views rejecting the binding nature of international treaties is incompatible with the internationally accepted position on this fundamental legal question. In his writings, Mr. Bolton has indicated that although treaties may be politically or morally binding, they are not legally binding. I suspect that while he would demand compliance of other nations to an international treaty as a matter of law, he would defend instances of U.S. non-compliance as our legal right. At a time when the President of the United States has spoken repeatedly of the need for our nation to approach other countries with humility, Mr. Bolton's view on this matter strikes me as completely unacceptable.

Perhaps, it comes down to this. Every time the Senate debates an arms control agreement the question is asked, "Will our nation be more secure with or without this Treaty?" For those who answer "without", they conclude that the nation is more secure without making international commitments. Their crystal ball suggests that without international agreements, national self interest will be sufficient to ensure national security. Given Mr. Bolton's position in opposition to key arms control agreements of our time, I'm very concerned that he believes that U.S. unilateralism is the only reliable means to assure our national security. I strongly reject that view. Unilateralism is reversible and unpredictable, and in my view, portends greater instability among nations. Before I'd vote to confirm Mr. Bolton, Mr. President, I'd like very much to know what Mr. Bolton's view of what a unilateralist world looks like to him without the ABM Treaty, the CTBT Treaty, or any other arms control treaty to which he is opposed. Until he can convince me that it would be a safer world, I'll withhold my vote. I urge my colleagues of the Senate to do the same.

Mr. DODD. Mr. President, as you know, I generally believe that any President, Democratic or Republican, has the right to appoint the members of his administration. That is why, over the years, I have generally voted in support of the vast majority of presidential nominees that have come before the Senate. However, I am also mindful of the fact that the Founding Fathers gave the U.S. Senate a role in the nomination process, namely that of advice and consent. This responsibility was given to the Senate in order to ensure that the President did not misuse his authority in selecting individuals to serve in positions of public trust or ones with significant implications for the national security of this country. I have always ought to balance these two principles, that the President has been elected by the American people to do a job and he should be able to decide how best to do it, and that the Constitution of the United States charges the United States Senate with review-

ing the Presidential appointments to ensure that our national interests are being served. And, in juggling these two sometimes conflicting concepts, I have generally given the benefit of the doubt to the individual selected by the President.

Very rarely over the years have I voted against nominees. On those occasions in which I have chosen to do so, it has been because I have had serious doubts about the ability of the individual to carry out the responsibilities of the office to which he or she has been nominated. Regrettably, I hold such doubts about the nomination before us today—John Bolton to the position of Under Secretary of State for Arms Control. Based upon Mr. Bolton's own statements and writings over the years, as well as his testimony during his confirmation hearing, I have serious reservations about his ability to discharge his duties in the area of arms control. My reservations are of such a magnitude that they rise to a level so as to outweigh my general practice of deferring to the President on nominations.

There is no question that Mr. Bolton is an individual of integrity and intelligence. He has demonstrated those qualities throughout his career—most recently at the American Enterprise Institute, and the Commission on International Religious Freedom. However, there is glaringly absent from his otherwise distinguished record, any substantial background in the area of arms control—the principle area of responsibility for the position to which he has been nominated. It is not only that Mr. Bolton has limited experience in the arms control arena, but also that in his few dealings with this subject matter he has expressed doubts as to the relevancy of arms control itself. I find it troubling that the individual that the President and the Secretary of State will look to in the areas of non-proliferation, arms control and security assistance holds that view. Arms control issues loom large on the President's agenda as he demonstrated last week when he spoke at the National Defense University on the topic of National Missile Defense, NMD—an extremely controversial subject with huge implications for United States arms control policy. NMD, The Comprehensive Test Ban Treaty, CTBT, and the future of the 1972 ABM treaty are all subjects in which the President and the Congress will have to come to some meeting of the minds on during the coming months. The Under Secretary of State for Arms Control will have to play a pivotal role in facilitating that process. Mr. Bolton's having a dismissive attitude toward arms reduction and arms control right from the start gives him very little credibility with those of us who care deeply about arms controls issues and are concerned about the direction the Administration appears to be heading in this area.

With respect to CTBT and other international treaties, Mr. Bolton has

stated that he does not believe that these agreements are legally binding on the United States, but rather are "political obligations." This stance is contrary to United States interests of promoting respect for international law and upholding the good faith agreements entered into among our allies to honor these treaties. In addition, such statements in the area of arms control, by the person who will occupy the very post charged with upholding our treaty obligations, not only diminishes our credibility in the eyes of our allies, but also compromises the best interests of our national security. Arms control is a global issue, not an American one, and while we must forge policies consistent with America's interests, we cannot create policy in a vacuum, and to act unilaterally on an issue of such import would be foolish.

In terms of the ABM treaty, I believe that President Bush is correct when he says that the world is quite different today than it was in 1972 when the treaty was first entered into with the then Soviet Union. Clearly every word of that treaty should not be cast in stone. There may be changes to the treaty that would benefit United States interests without undermining the principle purpose of the treaty—to prevent a costly and dangerous international arms race. It is certainly appropriate that the President undertake a review of this treaty. But this can be accomplished while still honoring our current treaty obligations and without a rush to judgement. The ABM treaty may need updating, but unilaterally abrogating this treaty or any other treaty that the United States has entered into is a major step not to be taken lightly or without consultations. While Mr. Bolton has stopped short of calling for the unilateral abrogation of the treaty, his cavalier attitude toward our participation in the ABM treaty and to the responsibilities that we bind ourselves to when we enter into these international agreements is disturbing.

I am further troubled by Mr. Bolton's views on such sensitive foreign policy issues as the so called "One China Policy," and on the nature and extent of U.S. arms sales to Taiwan. I am particularly concerned at a time when Chinese-American relations have taken a turn toward the adversarial. When the characterization of the U.S.-China relationship as "strategic competition" provokes indignation in Beijing, one can only imagine the ramifications of Mr. Bolton's public support for the official recognition of Taiwan as an independent state, a position which contradicts over three decades of U.S. diplomacy that has successfully balanced our interests in Asia. Although Mr. Bolton has stressed that the Undersecretary of State for Arms Control does not have responsibility for directly shaping diplomatic relations between the U.S. and China, separating arms control issues from U.S./China policy is neither feasible nor advisable at a time when China sees itself, rightly or wrongly, as a target of the Bush

administration's decisions to move forward with National Missile Defense and to sell arms to Taiwan.

Mr. Bolton has also expressed worrisome views on U.S. involvement in the Balkan wars, stating that he saw "no tangible national interest" in those conflicts. And while it is true that American territory or interests were not directly threatened by the bloodshed in the Balkans, certainly instability in Europe must always be a matter of concern to the United States as should human rights abuses that rise to the level of near genocide. I am concerned at Mr. Bolton's seemingly insular view of American interests and responsibilities.

Finally, Mr. Bolton has at times been outspoken and provocative in his public remarks about international affairs. He has been known to stray from a simple statement of opinion to more controversial pronouncements about subjects which are approached with tremendous sensitivity by most foreign policy experts. As Undersecretary of State for Arms Control Mr. Bolton will be responsible for high level negotiations with allies and other governments concerning the gravest matters of national and international security. Regrettably, I am uncomfortable with the idea of Mr. Bolton in such delicate situations.

The world we live in today is dangerous. For better or worse, the United States must play a major role in ensuring that there are safeguards to protect our national security and foreign policy interests. Without doubt these dangers include the possibility of the proliferation of weapons of mass destruction. It may be true that no longer is our main concern a purposeful attack by another superpower, but rather the accidental or capricious bombing by a rogue nation. It may also be true, as Mr. Bolton asserts, that it is time to re-examine our international arms framework, but it is not a time for isolation or bravado. Given the critical negotiations and challenges that await the new administration, there is no room for inexperience. We need a skilled and steady hand shaping a disarmament policy that is right for the 21st Century. In my view Mr. Bolton does not possess such qualities, and that is why I have reluctantly decided to vote against his nomination for this critical position.

Mr. LIEBERMAN. Mr. President, I am voting in favor of John Bolton for the position of Undersecretary of State for Arms Control and International Security Affairs. Mr. Bolton is the President's choice, and I have generally supported the tradition of respect by the Senate for confirming the President's nominees except in rare instances. I disagree with some of the positions Mr. Bolton holds, particularly his opposition to some of the arms control treaties that were negotiated over many years by his predecessors at the Arms Control and Disarmament Agency. But I also agree with other positions Mr.

Bolton has taken regarding America's foreign policy. He explained his positions during his confirmation hearing and gave assurances that he accepts and will respect America's obligations under international law. He is especially intent on working to control the spread of weapons of mass destruction to rogue states. I therefore conclude that Mr. Bolton falls within the criteria of acceptability for confirmation to the job for which he has been nominated by the President.

Mr. KOHL. Mr. President, I have serious concerns about confirming John Bolton to be the next Under Secretary of State for Arms Control. The person who serves in this position is expected to supervise and manage international arms control negotiations and non-proliferation agreements and to uphold key arms control treaty obligations. Yet, John Bolton has said he believes that the very agreements he would be required to uphold and negotiate are not even legally binding.

International arms control agreements are the linchpin of our national security. They have played a vital role in keeping the peace, increasing our security and halting the spread of weapons of mass destruction and the missiles that deliver them. They made a significant contribution towards reducing nuclear threats during the Cold War, they helped us reduce the presence of conventional forces in Europe in the post-Cold War era, and they have been an important tool in the response to the growing non-proliferation threat.

Not only does John Bolton have limited experience in the arms control arena, but he has dismissed the Comprehensive Test Ban Treaty and some other treaties as "illusory protections." He has been disdainful of supporters of the CTBT and, he has been intentionally evasive about his views on the ABM Treaty. I question whether Mr. Bolton could serve effectively in this position given his views and the inflammatory manner in which he has communicated these views in his years out of public service.

I am not questioning the integrity of this nominee or his fitness for government service in general. I also believe we must be careful not to reject nominees just because we object to their views. However, when a person like John Bolton is put forward, a person whose views seem to undermine the very purpose for which he is being nominated, I believe we have a responsibility to speak out. John Bolton is not an appropriate choice for Under Secretary of State for Arms Control and I will be voting against this nomination.

Mr. KENNEDY. Mr. President, I oppose the nomination of John Bolton to be Under Secretary of State for Arms Control, Nonproliferation and International Security.

The Under Secretary must be able to develop and shape arms control and disarmament policies in a way that

helps the Nation to achieve these all-important goals for our country and our planet. It is this special responsibility of the Under Secretary to protect the United States by working to control the proliferation of weapons of mass destruction.

As Senior Adviser to the President, the Under Secretary works with the Secretary of State and members of the National Security Council, leads the interagency policy process on non-proliferation, and manages global U.S. security policy. He is involved in defense cooperation, arms transfers and security assistance to our allies. He provides policy direction for the non-proliferation of nuclear missiles and fissile material. He has a primary role in the negotiation, ratification, verification, compliance, and implementation of agreements on strategic, non-conventional and conventional forces, regional security and military cooperation.

His role is also to oversee implementation of the Foreign Assistance Act, the Arms Export Control Act, and related legislation. The Bureaus of Arms Control, Nonproliferation, and Political-Military Affairs and Verification and Compliance are under the policy oversight of the Under Secretary.

The position carries enormous responsibilities, and I am not persuaded that Mr. Bolton has the vision and commitment to advance America's best interests, especially in arms control.

Mr. Bolton has said that "international treaties are 'laws' purely for domestic purposes" and in their "international operation, they are simply political obligations." He has described treaties as useless, because they don't stop rogue states from doing what they seek and only restrain the U.S. from pursuing its own defense initiatives.

Mr. Bolton has also been an outspoken critic of the Anti-Ballistic Missile Treaty and the Comprehensive Test Ban Treaty, referring to the latter as an "unenforceable treaty with illusory protections."

Mr. Bolton praised the defeat of the Comprehensive Test Ban Treaty in the Senate. He called Americans who worried that nuclear proliferation would threaten international peace and security "hysterical." He described the philosophy behind supporting a treaty that bans dangerous nuclear testing as "profoundly misguided and potentially dangerous."

The CTBT is an important part of our global non-proliferation efforts, and it has been endorsed by General John Shalikashvili. Earlier this year, General Shalikashvili, Special Advisor to the President on this treaty, stated in a letter to the President that "there is no good reason to delay ratification of the CTBT" and that "the longer the U.S. delays, the more likely it is that other countries will move irrevocably to acquire nuclear weapons or significantly improve their current nuclear arsenal and the less likely it is that we

could mobilize a strong international coalition against such activities."

Yet Mr. Bolton has criticized the treaty for not providing "adequate protections" and "hobbling" the United States' ability to maintain the most important international guarantee of peace"—which is, in Mr. Bolton's view, "a credible U.S. nuclear capability."

I also have serious reservations about Mr. Bolton's views on the Anti-Ballistic Missile Treaty. In the years since the United States and the Soviet Union signed the ABM Treaty in 1972, it has been a major part of U.S. nuclear arms control policy. By ensuring that our nuclear arsenal remains an effective deterrent, the ABM Treaty prevented an escalating arms race with the Soviet Union and more recently with Russia. The treaty continues to bring significant stability to the U.S.-Russia nuclear partnership in the post-Cold War world.

Mr. Bolton has contended that National Missile Defense should be one of the our primary considerations in dealing with proliferation and international security. But this view is in conflict with the Under Secretary's responsibility to protect our Nation against threats in a way that is consistent with our treaty obligations. Mr. Bolton's view that Russia will take advantage of any U.S. vulnerability could hinder essential and continued cooperation with that nation.

I am concerned as well by Mr. Bolton's views on our relations with North Korea and China. Since 1996, the United States has embarked on a delicate negotiation with North Korea. The agreed framework has achieved renewed dialogue between North and South Korea, and could be the beginning of a serious effort to achieving an arms control agreement with North Korea. It has created an unprecedented opportunity for the U.S. and North Korea to work together. But Mr. Bolton has been outspoken in his opposition to the agreement, calling it an "egregious mistake."

Mr. Bolton has stated that normalizing relations with North Korea and the goals it would achieve are "entirely in North Korea's interests, not ours." Clearly, efforts to stop the development of nuclear weapons in the Korean Peninsula are in the United States' interest. Yet Mr. Bolton has also called the agreed framework an "unjustifiable propping up of the North Korean regime."

I am concerned that Mr. Bolton presents himself as a nominee who will fundamentally change the objectives of his office from promoting treaties and arms control to urging a national agenda on missile defense. The policies he promotes could unnecessarily alienate our allies and undermine arms control and nonproliferation.

Mr. Bolton has stated that "the most important international guarantee of peace is a credible U.S. nuclear capability." It would be a mistake to entrust the responsibility of achieving

more effective arms control, non-proliferation and disarmament policies to someone who believes that international security is best maintained by continuing the nuclear arms race.

I am also deeply concerned about Mr. Bolton's views on the United Nations. As Under Secretary, he would advise the President and the Secretary of State on policy decisions on U.S. security commitments worldwide and on arms transfers and security assistance policy and programs. He would need to work with the international community and the United Nations to meet these goals. Yet, in 1994, Mr. Bolton wrote starkly that "there is no such thing as the United Nations." He has said that the majority of Congress and most Americans do not care about losing the U.S. vote in the General Assembly. Virtually every other nation in the world supports the United Nations and the United States should be dedicated to strengthening, not weakening, it.

The Under Secretary of State for Arms Control, Nonproliferation and International Security should work to strengthen our international treaties and our relations with other countries, not dismantle or destroy them. I am not convinced that Mr. Bolton is committed to these critical goals.

His views do not represent a positive approach to key arms control issues, and I urge the Senate to oppose his nomination.

Mr. REED. Mr. President, I rise to state my opposition to the nomination of John Bolton to be Undersecretary of State for Arms Control and International Security. I want to clarify that I respect the right of the President to choose those who will serve him in his Administration. I also recognize that many of the appointees in this Administration will have views which differ from my own—and those differences are not reason enough to vote against a nomination. However, in this case, I believe there is ample evidence that Mr. Bolton has deeply held views which run so contrary to stated U.S. policy that he will not be able to effectively perform his duties.

If confirmed, statute dictates that John Bolton would be the senior assistant to the Secretary of State in matters "related to international security policy, arms control and non-proliferation." He would oversee a number of issues including the fate of the ABM Treaty, negotiation with North Korea on the Agreed Framework and aid to dismantle Russian nuclear stockpiles. At a time when the danger from nuclear weapons is at least as great as during the Cold War, it is essential that this Undersecretary be committed to using every possible diplomatic option for reducing the weapons stockpile and diffusing tensions. Unfortunately, because of his previous statements, I cannot be confident of Mr. Bolton's commitment to this goal.

As Joseph Cirincione, the director of the Carnegie Non Proliferation Project, stated: "John Bolton is philosophically op-

posed to most of the international treaties that comprise the nonproliferation regime."

Mr. Bolton was a vocal opponent of the Comprehensive Test Ban Treaty. He said that supporters of the CTBT were "misguided individuals following a timed and neo-pacifist line of thought." He also stated that "Mere promises by adversaries and rogue regimes, unverifiable in critical respects, simply do not provide adequate protections and may actually hobble our ability to maintain the most important international guarantee of peace—a credible U.S. nuclear capability." I would like to note that history would indicate Mr. Bolton is incorrect, since the United States has been able to maintain an awesome nuclear stockpile while complying with arms control treaties that have been the cornerstone of the prevention of nuclear war for the past fifty years. Furthermore, while Mr. Bolton is certainly entitled to his opinions on arms control treaties, his opinions indicate that he may not be best suited for a position which requires upholding and negotiating treaties on a daily basis.

Mr. Bolton also does not seem to have a very high opinion of the United Nations, the organization with which he would have to work closely in developing and maintaining U.S. international security policy. At different points in the past few years, Mr. Bolton has stated that "If the UN secretary building in NY lost 10 stories, it wouldn't make a bit of difference." He also stated that the U.S. has no obligation to pay its UN dues because "The UN Charter is fundamentally a political, not a legal document. On finances it amounts to little more than an 'agreement to agree.'" Despite the fact that the UN may seem bureaucratic and slow to act at times, it is the primary instrument for international cooperation, and I believe U.S. participation is vital to ensure U.S. national security.

In addition, Mr. Bolton does not appear to believe that the tenets of international law are binding. In 1999, Mr. Bolton asserted that, "In reality, international law, especially customary international law, meets none of the tests we normally impose on 'law', while treaties may be politically or even morally binding, they are not legally obligatory. They are just not 'law' as we apprehend the term." Since the founding of this nation, Administrations have put faith in international law and treaties created under international law and entered into by the United States have been regarded, as the Constitution dictates, "as the supreme law of the land."

Mr. Bolton is clearly an intelligent and capable individual. However, his publicly stated views and past actions indicate that he believes that it is in the best interests of United States security to act unilaterally, with little regard for the views and agreements of the international community. We live

in an increasingly interdependent world. Today, it is more important than ever before to use such tools as the United Nations, international law and treaties to promote and ensure international security and arms control. I believe the Undersecretary of State for International and Arms Control should be willing to pursue these avenues, and I think the evidence indicates that Mr. Bolton would not be the best person for this job. Therefore, I will oppose his nomination.

The ACTING PRESIDENT pro tempore. The Senator from Delaware.

Mr. BIDEN. Mr. President, has there been time allotted for me to speak on this nomination?

The ACTING PRESIDENT pro tempore. The Senator has 12 minutes.

Mr. BIDEN. Mr. President, I rise to oppose the nomination of John Bolton to be Under Secretary of State for Arms Control and International Security. I do so for several reasons. I say at the outset—and I have said to my friend and colleague, Senator HELMS, the chairman of the committee—that my opposition to John Bolton is not based on a personal concern about John Bolton's overall qualifications. He is an intelligent, bright, decent, and honest man. Notwithstanding an editorial in one of the major newspapers in this country, there is nothing inconsistent about that in my opposing the nomination of him relating to this specific position.

I want my colleague from North Carolina to know that my opposition is based—and which he will soon hear, and he knows because we have talked about it—on Mr. Bolton's views on arms control primarily. This is a decent and an honorable man, but I think he is the wrong man for this job.

I add at the outset, I think his views on some of the major issues in the area of foreign policy are at odds with the stated views of the Secretary of State, although I am certain the Secretary of State supports Mr. Bolton. I am not implying that there is opposition within the State Department to Mr. Bolton.

Let me give you the reasons, as briefly as I can, that I am concerned about Mr. Bolton's views on arms control.

He comes to the Senate with an extensive record of Government service but a very limited record in arms control and nonproliferation matters, which, as the Presiding Officer knows, is an extremely complicated area—extremely complicated area.

What we do know about Mr. Bolton's views on arms control and nonproliferation matters suggests an individual who questions the relevance of arms control agreements.

My friend from North Carolina, the chairman of the committee, questions the relevance of the arms control agreements, and I find him to be an extremely qualified Senator. We just disagree on the issue. I would vote for him for just about anything. I would probably vote for him even for this position, but maybe I would not. This is

the one position I could consider I would not want him to have in the administration.

In praising the defeat of the Comprehensive Nuclear Test-Ban Treaty, Mr. Bolton referred to the CTBT, and other unnamed treaties, as “unenforceable treaties” which provide “illusory protections.” I realize some hold that view. They are not, however, people I think should be in charge of promoting arms control, disarmament, and nonproliferation matters.

The death of the CTBT, he wrote, is a “useful opportunity to re-examine in a hard-headed and realistic way how international peace and security are really guaranteed.”

Treaties are not the only means of ensuring arms control reductions, but in the last 50 years treaties and agreements have provided the foundation for advancing U.S. arms control and nonproliferation objectives. From the Nuclear Non-Proliferation Treaty to the START treaties, from the Chemical Weapons Convention to the Biological Weapons Convention, such agreements have been essential in containing the threat of dangerous weapons.

Mr. Bolton has supported some arms control treaties, I might add, including the Chemical Weapons Convention, where he and I were on one side, and the chairman was on the other side. But his sweeping statements deriding the importance of arms control leave me uneasy about his commitment to the task.

My discomfort level is increased by Mr. Bolton's questioning of whether treaties are even binding. He wrote:

[W]hile treaties may well be politically or even morally binding, they are not legally obligatory. They are just not “law” as we apprehend the term.

Similarly, Mr. Bolton once testified to Congress—recently; as a matter of fact, in the last several years—that treaties are “political” and “not legally binding, to the extent that they purport to affect relations among national governments.”

In response to a written question, he stated the matter a bit differently, saying, “I believe that treaties bind the United States,” which I have difficulty, quite frankly, squaring with his previous writings.

If confirmed, Mr. Bolton would supervise some of the most important treaty obligations. I find Mr. Bolton's views on those issues relating to treaty obligations very troubling—very troubling.

I am also concerned about Mr. Bolton's limited experience in arms control. By law, the Under Secretary is the senior assistant to the Secretary of State in matters “related to international security policy, arms control, and non-proliferation.”

As a matter of fact, in the reorganization effort spurred and led by my friend from North Carolina, the chairman of the committee, we moved this position into the State Department. It used to sit outside the State Department. This was supposed to be—and is

supposed to be—the primary person promoting arms control.

I note, parenthetically, I have always had difficulty voting for nominees who hold views that are antithetical to or at odds with the responsibilities they have. I voted against, for example, fine men who were nominated to be Secretary of the Interior during the Reagan administration when they were insufficiently committed to the environment. So I didn't want to be a party to putting someone in a position whose avowed purpose was the President's, which was antithetical to the purpose of the organization.

I am also concerned about his limited experience, as I said. Mr. Bolton does have foreign policy experience, though—I do not think we should underestimate that—at the Agency for International Development and as Assistant Secretary of State for International Organizations. He has held those posts.

In the State Department, he did gain some experience in arms control, working on issues related to the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons, but these activities were hardly a major part of his duties.

In the last 8 years, Mr. Bolton has written extensively on foreign policy, but he wrote very little about arms control. That is not a bad thing, but it still leaves us with a person with little experience in the arms control field, to which many of our senior people devote their entire careers.

Chairman HELMS has cited a letter from former Directors of the Arms Control and Disarmament Agency in support of Mr. Bolton. The signatory of that letter most recently in the arms control job is a man named Ron Lehman. I wish we had someone of Mr. Lehman's experience before us.

I might add, Mr. Bolton is just as bright. This is a fellow who is a Yale undergraduate, went to Yale Law School, and is an extremely bright fellow. But he does not have Mr. Lehman's experience.

When Mr. Lehman was nominated in 1989, he had already held three jobs with firsthand arms control experience before he was nominated. He was Assistant Secretary of Defense for International Security Policy, where he dealt with U.S. nuclear policy, arms control, space policy, and technology transfer controls. He was the chief U.S. negotiator on strategic nuclear arms; that is, the START talks. And he was the Senior Director at the National Security Council for Defense Programs and Arms Control. This man came with an incredible amount of experience. In short, Mr. Lehman was literally steeped in arms control.

On other foreign policy issues, Mr. Bolton has been outside the mainstream. He has called for diplomatic recognition of Taiwan, a position at odds with three decades of American diplomacy—and contrary to the position of this administration.

Mr. Bolton once wrote that the wars in Kosovo and Chechnya involved “no tangible national interest.” In the committee hearing, he changed his tune a bit, saying that there was no vital national interest in the Balkans.

Nonetheless, I am concerned that Mr. Bolton’s consistent criticism of the NATO action in Kosovo indicates a lack of commitment to the stability of Southeastern Europe—a position I find unacceptable for the person who would supervise security assistance programs to the region.

I am concerned, finally, about Mr. Bolton’s diplomatic temperament for this position, which involves the management of complex negotiations in a wide range of arms control and non-proliferation issues. Stated another way: It takes the patience of Job. I am not sure how good I would be in the position. These are sensitive and difficult negotiations. Mr. Bolton’s penchant for inflammatory rhetoric gives me pause about his ability to handle this task.

Following defeat of the Comprehensive Test Ban Treaty, Mr. Bolton heaped scorn on proponents of the Treaty—I don’t take that personally—who expressed concerns that its defeat marked an isolationist turn for the United States and might lead to accelerated nuclear proliferation.

He wrote that such fears are “indications of a profoundly misguided and potentially dangerous philosophy in American foreign policy,” and said that such analysis is “timid and neopacifist.” He has a right to say that, but it is not the language of or temperament of people who have been in that position. Well, this senator expressed those fears, as did some of my colleagues.

Mr. Bolton once said that “Republicans are adults on foreign policy questions, and we define what we’re willing to do militarily and politically by what is in the best interests of the United States.” Is he seriously implying that Democrats are not adults on foreign policy questions and do not worry about the best interests of the United States?

What does that suggest about his ability to work with Democratic Senators?

This kind of inflamed rhetoric is what we might expect on talk radio, but we do not expect to hear it in diplomatic rooms of the Department of State.

I believe Mr. Bolton is a capable person. I respect his intellect and his willingness to serve. But I think he is the wrong person for this job.

The job of Under Secretary for Arms Control and International Security is a critical one—its incumbent has the lead responsibility in the State Department on arms control and non-proliferation. I do not believe Mr. Bolton has the vision or the experience necessary for this position.

One final thing that concerns me about Mr. Bolton is his lack of enthusiasm for the proposal put forward by

former Senator Baker, the majority leader, Mr. Cutler, a top lawyer in Democratic administrations, a bipartisan group, saying the most dangerous threat we face is loose nukes in the Soviet Union. They predicted that there is an incredibly greater likelihood there would be a nuclear, chemical, or biological weapon used in the United States as a consequence of the inadequacy of the Russian system protecting those systems than there was from anything else that could happen and suggested a robust investment in our policy to deal with nonproliferation issues, particularly as they stem from the disorganization combined with the incredible array of weaponry lying around Russia.

In the questioning, particularly by our colleague from Florida, it became pretty clear that Mr. Bolton does not share that sense of urgency at all. He is in charge of the nonproliferation side, the man who will be advising the Secretary of State.

For all those reasons, I reluctantly cast my vote against Mr. Bolton. As I said, we have been on opposite sides of issues, he and I, for a long time. When I was chairman of the Judiciary Committee, he was the main man pushing nominations for the Administration. We were butting heads all the time. I learned to respect his intelligence, I learned to respect his drive, and I learned to respect how tough he was. It is not that I don’t know Mr. Bolton. I know him in that capacity. This is a different capacity. It requires a different temperament and a different attitude in order to promote what I believe to be the single most important job for someone carrying this portfolio within the State Department.

I urge my colleagues to vote no, although I must tell the Senate, I have done no whipping. I have not checked in terms of who is where on any of these votes. I want to make it clear why I am voting no on this nomination.

I thank the Chair. I see my friend and chairman is prepared to speak. I yield the floor.

The PRESIDING OFFICER (Mr. EN-SIGN). The Senator from North Carolina.

Mr. HELMS. Mr. President, I ask unanimous consent that it be in order for me to deliver my remarks seated.

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

Mr. HELMS. I thank my distinguished friend, JOE BIDEN, for the depth of his explanation.

Mr. President, I feel obliged to say at the outset that of all the talented and well-qualified nominees whom President Bush has selected for senior foreign policy positions in his administration, John Bolton, in my judgment, emerges as one of the best and the wisest. He is a patriot, a brilliant thinker, and a talented writer. But most important, John Bolton has the courage of his convictions. He says what he means he means what he says,

and he says it well, which is precisely what is needed at the State Department.

Mr. Bolton comes to this position at a crucial time because he will confront many security issues, not the least of which is President Bush’s pledge to build and deploy a missile defense system. Proceeding with that plan will require close consultation with our allies and much hand holding with Russia. John Bolton’s extensive experience in building international support for U.S. positions—remember his service as Assistant Secretary of State for International Organizations—will serve him and the country well.

John Bolton comes with high recommendations and endorsements of some of the Nation’s most distinguished foreign policy experts. Four former Directors of the Arms Control and Disarmament Agency have written to endorse John Bolton. I ask unanimous consent that these letters be printed in the RECORD at the conclusion of my remarks.

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

(See Exhibit 1.)

Mr. HELMS. I also have at hand a letter written and signed by former Secretaries of State Henry Kissinger, Jim Baker, and Larry Eagleburger, among others, urging John Bolton’s confirmation by the Senate. I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APRIL 24, 2001.

Hon. TRENT LOTT,
Senate Majority Leader, U.S. Senate, Washington, DC.

DEAR MR. LEADER: We support the nomination of John Bolton to serve as Under Secretary of State for Arms Control and International Security, and hope that the Senate will move rapidly to confirm him for that position. John is knowledgeable, intelligent, experienced, and is clearly well qualified. In prior government positions as Assistant Secretary of State and Assistant Attorney General, he has acquitted himself well and served our country admirably. He will do no less as Under Secretary for Arms Control.

We are strong supporters of the proposition that a President should have the right to choose his senior advisors and is entitled to surround himself with those who share his beliefs. We well understand that some may not agree with the President’s position on various matters or with certain views that John has expressed over the years. But we must observe that all Administration appointees are expected to advocate the policies of the President, regardless of their own personal views.

John has been a thoughtful scholar and also a prolific writer, and contributed significantly to our national-security policy debate. We, ourselves, are periodic contributors to newspapers and journals. Such writing affords authors a precious opportunity to take strong positions on issues, and to promote an open and free discussion with other scholars and practitioners. If anything we need more such debate, and more original analysts in government, not fewer. Neither this President nor future Presidents should be deprived of the services of men and

women of conviction, who are prepared to test their views in the marketplace of ideas.

We believe it essential for the Senate to conform rapidly the President's national security team. There is much important work to be done, and we believe that the nation is best served by an Administration that is fully staffed as soon as possible.

Sincerely,

David Abshire, James A. Baker III, Richard Allen, Frank Carlucci, Lawrence Eagleburger, Henry A. Kissinger, Caspar Weinberger, Max M. Kampelman, Helmut Sonnenfeldt, James Woolsey.

Mr. HELMS. Mr. President, isn't it significant that so many of our Nation's leading and senior foreign policy experts declare in writing and otherwise that John Bolton is eminently qualified for the responsibilities for which the President has nominated him? Of course, the issue is not Mr. Bolton's arms control expertise. The issue here is that some Senators oppose President Bush's policy on various matters and particularly the one involving missile defense. I also suspect that there are some Senators who just don't like the fact that the administration has put forward the nomination of a fine American who will very capably implement President George Bush's policy.

The distinguished ranking Democrat on the Foreign Relations Committee, Senator BIDEN, who is my friend and with whom I work closely and pleasantly, put it honestly and forthrightly when he said to John Bolton during John's nomination hearing:

This is not about your competence. My problem with you over the years has been that you are too competent. I would rather that you be stupid and not very effective.

Neither of which, I say to my distinguished colleague, John Bolton will ever, ever be.

I respectfully suggest that Senators should not be in the business of rejecting nominees because they are too competent for the job, but I commend Senator BIDEN for his clarity and honesty, as always.

I understand the opposition of some Senators to various administration policies, but I do hope my colleagues will give careful consideration to the views of the Anti-Defamation League and other nonprofit organizations which have written their support for John Bolton's nomination.

Again, I ask unanimous consent that letters, such as the letter from the Anti-Defamation League and the American Jewish Committee, which can hardly be regarded as conservative organizations, be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

ANTI-DEFAMATION LEAGUE
OF B'NAI B'RITH,
New York, NY, April 16, 2001.

Hon. TRENT LOTT,
Senate Majority Leader, U.S. Senate, Washington, DC.

DEAR SENATOR LOTT: We are writing in support of the nomination of John Bolton as

Undersecretary of State for Arms Control and International Security.

During his tenure as Assistant Secretary of state for International Organizations, Mr. Bolton played a leading role in the successful 1991 US effort to repeal the infamous "Zionism-is-racism" resolution.

While there may be some policy areas where we will differ, John Bolton has demonstrated both the commitment and integrity to advance United States interests.

Sincerely,

ABRAHAM H. FOXMAN,
National Director.

THE CUBAN AMERICAN
NATIONAL FOUNDATION,
Washington, DC, April 25, 2001.

Hon. JESSE HELMS,
Chairman, Senate Foreign Relations Committee,
450 Dirksen SOB, Washington, DC.

DEAR SENATOR HELMS: I would like to offer my strongest possible endorsement on behalf of John Bolton for Undersecretary of State for Arms Control and International Security Affairs.

Over the years, Mr. Bolton has been a champion of freedom worldwide and a passionate defender of U.S. interests around the globe. His past experience in senior-level positions at the State and Justice Departments, AID, and the International Religious Freedom Commission make him uniquely qualified for such an important position.

In the case of Cuba, Mr. Bolton has consistently revealed a keen understanding of the true nature of the Castro regime and has forcefully rejected the current siren song that U.S. trade will magically moderate the Cuban dictator's behavior.

His nomination is of particular interest to us in several other ways as well. Sober analysts talk of the continuing international security threat Castro's Cuba poses to U.S. interests, specifically in the non-conventional "asymmetrical" sphere. For many years, we have been concerned with Castro's involvement in the development of chemical and biological weapons. This is of particular interest to us as residents of South Florida, where we are within easy reach of Castro's capabilities to cause great harm.

We are also increasingly troubled by the growing presence of Communist China in Cuba. It is quite obvious that China is developing that presence to use as leverage against the U.S. in its support for democratic Taiwan, as well as to serve as a strategic base to make diplomatic and intelligence inroads all over this hemisphere.

These troubling developments demand a man like John Bolton, a man who sees the world as it really is rather than the way he wishes it to be. Mr. Chairman, I would like to reiterate our strongest support for John Bolton, not only for the benefit of the freedom-seeking people of Cuba and their supporters but also for the benefit for the United States of America as a whole.

Sincerely yours,

JORGE MAS,
Chairman.

WASHINGTON, DC,
April 13, 2001.

Senator TRENT LOTT,
U.S. Senate, S-230, The Capitol, Washington, DC.

DEAR SENATOR LOTT: I'm writing in support of the nomination of John Bolton as Undersecretary of State for Arms Control and International Security.

As Executive Vice President of B'nai B'rith, my organization and I remain grateful to Mr. Bolton, for his tireless efforts to seek repeal of the infamous Zionism-Racism resolution at the United Nations, during his tenure as Assistant Secretary for International Organization Affairs.

Supporters of Israel often look at the U.N. with a jaundiced eye, given the harsh, discriminatory treatment that country has been subject to over a period of more than five decades. Nevertheless, many of us understand the important role that organization can play, once reformed and freed from the hypocrisy that the Zionism-Racism resolution represented.

We speak as an organization that was invited to San Francisco to participate in the founding of the U.N. in 1945, and which, since the late fifties, has maintained a full time U.N./NGO office in New York, and which is represented at U.N. bodies in Paris, Geneva, Vienna and Santiago.

I urge the Senate's expeditious support for Mr. Bolton's nomination.

Sincerely,

DANIEL S. MARIASCHIN.

JEWISH INSTITUTE FOR
NATIONAL SECURITY AFFAIRS,
Washington, DC, April 17, 2001.

Hon. JESSE HELMS,
U.S. Senate, Dirksen Senate Office Building,
Washington, DC.

DEAR SENATOR HELMS: It is my pleasure to write you in support of the confirmation of John Bolton as Under Secretary of Arms Control and International Security. Mr. Bolton is greatly admired and respected for his outspoken advocacy of American interests in foreign affairs. As Assistant Secretary for International Organizations, John was respected and well regarded. His resume, as I know you are aware, is highly impressive, but not as impressive as the man it represents.

We believe that Mr. Bolton will be a tremendous asset to the Bush administration. He is dedicated and talented, and his confirmation will enhance American diplomacy.

JNSA is a non-profit non-partisan organization with over 20,000 members throughout the United States who are committed to a strong National U.S. Security. We have representatives from all sectors of the community including over 200 American Admirals and Generals.

Sincerely,

TOM NEUMANN.

THE AMERICAN JEWISH COMMITTEE,
New York, NY, April 19, 2001.

Hon. TRENT LOTT,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR MR. LEADER: I am writing to express my support for the Honorable John R. Bolton, who has been nominated to serve our country as Under Secretary of State for Arms Control and International Security Affairs.

It was my privilege to have worked closely with Mr. Bolton from 1989 to 1993, when he served in the Bush Administration as Assistant Secretary of State for International Organization Affairs.

We shared a strong interest in the United Nations and a profound concern that, as a result of the actions of some member states, the world body was being diverted from its central mission.

In the same spirit, Mr. Bolton believed that the adoption, in 1975, by the United Nations General Assembly of Resolution 3379, the odious resolution equating Zionism with racism, was a stain on the institution itself that could not be left standing, even though the repeal of resolutions was essentially unheard of in the annals of the U.N.

To the everlasting credit of Mr. Bolton, he spearheaded a successful American-led effort to repeal Resolution 3379. It took years of patient planning, extraordinary persistence, and remarkable diplomatic savoir-faire, and it was finally accomplished in 1991. The lion's share of the credit for this political

and moral triumph goes to Mr. Bolton. As a result of his efforts, to many of us who care deeply about the integrity of the United Nations he has achieved legendary status.

I have stayed in touch with Mr. Bolton since he left government service. Indeed, we have worked collaboratively under the auspices of United Nations Watch, a non-profit watchdog agency established by the late Ambassador Morris B. Abram, who served the United States with distinction under five American presidents. At UN Watch, Mr. Bolton, who has been an active board member, has once again demonstrated his passionate commitment to a fair and just United Nations and to a strong and effective American leadership role in international affairs.

From my experience, I can say without hesitation that Mr. Bolton is an individual of keen intellect with a profound understanding of foreign policy, strong principles, and deep commitment to advancement of democracy and human rights.

I wish to thank you for your consideration of these views. Should you require any additional information, please do not hesitate to be in touch.

Respectfully,

DAVID A. HARRIS.

Mr. HELMS. Mr. President, these groups support John Bolton because of his political views, because of his political expertise, and because of, yes, his personal moral principles.

John Bolton is precisely the kind of citizen the United States desperately needs in this difficult time to have an important role in the protection of the American people from the threat of missile attack. This man is a thoughtful scholar and an accomplished diplomat and an honest and decent man. I urge that the Senate confirm his nomination without further delay.

Mr. President, I yield the floor.

EXHIBIT 1

MARCH 14, 2001.

Hon. JESSE HELMS,
Chairman, Senate Committee on Foreign Relations, Dirksen Senate Office Building, SD-450, Washington, DC.

DEAR MR. CHAIRMAN: We are pleased that you have scheduled a hearing date on President Bush's nomination of John Bolton to serve as Under Secretary for Arms Control and International Security. We strongly support the President's selection of John Bolton for this important position.

As former Directors of the Arms Control and Disarmament Agency, we believe John Bolton is eminently qualified to serve as Under Secretary. He brings a wealth of knowledge to the position as an expert in international law and a great deal of relevant practical experience as a former Assistant Secretary of State for International Organizations.

He has acquired a great deal of experience with multinational organizations which have gained in importance for arms control and disarmament, relative to the bilateral forums that dominated the evolution of arms control during the Cold War. Also, he is well suited to work with regional organizations that are pursuing arms control agendas, such as the Organization of American States (which deals with the convention on illicit weapons trafficking). His prior services as Assistant Secretary of State also acquainted him with the International Atomic Energy Agency, and the then emerging structure of the Organization for the Prohibition of Chemical Weapons.

As an experienced international lawyer, John Bolton is superbly qualified to guide

the US participation in the negotiations of complex international treaties and in making best use of these treaties for the intended arms control purposes. This is of key importance for the continuing struggle to curb the proliferation of weapons of mass destruction and to deal with the current proliferation problems regarding Iraq, North Korea, Iran, and other nations.

Iraq may well be the most difficult case at this time. It is a fortunate coincidence that John Bolton was deeply involved in the formation of UNSCOM and the adoption of UN Security Council Resolutions designed to reverse Saddam's weapons programs. This expertise is greatly needed now as the Bush Administration seeks to restore the badly eroded international support for maintaining sanctions.

Mr. Chairman, we can recommend John Bolton to the Committee without reservation. He has a thorough knowledge of the most pressing arms control and nonproliferation issues of the day, and we hope that the Foreign Relations Committee will unanimously support his nomination.

Sincerely,

KENNETH L. ADELMAN,
FRED C. IKLE,
*Distinguished Scholar,
Center for Strategic
& International
Studies.*

RONALD F. LEHMAN,
*Center for Global Se-
curity Research,
Lawrence Livermore
Laboratory.*

JOHN D. HOLUM,
Annapolis, MD, April 11, 2001.

Hon. JESSE HELMS, Chairman,
Hon. JOE BIDEN, Ranking Minority Member,
Committee on Foreign Relations, U.S. Senate,
Washington, DC.

DEAR SENATORS HELMS AND BIDEN: I know that the Committee is considering President Bush's nomination of John R. Bolton to be Under Secretary of State for Arms Control and International Security, the position I held during the latter days of the Clinton Administration. I congratulate you for having conducted timely hearings on his nomination. I hope the Committee will also move expeditiously to a vote, and not allow the confirmation to be delayed over matters unrelated to Mr. Bolton's fitness for office and qualifications for this assignment.

No doubt Mr. Bolton and I will find many areas of substantive disagreement. However, the most relevant point bearing on his confirmation is that he has the confidence of the President of the United States and the Secretary of State. Moreover, he has been nominated for a position with vital responsibilities bearing on our national security, including advancing our efforts against the spread of weapons of mass destruction, leadership in formulating and articulating U.S. arms control policy, assessing compliance with arms control agreements, and overseeing security assistance and munitions exports controls. He also faces the task of fulfilling the potential of our reorganization of the Arms Control and Disarmament Agency into the Department of State, and keeping arms control and nonproliferation central to the Department's mission.

So long as the Under Secretary position is not filled, the Department's capacity in these areas will be diminished, and the Administration's ability to advance U.S. interests in the world, including in the vast majority of matters on which we can all agree, will be lessened. Therefore, I strongly encourage the Committee and the full Senate to act without delay on John Bolton's nomination.

With thanks for your consideration, I am,
Sincerely,

JOHN HOLUM.

Mr. HELMS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HELMS. 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. HELMS. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the Bolton nomination.

Mr. HELMS. Have the yeas and nays been ordered?

The PRESIDING OFFICER. No, they have not.

Mr. HELMS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

All time has expired. The question is, Will the Senate advise and consent to the nomination of John Robert Bolton, of Maryland, to be Under Secretary of State for Arms Control and International Security? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 57, nays 43, as follows:

[Rollcall Vote No. 92 Ex.]

YEAS—57

Allard	Feingold	McConnell
Allen	Fitzgerald	Miller
Bayh	Frist	Murkowski
Bennett	Gramm	Nelson (NE)
Bond	Grassley	Nickles
Breaux	Gregg	Roberts
Brownback	Hagel	Santorum
Bunning	Hatch	Sessions
Burns	Helms	Shelby
Campbell	Hutchinson	Smith (NH)
Chafee	Hutchison	Smith (OR)
Cochran	Inhofe	Snowe
Collins	Jeffords	Specter
Craig	Kyl	Stevens
Crapo	Landrieu	Thomas
DeWine	Lieberman	Thompson
Domenici	Lott	Thurmond
Ensign	Lugar	Voinovich
Enzi	McCain	Warner

NAYS—43

Akaka	Dodd	Lincoln
Baucus	Dorgan	Mikulski
Biden	Durbin	Murray
Bingaman	Edwards	Nelson (FL)
Boxer	Feinstein	Reed
Byrd	Graham	Reid
Cantwell	Harkin	Rockefeller
Carnahan	Hollings	Sarbanes
Carper	Inouye	Schumer
Cleland	Johnson	Stabenow
Clinton	Kennedy	Torricelli
Conrad	Kerry	Wellstone
Corzine	Kohl	Wyden
Daschle	Leahy	
Dayton	Levin	

The nomination was confirmed.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senate will be in order.

The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, I would like to point out to the leadership and to the Members, this vote

took 35 minutes. Many of us have hearings on the budget. We have nominees for various Secretary positions waiting. I think it is unreasonable to have a 35-minute vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

ORDER OF PROCEDURE

Mr. THOMAS. Mr. President, I ask unanimous consent that the next votes in the series be limited to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. May we have order.

Mr. KENNEDY. Mr. President, may we have order. The Senate is not in order, Mr. President.

The PRESIDING OFFICER. The Senate will be in order.

The Senator from West Virginia.

Mr. BYRD. Mr. President, may I have the attention of the Senators.

The PRESIDING OFFICER. The Senate will be in order. If Members have conversations, please take them off the floor.

Mr. BYRD. Mr. President, a unanimous consent request is before the Senate to limit each of the next two votes to 10 minutes each.

Mr. THOMAS. Yes.

Mr. BYRD. Mr. President, with all due respect to the Senator who proounds this request, every Senator knows nobody is going to pay any attention whatsoever to that request if it is granted—nobody. I have seen this happen too many times. I would love to see some 10-minute rollcall votes here, but it is a joke. It is a joke to agree to 10-minute votes, and then forget about them, and go on and have 20 minutes, or 25 minutes, or 37 minutes, as was the case in the previous vote.

Now, I am not going to object in this case. Perhaps it will work this time. I hope it will. But I am going to pay close attention. I remove my reservation.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is laid on the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to Legislative Session.

BETTER EDUCATION FOR STUDENTS AND TEACHERS ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now

resume consideration of S. 1, which the clerk will report by title.

The assistant legislative clerk read as follows:

A bill (S. 1) to extend programs and activities under the Elementary and Secondary Education Act of 1965.

Pending:

Jeffords amendment No. 358, in the nature of a substitute.

Craig amendment No. 372 (to amendment No. 358), to tie funding under the Elementary and Secondary Education Act of 1965 to improved student performance.

Kennedy modified amendment No. 375 (to amendment No. 358), to express the sense of the Senate regarding, and to authorize appropriations for title II, part A, of the Elementary and Secondary Education Act of 1965, with respect to the development of high-qualified teachers.

Kennedy (for Murray) amendment No. 378 (to amendment No. 358), to provide for class size reduction programs.

Kennedy (for Mikulski/Kennedy) amendment No. 379 (to amendment No. 358), to provide for the establishment of community technology centers.

Allen/Warner amendment No. 380 (to amendment No. 358), to provide for a sense of the Senate regarding education opportunity tax relief to enable the purchase of technology and tutorial services for K-12 education purposes.

Kennedy (for Dodd) amendment No. 382 (to amendment No. 358), to remove the 21st century community learning center program from the list of programs covered by performance agreements.

AMENDMENT NO. 372

The PRESIDING OFFICER. There are now 2 minutes equally divided on the Craig amendment.

The Senator from Idaho.

Mr. CRAIG. Mr. President, I assume we are now proceeding on the Craig amendment, with 1 minute for each side.

The PRESIDING OFFICER. The Senator is correct.

Mr. CRAIG. Mr. President, I encourage my colleagues to support the amendment I have put before the Chamber. It does not cut a program. It does not even take out the cost of living or an annualized increase based on that. What it says is that the Federal Government and the Department of Education and educational programs will no longer reward mediocrity.

In title I, over the last 30 years, we have put in \$120 billion and poor kids are still lower in achievement than middle-income kids who are outside the program. It failed. In this education bill before us, we are trying to change that.

All I am saying is, if you do not measure up, and if the States do not improve the environment in which kids are learning—in other words, if kids do not improve—and it is measured by the tests and the standards within this bill—then no more Federal money goes out. In other words, we will not continue to fund mediocrity. We will set a standard and a precedence where improvement in our young people means we will reward that improvement with the use of the Federal tax dollars.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I hope the Craig amendment will be defeated. This is really putting the cart before the horse. If you adopt the Craig amendment, you are effectively saying there will not be any funding at all for the development of quality testing and accountability systems.

President Bush has proposed a three-fold increase in three times the amount of reading funding. That will not be available for children if the Craig amendment is adopted. Effectively, this amendment undermines what President Bush has stated are his goals in terms of trying to get increased accountability, better testing, and increased support for education. That will all be prohibited under the Craig amendment.

What we are trying to do is match resources to responsibility. That is the change in this whole bill. We are matching those two concepts. And that makes sense. But under the Craig amendment, you will be denying the President's program in increased reading and the President's program in terms of accountability. It puts the cart before the horse and makes no sense. I hope it will be defeated.

Mr. CRAIG. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I ask unanimous consent to proceed for 3 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from West Virginia.

Mr. BYRD. Mr. President, I support what the distinguished Senator is trying to accomplish. I think it is about time we let the States know they are going to have to do better; that they are going to have to measure up. I cannot, however, coming from a poor State, summarily cut this off. When I use the word "summarily," I realize we have had 35, 36 years in which to accomplish these things. But I do think they ought to be warned ahead of time.

Mr. CRAIG. Will the Senator yield?

Mr. BYRD. Yes.

Mr. CRAIG. This Senator's amendment would not cut any program. It would allow continued funding at that level. It does not reward by allowing the increases in the spending. That is what is important. The Senator from Massachusetts mentioned that nothing would go forward. He is wrong. Everything goes forward, and the measurements are in place.

What we are saying is, we are strong and definitive in saying that if you do not improve, you do not get the additional money.