

data or information that has no impact on them. They don't have the resources and expertise to process intelligence, form a complete picture of the threats they face, and what steps they can take.

We need to move away from a "need-to-know" intelligence culture to a "need-to-share" one. State and local emergency officials represent more than 800,000 sworn law enforcement officers and 95 percent of America's counter-terrorism capability. They are on the front lines of the war on terror and they need better information in order to protect us.

I recognize that will be difficult to do, and I also recognize that the solutions to this problem will require new thinking. But after serving with Colorado's police officers for 6 years as Attorney General, I also know that the current system of information and intelligence sharing is absolutely insufficient. We can do better—and we must do better.

Mr. REID. Mr. President, I rise to express my support for the nominations of Ambassador John Negroponte and General Michael Hayden to be Director and Deputy Director of National Intelligence.

The Senate's swift action on these two nominations is but the latest example of how the Senate's confirmation process should work, and, for the vast majority of President Bush's nominees, has worked.

It is really a simple formula for success: the President puts forward good, qualified nominees and the committee of jurisdiction and the full Senate act expeditiously to approve the nomination.

In nominating Ambassador John Negroponte and General Michael Hayden to be Director and Deputy Director of National Intelligence, the President has put forward people with long years of dedicated service to the country.

Some have concerns about Ambassador Negroponte's previous service on Latin American issues, and these questions are certainly legitimate to explore.

Ambassador Negroponte and General Hayden are men who have wide support across both parties, men who have proven track records as professional public servants.

Together, these two men are good choices for the important new positions at the top of our intelligence community.

With Ambassador Negroponte's recent experience in Iraq, long experience in diplomatic matters, and years of time as a "customer" of intelligence, I am hopeful he will focus on improving how intelligence is used.

It is essential that he put in place the personnel and processes necessary to help the intelligence community avoid future colossal failures like Iraq, where in an effort to make the case for the use of force there, the President and the intelligence community repeatedly asserted that Saddam possessed weapons of mass destruction.

As has become increasingly clear over time, Saddam did not possess stockpiles of these terrible weapons and a number of questions have been raised about whether the administration shaped or misused the available intelligence.

Never again should a Secretary of State be sent in front of the United Nations to make the President's case for war based on evidence that was so terribly flawed.

If Ambassador Negroponte can prevent such misuse of intelligence, and speak truth to power, he will be a successful Director.

If Ambassador Negroponte is to succeed in developing the right intelligence and ensuring that it is used properly, he will have to dramatically transform our intelligence agencies.

In the intelligence reform bill we passed last year, we demanded that someone take charge of improving the intelligence agencies' performance. In that bill, we gave him the tools and the mandate needed.

Working with his Deputy Director, General Hayden, who has nearly 3 decades of experience in transforming intelligence as a military officer, I expect Ambassador Negroponte to transform the intelligence community.

The first step in this critical transformation must be to dramatically improve our intelligence collection capabilities, especially our human intelligence efforts, against the 21st century threats of terrorism and the proliferation of weapons of mass destruction.

I hope these nominees will maximize their use of the strong, new authorities Congress provided them in last year's bill. Our Nation's security rests in large measure on their efforts. I wish them every success in their endeavors.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, if there is no other Member on our side who wishes to speak, I yield back the remainder of my time.

Mr. WYDEN. I may be the only one with time remaining and I yield back the remainder of my time as well.

The PRESIDING OFFICER. The Senator from Kansas.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERTS. 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. ROBERTS. Mr. President, I yield back all time on the pending nomination, other than the 5 minutes that will be reserved for Senator STEVENS; provided further that the vote on the confirmation of the nomination occur at 3:45 today. I further ask that at 3:30 today the Senate resume consideration of the emergency supplemental bill for the final 15 minutes of debate and that

the votes scheduled on the two amendments and final passage occur immediately following the vote on the Negroponte nomination. I ask that all votes in the sequence after the first be limited to 10 minutes in length and that there be 2 minutes for debate equally divided between the votes. Finally, I ask unanimous consent that following this consent, the Senate proceed to a period for morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. SMITH. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business.

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

MORNING BUSINESS

THE BOLTON NOMINATION

Mr. SMITH. Mr. President, I rise today to speak in behalf of John Bolton to be the U.S. Permanent Representative to the United Nations. I know this nomination is gaining controversy. Yet the more I listen to it, I realize there may be an attempt to kill his nomination from a thousand cuts.

It is not unusual in this town to see someone with a strong personality being subject to all kinds of innuendo and charges and hearsay. Certainly all of these things warrant investigation so that the Senate can perform its advise and consent duty. However, I think it is also very important we remember the President's right to nominate the individuals he believes are important in order to pursue his policies after his election, an election he earned at the ballot box, and the right conferred upon him by the Constitution.

I rise here not as an opponent of the United Nations, but as one deeply disappointed in the United Nations in the 9 years in which I have served as a Senator. The U.N. is going through a challenging period, one that is raising questions about its effectiveness and ability to fulfill its mission on a global scale. New and unprecedented challenges face the United States and our allies. We cannot solve all the world's problems on our own. We need to continue to work with our allies to combat threats around the world, especially the threat of terrorism and the spread of weapons of mass destruction, for those two factors in combination probably pose the greatest security threat to our Nation and the civilized world.

An efficient and effective United Nations can still play a valuable role in world affairs. The U.N. demonstrated this by its response to the tsunami disasters that befell Indonesia, India, Sri Lanka, Thailand and the other nations

in the Indian Ocean. The United Nations can still serve an integral humanitarian function. Its success in coordinating relief efforts is helping the region to recover from its tragedy. I am also pleased with the U.N.'s establishment of new levels of oversight to monitor how enormous levels of humanitarian assistance are distributed to needy people.

Unfortunately, the U.N. can, and should, and must be more and do more. We have a United Nations that is tragically rife with corruption and mismanagement. It is an organization that is starting now to admit its problems. That is a positive. But it seems incapable of addressing these issues in any meaningful way.

The international community has been rocked by scandals involving the United Nations. The most obvious example of its malfeasance, of course, is the Oil-for-Food Program. As you know, the U.N. was responsible for overseeing the Oil-for-Food Program, which was established to provide relief to the Iraqi people suffering under Saddam Hussein's brutal regime. Instead, it allowed—and possibly even directed—the incredible scheme of kickbacks, bribes, and other financial crimes that may have even enriched some members of the U.N. bureaucracy.

The United Nations peacekeepers, sent to provide some semblance of security to war-torn countries, have been accused of such crimes as rape, child molestation, and sexual abuse in the Democratic Republic of Congo, the Balkans, and in Haiti.

High-ranking United Nations officials have been accused of sexual harassment. The U.N. High Commissioner for Refugees, Ruud Lubbers, was recently removed from his post because of sexual harassment.

To tackle this challenge, on March 7, 2005, President Bush nominated John Bolton to be the Permanent United Nations Representative for the United States. I believe Mr. Bolton can help produce a more effective and efficient U.N., a stronger U.S.-U.N. relationship, and a U.N. that lives up to its founding principles and ideals.

I do not know Mr. Bolton. I have shaken his hand, I believe, on one occasion. But as I have reviewed his record of accomplishment and his answers to the Senate Foreign Relations Committee, on which I once was privileged to serve, it is clear to me he is intelligent. I believe he is honest. He is certainly candid. These are qualities I think that can help him help the United Nations.

When we think back on U.N. ambassadors from our Nation, those willing to shake things up have been most meaningful in helping the U.N. to live up to its high purposes. The name of our former colleague, Daniel Patrick Moynihan, comes to mind. Jeanne Kirkpatrick also comes to mind. These are two who were not afraid to step on toes or to do what was necessary to get

the job done and help the U.N. to change.

I believe John Bolton's personality, while not perfect for everyone, will work in a manner that will create change leading to needed reforms. Frankly what you need in this capacity is probably a strong backbone more than a winning personality. He understands the strengths and especially the weaknesses of the U.N. At no time in the history of the United Nations has reform been as needed as right now. The United States, as the leading contributor to the United Nations' budget, must take the lead in setting forth the necessary reforms.

The United Nations is losing respect, not only in the United States but throughout the world. The United Nations has a serious legitimacy problem. I remember hearing the Secretary General saying legitimacy comes uniquely from the United Nations. I wish it did. But it does not. Legitimacy comes from democracy and processes that are open and transparent and free from corruption and, when corruption is found, rooted out through the process of law.

The Security Council—and I think the American people understand this—is not a place where Americans can find security. In some of the worst cases of genocide in our planet, it has been idle, unable, unwilling, and too gridlocked to stand up to some of the worst human crime in our time.

It sets high standards for itself and then sits on its hands while genocide occurs in places such as Rwanda and in the Sudan. Countries that harass their people, that imprison those who clamor for democratic rights, that thwart all efforts at civilized behavior, have the same voting power as those with free, democratic societies.

I wish it was the United Democratic Nations but, it tragically is not. Legitimacy is given to the United Nations from countries such as the United States. We do not need a stamp of approval from the U.N. to act, but the U.N. does need the stamp of approval from its member states before it can act.

How can one not doubt the legitimacy of the United Nations when a human rights stalwart such as Libya, or Cuba, is appointed to chair the Human Rights Commission and the United States is removed? Or Iran is chairing the Disarmament Commission? The question answers itself.

With the 60th anniversary of the United Nations approaching this summer, though, we have a real opportunity to encourage the U.N. to change its ways, to live up to its founding ideals. The United States must take the lead in helping to reform the United Nations. This is the only way the U.N. can fulfill its original promise of promoting international peace and security.

John Bolton may or may not be the perfect nominee. That is not my point. But I think he can be effective simply

because he can be confrontational. Under Secretary Bolton has, with all the slings and arrows directed his way, served his country with honor and distinction at many different times. He has been an effective diplomat, enjoying a strong record of success, and has demonstrated his enthusiasm for working with other countries to meet common challenges.

When one reviews John Bolton's credentials, it is clear he is extremely qualified to be United States Ambassador to the United Nations. I say that without any commentary at all on his personality. As an Assistant Secretary for International Organizations from 1989 to 1993 in the first Bush administration, Under Secretary Bolton worked for Secretary James Baker on U.N. reform matters and on the repayment of arrearages and assessments.

While serving as the Assistant Secretary for International Organizations, he detailed his concept of a unitary U.N. that sought to ensure management and budget reforms that impacted the entire U.N. system, not only the U.N. Secretariat. This is truly a forward thinking initiative. This is the type of creativity and resourcefulness we need in order to address the enormous problems within the United Nations.

In 1991, Under Secretary Bolton was the principal architect behind the initiatives that finally led the United Nations General Assembly to repeal the resolution that equated Zionism and racism, one of the more notorious and heinous resolutions ever passed by the United Nations. Imagine this: The United Nations, created out of the ashes of World War II, passing a resolution in 1975 equating Zionism with racism and refusing for nearly 20 years to repeal that appalling notion.

During his time out of Government, Mr. Bolton served the United Nations on a pro bono basis between 1997 and 2000, as an assistant to former Secretary of State Baker in his capacity as the Secretary General's personal envoy for Western Sahara, working to resolve the dispute over that territory—quite an effort from someone who does not believe in the power of multilateralism and international organizations, which is alleged against him but is not true.

For the past 4 years he has served as the Under Secretary of State for Arms Control and International Security Affairs. Under Secretary Bolton led the efforts to implement the President's agenda to counter nonproliferation, including the reform of the International Atomic Energy Agency.

He also shaped the administration's approaches to countering the threat of WMD proliferation and, most importantly, the proliferation security initiative, a program that led directly to the discovery of Libya's nuclear program and its subsequent disarmament.

John Bolton is the best candidate to help usher in this needed reform because he is the one the President nominated and he has a long record of

achievement. He knows the United Nations. He knows the changes that need to be made, and with his prior experience he can work with fellow members of the U.N. and to implement the necessary reforms.

My mother used to tell me when I was a little boy, got in trouble and punished: Son, it is better to be trusted than loved. Frankly, if Mr. Bolton is feared, while not loved, he may do more good than if he is loved and getting along with all. With all the problems illustrated with the United Nations, why would we want to send someone to New York who is more interested in the status quo than with engaging this institution with real reform for its organizations.

Again, I don't know Mr. Bolton personally. His personality is probably much different than my own. But I do know the President has a right to appoint whom he will appoint. Unless something is unearthed that disqualifies him because of his conduct, then all the innuendo, the hearsay, and the charges made against him that are "he said, she said" need to be understood in the long tradition in this town of killing one by 1,000 cuts, simply for political gain.

We owe this country and especially the United Nations, something better than an effort of blood sport in the Senate. Unless something is quickly unearthed about Mr. Bolton, I ask my colleagues to advise and consent on this nomination and to confirm him as quickly as possible because the work of reform at the United Nations is long overdue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. I ask unanimous consent—I will not speak that long—to proceed for such time as I may consume.

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

Mr. KERRY. I ask unanimous consent my comments be separated. I will make a few comments about Secretary Bolton and ask that they are separated and appear separately in the RECORD.

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

Mr. KERRY. Mr. President, I will say a few words about Secretary Bolton.

The Senator from Oregon and I are good friends and we have known each other a long time in the Senate and have worked together on a number of issues. As he well knows, the issue that defines the Bolton nomination is not politics. It is not "death by 1,000 cuts." It is an examination of the record of an individual who has been nominated for one of the largest embassies in the world, one of the most important spokesperson jobs in the world, one of the most important diplomatic jobs in the world.

It is vital, in the aftermath of Secretary Powell's testimony to the United Nations—which he now has publicly acknowledged was in error, on the

basis of intelligence that was erroneous—that we send a message to the world about the credibility of that spokesperson and the United States itself. If that spokesperson comes to the job with a background of having interfered with the work of analysts in the State Department in the research and the intelligence research department, or if that person comes to the job with proof that there is, in fact, a retribution system for not providing the intelligence according to what that person wanted—not according to what the intelligence was—that is a problem. It is a serious problem.

If the nominee was not candid with the committee under oath before which he appeared, that is a serious problem. It is not politics. There will be a lot more time to discuss this over the course of the next days. The committee, to its credit, is going to do what is appropriate, which is examine these issues. Every member of the committee is duty-bound and will review that evidence with diligence, an open mind, and honesty. That is all we can ask.

We should not be reducing every question, particularly legitimate questions, to the sense of politics. It is a mistake. It is a mistake for the quality of the government we are trying to provide the American people. It is a mistake with respect to our constitutional obligations when we go up to this desk and raise our hand and swear to uphold the Constitution of the United States.

It is not the first time in American history a nominee has been questioned—Democrat or Republican. It is appropriate to perform that function.

I heard colleagues on the committee say in the beginning, this is only one offense. If there were a pattern, I would be disturbed by this. Lo and behold, in the next day, a pattern appeared, and all of a sudden the "pattern" people disappeared. It was not a question of if there is a pattern, it was now, well, the President has a right to make his choice. Another reason and rationale was found.

I don't even know why we get into such a partisan tizzy about it. The other side of the aisle ought to care as much as we do who is there or who is not there. We have had nominees in the course of time that I have been here who have not been confirmed or who were not confirmable, some of whom were delayed endlessly. I remember what a good friend of mine, Richard Holbrooke, went through in the process of his nomination. Senator Helms had him jumping through hoops for months looking at his financial records and his transactions, none of which occurred in the course of his public business, but, nevertheless, that is what happened. And he patiently went through it. And we patiently worked through it. Ultimately he was confirmed and I think he did an outstanding job for the country as a consequence of that.

So I think it is time to find a different path here.

NUCLEAR OPTION

Mr. KERRY. Mr. President, I will speak about the second issue I would like to talk about.

The Republican nuclear option has been discussed endlessly on editorial pages, talk radio, and here in this Chamber. The ongoing debate is about much more than Senate procedure. At its core is a debate, really, about where we are headed in our relationship between each other, Republicans and Democrats, leaders all sworn to uphold the Constitution and with the responsibility to try to lead this Nation in difficult times and find the common ground and build a consensus for our country.

At its core is a debate about how we live out our own democracy in America. Beneath it are questions about how this city, the Nation's Capital, is functioning today, how we relate to each other, how our committees work, how the Senate itself functions. It appears as if we are headed in a direction that ultimately clashes with the real will and needs of the American people. That is what this is really all about.

The fact that we are even talking about this nuclear option is a stark reminder that Washington is not caught up fighting for the broader interests of the American people, that we are not spending most of our time consumed by the things that affect the lives of average Americans—losing their jobs, seeing more expensive health care, watching jobs go overseas, seeing the deficit grow, seeing the trade deficit grow, wondering about the health care system of our Nation, schools where our kids still have teachers who dig into their pockets in order to take out of their not-so-great salaries to put materials in front of those kids so they can study—while we here make other choices.

From the outside looking in, our democracy appears broken to an awful lot of Americans. It certainly seems to be endangered by a one-party rule—not a supermajority, a simple majority—in a very closely divided Nation, a party rule that seems intent on amassing power to be able to effect its will no matter what, often at the expense of the real work and the real needs of the American people.

Now, in recent weeks alone, we have witnessed a really disturbing course of events, probably as disturbing as I have seen in the 22 years I have been privileged to serve here. Republican leaders of Congress, in my judgment—I say this respectfully—are crossing lines I think should not be crossed: the line that says a leader of the House of Representatives should never carelessly threaten or intimidate Federal judges; the line that says the leader of the Senate should never accuse those who disagree with his political tactics of waging a war against people of faith; the line that says respect for core constitutional principles should never be undermined by a political party's agenda; most important of all, the line that