the contrary: the intent of the law is for states to develop and approve these details, and for Congress to ratify the plan.

The Compact before us does not discuss any particular site for the disposal facility, but only says that Texas must develop a facility in a timely manner, consistent with all applicable state and federal environmental, health, and public safety laws. It is the decision of Texas as to where the facility will be sited and is not within the purview of the U.S. Senate to decide for them.

Further, absent the protection of the Compact, Texas must, I repeat must, open their borders to any other state for waste disposal or they will be in violation of the Interstate Commerce Clause of the U.S. Constitution. The Compact gives Texas the protection that oversight commissioners, mostly appointed by the elected Governor of Texas but also with a say from Maine and Vermont, will decide what is best for Texas.

As we send the Texas Compact to a Senate-House conference, I ask my colleagues to keep in mind that all that is required is the prompt approval of Congress for the Compact as originally ratified by Maine, Vermont, and Texas so that the Texas Compact members will be able to exercise appropriate control over their low level nuclear waste as Congress mandated.

I thank the Chair and look forward to my colleagues continued support of the Texas Compact as ratified by the States when it returns from conference.

Mr. GORTON. Mr. President, I ask unanimous consent that the Senate insist on its amendment and agree to the request of the House for a conference; that the Chair be authorized to appoint conferees on the part of the Senate; that upon appointment of the Senate conferees, a motion to instruct the conferees be agreed to which provides that the Senate conferees be instructed to include the Wellstone amendments in any conference agreement; and that once this consent is granted, together with other consent items I will go into later, Senator WELLSTONE be recognized to speak for up to 1 hour.

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

The PRESIDING OFFICER (Mr. FRIST) appointed Mr. THURMOND, Mr. HATCH and Mr. LEAHY conferees on the part of the Senate.

EXPRESSING SENSE OF CONGRESS THAT STATES SHOULD WORK MORE AGGRESSIVELY ATTACKING THE PROBLEM OF VIOLENT CRIMES

Mr. GORTON. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of House Concurrent Resolution 75 and, further, that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 75) expressing the sense of the Congress that States should work more aggressively to attack the problem of violent crimes committed by repeat offenders and criminals serving abbreviated sentences.

The Senate proceeded to consider the concurrent resolution.

Mr. GORTON. Mr. President, I ask unanimous consent that the resolution be agreed to; that the preamble be agreed to; that the motion to reconsider be laid upon the table; and that any statements relating to the resolution appear at the appropriate place in the RECORD.

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

The concurrent resolution (H. Con. Res. 75) was agreed to.

The preamble was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. GORTON. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the Executive Calendar: Calendar Nos. 502, 580 and 623. I further ask unanimous consent that the nominations be confirmed; that the motions to reconsider be laid upon the table; that the President be immediately notified of the Senate's action; and that the Senate then return to legislative session.

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

The nominations considered and confirmed are as follows:

UNITED STATES ENRICHMENT CORPORATION

Margaret Hornbeck Greene, of Kentucky, to be a Member of the Board of Directors of the United States Enrichment Corporation for a term expiring February 24, 2003.

DEPARTMENT OF JUSTICE

James K. Robinson, of Michigan, to be an Assistant Attorney General.

THE JUDICIARY

Robert D. Sack, of New York, to be United States Circuit Judge for the Second Circuit.

NOMINATION OF JAMES K. ROBINSON

Mr. HATCH. Mr. President, on August 31, 1995, some 1019 days ago, the head of the Department of Justice's Criminal Division, Assistant Attorney General Jo Ann Harris, resigned. Since that time, the Department of Justice has lacked a confirmed leader for this critical post. Indeed, the Acting Assistant Attorney General has had to recuse himself from one of the most important matters to come before the Department: the Clinton Administration's fund-raising abuses. The failure of the Clinton Administration to fill this crucial position has had, in my mind, a serious impact both on the performance of the Criminal Division and the credibility of its decisions. Over two and a half years later, I am glad to support the nomination of James K. Robinson to be Assistant Attorney General for the Criminal Division. This nomination was reported out of the Judiciary Committee in April by a unanimous vote, and I believe should receive the support of all Senators.

The Criminal Division represents the front line of the federal government's commitment to fight crime. We rely on the Criminal Division to enforce over 900 federal statutes and to develop enforcement policies to be implemented by the 94 U.S. Attorneys around the country. Within the division are sections that carry out national responsibilities crucial to protecting our citizens and property, including: Asset Forfeiture/Money Laundering, Child Exploitation and Obscenity, Fraud, Computer Crime and Intellectual Property, Narcotics and Dangerous Drugs, Organized Crime and Racketeering, Public Integrity, Terrorism and Violent Crime, and the Organized Crime Drug Enforcement Task Force. The importance of each of these sections cannot be overstated.

I believe that this nominee is up to this demanding task. James Robinson has compiled an impressive record of achievement. Following graduation from Wayne State University Law School, he clerked on the Michigan Supreme Court and then for Judge George Edwards of the United States Court of Appeals for the Sixth Circuit. He served with distinction as United States Attorney for the Eastern District of Michigan during the Carter Administration. Both before and after his service as U.S. Attorney, Mr. Robinson was a member of the Detroit law firm of Honigman Miller Schwartz & Cohn, first as an associate and then as a partner. Since 1993, he has been Dean and Professor of Law at his alma mater, Wayne State University Law School. Finally, Mr. Robinson has served on and often chaired numerous bar and civic associations, many of which related to his expertise in the law of evidence. He will need all of this experience and more to fulfill such a demanding position.

One of the most important duties assigned the head of the Criminal Division is to advise the Attorney General on the appointment of independent counsels. In my mind, Attorney General Reno was very poorly served by the Criminal Division over the past year while considering whether to appoint an independent counsel related to the fund raising efforts made by the President and Vice President in conjunction with the 1996 elections. While I was pleased to see the Department secure the indictments of Johnny Chung and Charlie Trie, I believe both the Division and the Attorney General misapplied the independent counsel statute by taking into consideration factors which the law does not allow.