

J.B. Penn, of Arkansas, to be a Member of the Board of Directors of the Commodity Credit Corporation.

SECURITIES AND EXCHANGE COMMISSION

Harvey Pitt, of North Carolina, to be a Member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 2002.

Harvey Pitt, of North Carolina, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2007. (Reappointment)

DEPARTMENT OF ENERGY

Dan R. Brouillette, of Louisiana, to be an Assistant Secretary of Energy (Congressional and Intergovernmental Affairs).

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Josefina Carbonell, of Florida, to be Assistant Secretary for Aging, Department of Health and Human Services.

DEPARTMENT OF STATE

Sue McCourt Cobb, of Florida, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Jamaica.

Mercer Reynolds, of Ohio, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Switzerland, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Principality of Liechtenstein.

Russell F. Freeman, of North Dakota, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Belize.

Michael E. Guest, of South Carolina, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Romania.

Stuart A. Bernstein, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Denmark.

Charles A. Heimbold, Jr., of Connecticut, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Sweden.

Jim Nicholson, of Colorado, to be Ambassador Extraordinary and Plenipotentiary United States of America to the Holy See.

Thomas J. Miller, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Greece.

Larry C. Napper, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Kazakhstan.

Thomas C. Hubbard, of Tennessee, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary United States of America to the Republic of Korea.

Marie T. Huhtala, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary United States of America to Malaysia.

Franklin L. Lavin, of Ohio, to be Ambassador Extraordinary and Plenipotentiary United States of America to the Republic of Singapore.

Roger Francisco Noriega, of Kansas, to be Permanent Representatives of the United States of America to the Organization of American States, with the rank of Ambassador.

Clark Kent Ervin, of Texas, to be Inspector General, Department of State.

NOMINATION OF JOHN WALTERS TO BE THE DIRECTOR OF THE OFFICE OF NATIONAL DRUG CONTROL POLICY

Mr. McCAIN. Mr. President, I want to turn to the nomination of John Walters, the President's choice for drug czar, who also deserves a confirmation hearing so he can offer his views on how to reduce drug abuse in our nation.

With all the damage drugs are doing to our children and to adult Americans, why in the world is the Senate dragging its feet on even having a confirmation hearing for our nation's highest ranking drug policy official?

John is uniquely qualified for the job of drug czar.

He distinguished himself during the first Bush administration as Deputy Director for Supply Reduction, Chief of Staff and National Security Director, and Acting Director of the Office of National Drug Control Policy. During the administration of President Reagan, John served as Chief of Staff and Counselor to the Secretary of Education, as well as Assistant to the Secretary, the Secretary's Representative to the National Drug Policy Board, and the Secretary's Representative to the Domestic Policy Council's Health Policy Working Group.

John is currently serving as president of the Philanthropy Roundtable, a national association of charitable donors who are doing great work in our communities. He was previously president of the New Citizenship Project, an organization created to promote greater civic participation in our national life.

John also served on the Council on Crime in America, a bipartisan commission on violent crime co-chaired by Bill Bennett and President Carter's Attorney General Griffin Bell. And, in 1988, John created the Madison Center, a nonprofit organization dedicated to early childhood education and drug abuse prevention.

Mr. President, John Walters has now waited almost 2 months for a confirmation hearing. I urge my colleagues to move forward on his nomination.

NOMINATION OF JOSEFINA CARBONELL TO BE ASSISTANT SECRETARY FOR AGING

Mr. NELSON of Florida. Mr. President, I want to voice my enthusiastic support for Josefina Carbonell's nomination to be Assistant Secretary for Aging at the Department of Health and Human Services. She has served her community admirably, and is highly respected for her work with the Little Havana Activities and Nutrition Centers of Miami-Dade County. This is an organization she founded in 1972. Under her leadership, it has grown from a one-site project into the largest aging, health and nutrition program in Florida and the largest Hispanic geriatric health and human service organization in the nation. Today Little Havana operates twenty-one different sites, serving over 55,000 registered clients. The program served over one million meals to 50,000 older Americans in 2000, and now operate six senior centers and

three adult care centers, and while providing services through numerous federal health-care and employment programs.

As a young girl, Ms. Carbonell came to this country from Cuba and dedicated her life to serving her community. Her contributions to the well-being of the greater Miami community are well-known, and, I would say some have become legendary.

Her many years living and working among South Florida's large senior population and her direct hands-on experience providing services for these citizens make her a superb choice to be Assistant Secretary for Aging at the Department of Health and Human Services.

In Josefina Carbonell, our seniors will have an outstanding advocate in Washington. I look forward to working with her to improve both the quality of life for our senior citizens and the services we provide them.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

ORDER OF PROCEDURE

Mr. DASCHLE. Mr. President, I further ask unanimous consent the majority leader may, after consultation with the Republican leader, turn to the consideration of the export administration bill, S. 149, but not before September 4, 2001; further, that the Senate now turn to the consideration of H.R. 2620, the VA-HUD appropriations, and Senator MIKULSKI be recognized to offer the text of the Senate bill, S. 1216, as a substitute amendment.

The PRESIDING OFFICER. Is there is objection?

Mrs. MURRAY. Reserving the right to object, and I will not object, but if I could just have 2 minutes before we go to VA-HUD for some final cleanup on the Transportation bill?

The PRESIDING OFFICER. Is there objection?

The Senator from New Jersey. Mr. TORRICELLI. Reserving the right to object, could I have 2 minutes after Senator MURRAY?

Mr. DASCHLE. Mr. President, I ask that be part of the unanimous consent request.

Mr. McCAIN. Reserving the right to object, I reserve 2 minutes after the Senator from New Jersey.

Mr. DASCHLE. I add that one, too. The PRESIDING OFFICER. Is there objection to the request?

Without objection, it is so ordered. UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. DASCHLE. Mr. President, as in executive session, I ask unanimous consent that immediately following the next rollcall vote, the Senate proceed to executive session to consider the nomination of ASA HUTCHINSON to be Administrator for Drug Enforcement, that there be 30 minutes for debate equally divided among Senators

LEAHY, HATCH, and HUTCHINSON, that at the conclusion of that debate the Senate vote on the confirmation of that nomination, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, any statement thereon be printed in the RECORD, and the Senate return to legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. LOTT. Reserving the right to object for two purposes, first of all, let me clarify. In the middle of this request it says that there be—is it 10 minutes each for LEAHY, HATCH, and HUTCHINSON, as opposed to 2 minutes for debate as has been earlier indicated? You put it at 10 minutes each for those 3; is that correct?

Mr. DASCHLE. That is correct, 30 minutes of debate equally divided among three Senators, 10 minutes each.

Mr. LOTT. Mr. President, I was going to reserve on behalf of Senator THOMPSON, but I see that he is present. I withdraw my reservation so Senator THOMPSON can make this request himself.

The PRESIDING OFFICER. Is there objection?

Mr. THOMPSON. Mr. President, reserving right to object, I wanted to ask whether or not the unanimous consent request covered the consideration of the Export Administration Act.

Mr. DASCHLE. The Senator is correct. The Export Administration Act is part of the unanimous consent agreement that we entered into a moment ago. It allows the majority leader to call up the bill on September 4.

I say to my colleagues, and especially to my colleague from Tennessee, that this is an agreement he and I discussed prior to entering into the agreement. It acknowledges that we would have at least 2 full days of debate that would accommodate the interest of the Senator from Tennessee in discussing this issue prior to the time I would file a cloture motion. I confirm that for the RECORD, and fully expect that those 2 full days of debate will be immediately following the time we come back.

Mr. THOMPSON. Mr. President, my understanding was that there would be 2 full days of debate on the bill and amendments. Does the Senator state in the unanimous consent as to when the bill would be taken up? Would it be September 4 or is that left open?

Mr. DASCHLE. Mr. President, I indicated in the unanimous consent request that it would be at the discretion of the majority leader, but we did list September 4 as the anticipated date for the beginning of the consideration of the bill.

Mr. THOMPSON. Mr. President, if I may inquire, I believe we also discussed that the 2 full days—if that be the case—would be September 5 and 6. Cloture would not be filed before September 7. Is that correct?

Mr. DASCHLE. The Senator is correct.

Mr. THOMPSON. I have no objection.

Mr. CRAIG. Mr. President, reserving the right to object, I thank the majority leader for his willingness to move a large number of nominees forward and to work with Senator NICKLES also and Senator REID to bring us the number we have today. I trust that some can move tomorrow out of committee, and possibly by Friday we will even advance a good many more. But I must tell you that there are others hanging in committee—some that have been there since April and May.

I must tell you that I was very frustrated when the chairman of the Judiciary Committee asked about one nominee in particular and said we might get to him sometime next year. I do not know how to read that statement. But I will tell you, if I read it the way I thought it was intended, that is unacceptable. He has not had a hearing. And I know the chairman of the Judiciary Committee talked about the frustration of timing. But he has been before the committee since May 24.

Things change around here substantially. All of us know that and accept that. But to suggest that we will not get to one of our President's important nominees for 1 year nearly after he is nominated, if that were to happen, September is going to be a pretty difficult month around here for all of us. I don't say that as a threat. I don't threaten. We know that. We don't do that in the Senate. But we cannot accept those kinds of statements coming from key chairmen of committees who have a responsibility to deal in a timely fashion with these nominees. If there is a problem, have the hearing, bring him out and vote him down. But don't suggest to him or to the administration that sometime next year we will have this happen.

I was inclined to object. But thanks to Senator NICKLES and also Senator REID, and the work done here and the majority leader's willingness to advance it, I will not.

But there are other opportunities. There is a very clear timeline to get an awful lot of work done in the Senate. I hope I am sending a message to the chairman of the Judiciary Committee that those kinds of statements and those kinds of actions cannot stand. Most importantly, if he chooses that, then vote him down and tell the administration that they have picked the wrong person—or people—and there are other nominees or someone who is more acceptable to that chairman and to the committee and to the Senate as a whole.

As you know, I talked to the leader about the pure human side of this. People need to move their kids by August to get them in school. I think the majority leader has been sensitive to that. I mean that most sincerely, because the majority leader is moving a large number now, and that will allow them time to do what they need to do in the human sense.

But it will be a real tragedy, if this Senate becomes part of a limiting fac-

tor on any administration's ability to bring together its team and execute the responsibility of the executive branch.

I have spoken enough. I think my feelings are very clear. I must tell you that there will be an increasingly concerted effort, if those kinds of remarks and actions that follow are ones that will not move nominees, or give them their day, or vote them down and move on so we can fill these very important decisionmaking positions for our Government.

I will not object. I yield the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DASCHLE. Mr. President, I thank the Senator from Idaho. I feel I may need to call an ambulance. I think I just bit off my tongue.

I will say in all sincerity that I think he just gave the speech that I have repeated probably 25 or 30 times over the last 6 years, verbatim. I can't tell you how many people languished for not days or weeks but years. But I have said on this floor repeatedly that we will not engage in payback. We will not engage in that kind of practice because I don't believe in it. But I must say the record so far speaks for itself.

Since assuming the majority—and we have only been able to deal with nominations since we came back. Prior to that time, we didn't have Members on committees. Since the organizing resolution passed, we have held hearings on 114 Presidential nominees. This last week Democrats reported favorably out of committee 17 nominees. In addition, during the 17-day period when Democrats won the majority in January, 13 hearings were held on Cabinet level appointees. During the brief time since the organizing resolution was passed, four judicial nominees have already had hearings before the committee, 100 percent more than were held before Senator LEAHY became chairman. The majority has already confirmed three judicial nominees. President Bush has been slow to send the necessary documentation on some of the nominees. As of July 24, 34 percent of the 132 nominees announced by the administration have not had their paperwork sent to the Senate.

I guess my point is that we are trying to accommodate all of those nominees whose paperwork has been sent. I think today again demonstrates the sincere desire to continue making progress just as quickly as the committees report out their work. We have confirmed 110 nominations since taking the majority, with an agreement on one more as soon as Mr. HUTCHINSON has been confirmed.

Mr. CRAIG. Mr. President, will the leader yield?

Mr. DASCHLE. I am happy to yield to the Senator.

Mr. CRAIG. Mr. President, I thank the majority leader. I mean this most sincerely. We are about at the status quo between what Republicans were

able to do and what Democrats were able to do for President Clinton and what the majority leader is now doing. But I must tell you because the gentlemen and/or ladies have languished in these committees since April and May and their paperwork was there, there is something amiss.

That was my objection. Obviously, the majority leader has now expedited them. We have worked with the majority leader, and I compliment him for that. I think that is important.

But if there is a problem, let us not suggest that the gentleman doesn't get heard before next year. Let's send the right message instead of that kind of a statement. If there is a problem, what is the problem? If this person is unacceptable, hold the hearing, vote on him, and move him out or move him down.

That is my point. We need to get on with the business of allowing our President to have his people in place to govern. We made a major step, and I thank the majority leader for that.

Mr. DASCHLE. Mr. President, I thank the Senator from Idaho for his comment. There clearly will be nominees who will face challenges. We see that in the Commerce Committee as we speak. There will be others. But we will do our level best. That does not mean we are going to roll over and rubberstamp every nominee who comes forward because that isn't why we are here.

We have an obligation to ask questions, to review the data, and to make a decision. We are going to do that. But to whatever extent possible, we are going to be fair, and we are not going to reciprocate, even though I must say there are sometimes temptations that are fairly powerful. I hope we will continue to make progress on the nominations.

I also thank my colleagues, Senator REID and Senator NICKLES, for moving us along on the nominations, and Senator LOTT in particular for his work in trying to reach an accommodation.

My desire now is to work relatively late into the evening so that we might be able to get some of these amendments disposed of tonight. I do not think we will finish the bill tonight, but there is a lot of work to be done on the VA-HUD bill. We still have the Ag appropriations legislation left to do. So there is much to be done. Today is Wednesday afternoon, and we still have a day and a half, or 2, 3, 4, or 5 days perhaps, to do our work. But it is going to get done before we leave.

We will move now to the VA-HUD bill after the Senators who sought recognition are allowed to speak.

I yield the floor.

#### TRANSPORTATION APPROPRIATIONS

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I am very pleased that the Senate has now

finally passed the Senate Transportation appropriations bill. It has been a long and arduous process, but we have done the right thing today. We have done the right thing for our constituents who have been sitting in traffic, for our constituents who are concerned about safety at our airports, for our constituents who daily travel in this country, who use our waterways and our highways and our air transportation system.

We have moved this bill forward in a way that I think is very sound. We have tried to meet the needs, as I said, of all of the Senators, who I think have done a good job on this floor. But, most importantly, I am especially pleased that we have moved the Senate Transportation Appropriations bill out of the Senate without compromising one iota on the safety of our families on our highways in regard to the Mexican truck provision. I think that is absolutely the way to go. I commend my colleagues who stood with me on this issue as we have moved this bill through the Senate.

I also take this opportunity to thank my staff: Peter Rogoff, Kate Hallahan, Denise Matthews, Cyndi Stowe, Angela Lee, and Dale Learn; as well as Senator SHELBY's staff: Wally Burnett, Paul Doerrer, and Candice Rogers; and our Commerce Committee staff: Debbie Hersman.

All of our staff members have spent countless hours in this Chamber, negotiating late into the night on many evenings over the past 10 days. I especially thank all of them for their tremendously good work and hard work and for being a part of getting this bill passed out today.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. TORRICELLI. Mr. President, I congratulate Senator MURRAY for her success on Transportation appropriations. This Senate, commencing a summer recess, is required to deal with Mexican trucks and northeastern cows. We now have one success behind us, and one more to go.

There are those who are going to claim that our insistence on the inspection of Mexican trucks is somehow a defeat for free trade. Nothing could be further from the truth. The commitment of this Senate to free, fair, and open trade is complete. We understand that the foundation of our prosperity rests upon open markets and free trade. But because we worship at the altar of free trade does not mean we have abandoned our faith in truck safety, the rights of labor, or environmental protection. We must keep a commitment to all of these things at the same time.

The roads of the United States are open to Mexican trucks—as they are open to Canadian trucks—when Mexico can pass a regimen of truck weights, the licensing of drivers for hazardous cargo, that licenses are issued to 21-year-old drivers, and that the Mexican

trucks can meet our safety requirements.

Upon current inspections, nearly 40 percent of Mexican trucks are failing inspections. Our borders are not ready for 24-hour inspections to ensure safety. We want Mexico to have access to American highways. But for 50 years we have insisted that all trucks on our highways have limited weights, properly licensed drivers, and disclose hazardous cargoes. As we have insisted upon these requirements for Canadian and American drivers, we insist upon them for Mexican drivers. We welcome that day. What we have done today is a success.

The PRESIDING OFFICER. The Senator's 2 minutes have expired.

Mr. TORRICELLI. I know in time Mexico will be able to comply with these requirements.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I extend my appreciation to the majority leader and to the Republican leader for negotiating this issue out so that we could move forward. I did not enjoy this exercise. As I mentioned before, I have never—and I have been in the Senate since 1987—engaged in parliamentary maneuvering in order to block consideration of a bill. And I would not have—and I hope I never have to again—if it were not for the fact that it is a solemn treaty. So I thank the majority leader for his assistance in working this out, as well as Senator LOTT.

During the upcoming recess, we are going to meet with the Department of Transportation administration officials to find out exactly what language it is that they need in order to satisfy the concerns we all have about the present language in the bill, which they view and the Mexicans view as a violation of NAFTA. I hope we can come back, at the end of the recess, and we can agree on that language. Then we can move forward.

However, I remind my colleagues that there are three more—three more—cloture votes that may be required which will all involve, of course, extended debate. I do not want to do that. But, if necessary, we will continue through until finality because we really are concerned about language on an appropriations bill affecting a solemn treaty made between three nations.

So again, I thank the majority leader for working this out and giving us the courtesy he has extended. I apologize to him for impeding the important work of the Senate. I hope he understands why we had to do this. I am hopeful this will all be worked out over the recess so that we can come to an agreement on language which will achieve the goal we seek, which is to make sure that every vehicle that enters the United States is safe and inspected and every driver is licensed and qualified.

So I hope we can get this issue resolved. I hope the administration will