Unlike the President's remarks, the message from the Congress has to leave no room for interpretation or ambiguity. We should not just say that our ground troops should be back home next year, if possible. I think we have to say, as we have done in both Houses—and we have to say this in the conference report—that our men and women should be out of Bosnia by June 30, 1998, period.

Mr. President, I yield the floor.

AMENDMENT NO. 846

Mr. STEVENS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS], for himself and Mr. INOUYE, proposes an amendment numbered 846.

At an appropriate place in the bill, insert:

SEC. . FINDINGS.

The North Atlantic Treaty Organization, at the Madrid summit, decided to admit three new members, the Czech Republic, Poland and Hungary;

The President, on behalf of the United States endorsed and advocated the expansion of the North Atlantic Treaty Organization to include three additional members;

The Senate will consider the ratification of instruments to approve the admissions of new members to the North Atlantic Treaty Organization;

The United States has contributed more than $20,000,000,000 since 1952 for infrastructure and support of the Alliance;

In appropriations Acts likely to be considered by the Senate for fiscal year 1998, $449,000,000 has been requested by the President for expenditures in direct support of United States participation in the Alliance; and

In appropriations Acts likely to be considered by the Senate for fiscal year 1998, $9,983,300,000 has been requested by the President in support of United States military expenditures in North Atlantic Treaty Organization countries.

SEC. .

The Secretary of Defense shall identify and report to the congressional defense committees not later than October 1, 1997; (1) the amounts necessary, by appropriation account, for all anticipated costs to the U.S., for the admission of the Czech Republic, Poland and Hungary to the North Atlantic Treaty Organization for the fiscal years 1998, 1999, 2000, 2001 and 2002, and; (2) any new commitments or obligations entered into or assumed by the United States in association with the admission of new members to the Alliance, to include the deployment of United States military personnel, the provision of defense articles or equipment, training activities and the modification and construction of military facilities.

Mr. STEVENS. Mr. President, I apologize to the reading clerk for not having it drafted properly to start with. But I do ask that these changes be made so that the amendment is as read by the reading clerk.

It is an amendment that is a direction to the Department of Defense to provide the Congress with two specific reports.

First, the amounts necessary, by appropriations account, for all anticipated costs to the United States for the admission of three new members to the North Atlantic Treaty Organization, and that report to cover the current budget cycle of fiscal year 1998 through 2002.

Second, a report on any new commitments or obligations entered into or assumed by our Nation in association with the admission of these new members of the alliance, including—it is not limited to—but including deployment of U.S. personnel, the provisions of defense articles or equipment, training activities, and modification and construction of military facilities.

I am one who has still strong reservations about the determination to add new members to NATO. I am not opposed to NATO. I have been a firm supporter of NATO. On the other hand, we are doing some studies now on the history of the expansion of NATO and how United States participation in deployment of forces there has just constantly increased.

We, I think, need to know now what the obligation is that we have undertaken and really what will be the costs of this obligation in connection with the expansion of NATO. This really is, I think, a fairly restrictive list of things that we should have. But, clearly, we should have this information before we proceed with any consideration of ratification of any agreements that have been entered into by the United States in connection with this expansion of NATO.

It is, I think, one of the strange coincidences of history that NATO was entered into—and I will present the documentation on this later—with the firm assurance by the then Secretary of State Dean Atchison to the Senate that would be no obligation at all for the deployment of forces to Europe by virtue of the North Atlantic Treaty that was entered into by the United States at the very beginning of this organization, the NATO organization.

I want to be right upfront about it, that this information may convince Members to go one way or the other concerning the matters that will be presented to us later. But I don't know of anyone who could object to asking for this information for the use of the Congress, and particularly for the use of those of us who have the duty to find and allocate the money to maintain our national defense forces to assure the capability to defend this country.

I am pleased that my friend from Hawaii has cosponsored this amendment in that spirit. This is just seeking information. It will in no way inhibit the administration—either the Department of Defense or the President—in their current course. But I do, as I said, still maintain reservations about that course because of what I perceive to be the costs of that course and its impact on our future ability to maintain our own defense.

Mr. INOUYE addressed the Chair.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Mr. President, as appropriators, I believe it is the only prudent process that we can follow to at least advise ourselves and our colleagues as to what can be reasonably and rationally anticipated if we are to take this important step.

When NATO was originally organized, I doubt if Members of Congress had any inkling of what the costs would be to the taxpayers of the United States. Whether you are for it or against it, I think it would be well that we enter into this new phase and very important phase with our eyes open.

Mr. STEVENS. Mr. President, it is not a small amount that is in the bill which is before us. As this amendment points out, there is almost $10 billion in the request of the President for U.S. military expenditures pursuant to the North Atlantic Treaty Organization obligations. I do believe that it is important for us to know to what extent that will be increased by virtue of the cost of action that is proposed due to the enlargement process as far as NATO is concerned.

Mr. President, I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. Mr. President, I ask unanimous consent that the amendment be set aside so that we may proceed with the program already outlined by the leadership.

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

NOMINATION OF JOEL KLEIN TO BE ASSISTANT ATTORNEY GENERAL IN CHARGE OF THE ANTITRUST DIVISION

Mr. KOHL. Mr. President, as the ranking Democrat on the Antitrust Subcommittee, let me tell you why I support Mr. Klein's nomination, why he is a good choice for the job, and why we ought to confirm him today.

First, Joel Klein is an accomplished lawyer with a distinguished career. He graduated from Columbia University and Harvard Law School, and clerked for the U.S. Court of Appeals here in Washington, then for Justice Powell. Just as importantly, he is the President's choice to head the Antitrust Division, and I believe that any President—Democrat or Republican—is entitled to a strong presumption in favor of his executive branch nominees.

Second, Joel Klein is a pragmatist, not an idealogue. His answers at his confirmation hearing suggest that he is not antibusiness, as some would claim the Antitrust Division was in the late 1970's, nor anticonsumer, as some argue the Division was during the 1980's. Instead, he will plot a middle course, I believe, that promotes free markets, fair competition, and consumer welfare.

The third reason we should confirm Joel Klein is because no one deserves

to linger in this type of legislative limbo. Here in Congress, we need the input of a confirmed head of the Antitrust Division to give us the administration's views on a variety of important policy matters—defense consolidation, electricity deregulation, and telecommunications mergers, among others. We need someone who can speak with authority for the Division without a cloud hanging over his head.

More than that, without a confirmed leader, morale at the Antitrust Division is suffering. And given the pace at which the President has nominated and the Senate has confirmed appointees, if we fail to approve Mr. Klein, it will be at least a year before we confirm a replacement—maybe longer, and maybe never. So we need to act now; we can't afford to let the Antitrust Division continue to drift.

Finally, Mr. President, I have great respect for the Senator from South Carolina—as well as the Senators from Nebraska and North Dakota. They have been forceful advocates for consumers on telecommunications matters, and I have stood side by side with them in that fight. But we ought to give Mr. Klein our vote today, so he can have the chance to succeed or fail as a confirmed appointee. My hope and expectation is that in a few years—when we look back at Joel Klein's service as head of the Antitrust Division—his accomplishments will surprise his critics, please his supporters, and improve what is already the best free market economy in the world.

Mr. BAUCUS. Mr. President, I rise to express my support for the nomination of Joel Klein to be Assistant Attorney General for the Antitrust Division of the Department of Justice. And while I will vote to bring this nomination to the floor for a vote, I will outline my concerns for the Senate at this time.

Mr. President, a number of my colleagues have expressed their serious concern about this nominee. More importantly, they have detailed the responsibilities of this position. This position has a statutory responsibility to enforce the antitrust authority of the Department of Justice.

As my colleagues have eloquently stated, this is particularly important and timely in regard to the telecommunication reform regulations which are being promulgated to enforce the reforms enacted into law last year. While these reforms should bring great benefits to consumers across the country, the Department of Justice must play an active role to protect the interests of consumers against violations of antitrust authority.

This is also important in the meat packing industry. The mergers which this industry has experienced have left livestock producers at the mercy of precious few meat processors. Just five packers control this industry. Producers and consumers alike need to know that the Department of Justice is enforcing antitrust law.

There have also been a number of mergers in the railroad industry which have virtually eliminated competition in this transportation sector. For a State like Montana—a captive shipper—this is a problem. Montana farmers pay freight rates that are among the highest in the Nation. It generally is cheaper to ship grain from States east of Montana to the ports of Portland or Seattle, than it is for Montana producers. Without careful attention, I worry that this discrepancy could get worse, not letter.

Mr. President, I will be supporting this nomination. I have long relied on a very simple question to determine my support or opposition for a nominee for a Presidential appointment. Is the candidate qualified? In this case, I believe the President's choice is qualified and has no reason we should delay confirmation.

So I will be voting for this nominee. And, when he is confirmed, I will be watching the issues under the jurisdiction of the Antitrust Division very carefully.

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

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

EXECUTIVE SESSION

NOMINATION OF JOEL I. KLEIN, TO BE AN ASSISTANT ATTORNEY GENERAL

The PRESIDING OFFICER. Under the previous order, the hour of 6 p.m. having arrived, the Senate will now go into executive session.

CLOTURE MOTION

The PRESIDING OFFICER. By unanimous consent, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Executive Calendar No. 104, the nomination of Joel I. Klein, to be Assistant Attorney General:

Trent Lott, Orrin Hatch, Kay Bailey Hutchison, John McCain, Olympia Snowe, Dan Coats, Pat Roberts, Rod Grams, R.F. Bennett, Thad Cochran, Jim Inhofe, Sam Brownback, W.V. Roth, Chuck Hagel, J. Warner, Larry E. Craig.

CALL OF THE ROLL

The PRESIDING OFFICER. By unanimous consent, the quorum call has been waived.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the nomination of Joel I. Klein of the District of Columbia, to be Assistant Attorney General, shall be brought to a close?

The yeas and nays are required. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Montana [Mr. BURNS], the Senator from New York [Mr. D'AMATO], the Senator from Minnesota [Mr. GRAMS], the Senator from Pennsylvania [Mr. SANTORUM], and the Senator from Alabama [Mr. SESSIONS] are necessarily absent.

Mr. FORD. I announce that the Senator from Delaware [Mr. BIDEN], the Senator from Connecticut [Mr. DODD], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Maryland [Ms. MIKULSKI], and the Senator from Oregon [Mr. WYDEN] are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts [Mr. KENNEDY] would vote ''aye.''

The yeas and nays resulted—yeas 78, nays 11, as follows:

[Rollcall Vote No. 174 Ex.]

YEAS—78

Abraham	Frist	Mack
Allard	Glenn	McCain
Ashcroft	Gorton	McConnell
Baucus	Graham	Moseley-Braun
Bingaman	Gramm	Moynihan
Bond	Grassley	Murkowski
Boxer	Gregg	Murray
Breaux	Hagel	Nickles
Brownback	Hatch	Reed
Bryan	Helms	Reid
Bumpers	Hutchinson	Robb
Campbell	Hutchison	Roberts
Chafee	Inhofe	Rockefeller
Coats	Inouye	Roth
Cochran	Jeffords	Sarbanes
Collins	Johnson	Shelby
Coverdell	Kempthorne	Smith (NH)
Craig	Kerry	Smith (OR)
Daschle	Kohl	Snowe
DeWine	Kyl	Specter
Domenici	Landrieu	Stevens
Durbin	Leahy	Thomas
Enzi	Levin	Thompson
Faircloth	Lieberman	Thurmond
Feinstein	Lott	Torricelli
Ford	Lugar	Warner

NAYS—11

Akaka	Dorgan	Kerrey
Byrd	Feingold	Lautenberg
Cleland	Harkin	Wellstone
Conrad	Hollings	

NOT VOTING—11

Bennett	Dodd	Santorum
Biden	Grams	Sessions
Burns	Kennedy	Wyden
D'Amato	Mikulski	

The PRESIDING OFFICER. On this vote, the yeas are 78, the nays are 11. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

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