Glenn	Kerry	Robb
Gorton	Kohl	Roberts
Graham	Kyl	Rockefeller
Gramm	Landrieu	Roth
Grams	Lautenberg	Santorum
Grassley	Leahy	Sarbanes
Gregg	Levin	Shelby
Hagel	Lieberman	Smith (OR)
Harkin	Lott	Snowe
Hatch	Lugar	Specter
Hollings	Mack	Stevens
Hutchinson	Mikulski	Thomas
Hutchison	Moseley-Braun	Thompson
Inouye	Moynihan	Thurmond
Jeffords	Murkowski	Torricelli
Johnson	Murray	Warner
Kempthorne	Nickles	Wyden
Kennedy	Reed	
Kerrey	Reid	

NAYS—4

Helms	Sessions
Inhofe	Smith (NH)

NOT VOTING—5

Ashcroft	McCain	Wellstone
Campbell	McConnell	

The conference report was agreed to.

Mr. KERREY. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

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

The motion to lay on the table was agreed to.

UNANIMOUS CONSENT REQUEST—H.R. 2676

Mr. KERREY. Mr. President, I ask unanimous consent that the Senate proceed immediately H.R. 2676, the IRS Restructuring Act of 1997, just received from the House 2 days ago, that the bill be read a third time and passed, and the motion to reconsider be laid on the table.

Mr. ROTH. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. FORD. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate is not in order. The Senator from Nebraska has the floor.

Mr. KERREY. Mr. President, this piece of legislation passed the House 426 to 4.

Mr. FORD. Mr. President, the Senate is still not in order.

The PRESIDING OFFICER. The Senator is correct. The Senate is not in order.

Mr. KERREY. Mr. President, I thank the Chair.

This piece of legislation will do what I think everybody in the country wants us to do; that is, to change the law, and give the newly confirmed Commissioner of the IRS the authority to run the agency.

There are lots of other changes in this piece of legislation. It passed 426 to 4 in the House. It has the support of the administration.

It should be taken up as long as we are in session. It was passed, I believe, almost unanimously once Members started to look at what is in the bill.

It would enable the Commissioner to run the IRS, put together his team, to hire and fire, to provide positive incentives to reimburse employees, and establish a public board. It provides new accountability on the legislative side. It provides a basis to evaluate complexity, and provide incentives to move to electronic filing.

Almost none of the things that I have mentioned, once people look at the legislation, are regarded as controversial today. In fact, when I point it out to people at home, they say, ''My gosh, I am surprised they aren't already law.''

We have heard and continue to hear complaints from our citizens about the way the IRS is run. It is time for us to give the Commissioner of the IRS the authority to manage the agency and do the things that the American people are asking us to do.

As long as we are in session, I hope again that Members on the other side will look at this bill. And I will say again: I hope they will resist. I understand the Speaker is going to still try, in spite of the negative publicity, to get somewhere between $30 and $80 million to have the IRS conduct a 14-question opinion poll about how the IRS is being operated. Our restructuring commission spent $20,000, and asked most of these questions. If the IRS was doing this on their own, if somebody discovered that they were going to take $30 to $80 million instead of doing customer service, and instead of working with taxpayers, conducting a poll asking a question, ''Do you think your taxes are fair or unfair?'' and then have the questionnaires mailed back to GAO—Mr. President, again the Speaker of the House has indicated that he considers a priority issue the need to appropriate somewhere between $30 and $80 million to have the IRS conduct a 14-question poll. That is considered a high priority.

I believe that if it was discovered that was in the bill, or that the IRS was doing this own their own, there would be 100 votes in this chamber against it—14 questions, $30 to $80 million. It is going to be mailed to every—

Mr. GLENN. Mr. President, could we have order in the Senate? Everybody is talking all over the place. I can't hear the Senator, and he is only a few feet away.

The PRESIDING OFFICER. The Senate will come to order. Will the Senator from Nebraska yield?

Mr. LOTT. Will the Senator yield for a brief question?

Mr. KERREY. Yes.

Mr. LOTT. Senator DASCHLE and I would like to be able to go over what we expect to be happening here the rest of the day, and tomorrow. I know that Senator ROTH wants to respond. Can we get some idea of how much time the Senator from Nebraska is going to have involved in this discussion?

Mr. KERREY. I would be pleased to agree to a UC to yield to the distinguished majority and Democratic leader, and then give the floor back to me. I would be pleased to do that, if you want to do a UC for that.

ORDER OF PROCEDURE

Mr. LOTT. Mr. President, I ask unanimous consent that we be able to proceed with leader time so that we can give information to the Senators about the schedule. I know there are Senators waiting to get some information on that. If the Senator would agree to that, then we will return to his discussion to be followed by Senator ROTH.

That would be my request.

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

Mr. KERREY. The UC would do what again?

Mr. LOTT. That we interrupt at this point for us to have a colloquy here about what the schedule be as best we can tell, and then after that we return to the Senator's discussion uninterrupted with our remarks after his remarks to be followed by Senator ROTH's response to that.

Mr. KERREY. I have no objection.

Mr. LOTT. And morning business. We would turn to morning business at that point.

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

Mr. DORGAN. Reserving the right to object, is the Senator now suggesting in his unanimous-consent request that we return to morning business immediately following the discussion by Senator ROTH and Senator KERREY?

Mr. LOTT. That is what I am suggesting.

Mr. DORGAN. Then let me say, reserving the right to object, it is my intention to inquire about when the majority leader intends to allow us to debate and perhaps get some votes on amendments on fast track. We didn't object to going to morning business yesterday. I guess we have a number of people who want to offer amendments on fast track. That has been put off and put off. In fact, the regular order would be an amendment that I have pending on fast track. So if the Senator would simply exclude the morning business request and then proceed with the discussion, I would like to try to have some understanding about when we might entertain amendments on fast track.

Mr. LOTT. Mr. President, let me withdraw the last part of my unanimous-consent request so we would just be asking we would do what we are going to do on the schedule and go back to this discussion and we will talk further about that. I think the information we will give Senators will answer some of the Senator's questions.

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

THE SCHEDULE

Mr. LOTT. For the information of all Senators, there is a move to combine the three remaining appropriations bills into one bill and to send that document to the House. The Appropriations Committee intends to meet on this immediately following these announcements. Those bills are the D.C.,

the foreign ops and the State-Justice-Commerce bills.

It is the hope of the leadership that we could clear this bill for passage without a rollcall vote. Senator DASCHLE and I will be working on both sides of the aisle to make sure Members understand what is happening here, what is involved, and it may take some time for us to determine that. That could be as much as an hour or so. If we could get it cleared, then that would be the way we would intend to proceed on these combined appropriations bills. Senators will be notified when the next vote would occur, if one should be necessary on this.

Now, Senator DASCHLE and I were just talking. We think we should pass this by voice vote, and we will encourage Senators to allow this to happen. But if we can't get it cleared, one option we would have would be to have this vote occur, and I would need to consult with Chairman STEVENS further before we do it, but one option, if we can't get it cleared in a reasonable period of time, would be to perhaps have a vote on that issue tomorrow around 1:30 or so. At this point we just can't tell you with absolute certainty how we are going to proceed on that bill. Again, we will pursue the voice vote, and if we can't get that done, then we will notify you when the actual vote would occur.

Would the Senator like to respond to that before we go to these other issues?

Mr. DASCHLE. I concur completely with what the majority leader has just indicated. I think it is our intent to see if we might be able to proceed with an expectation that any additional rollcall votes would occur tomorrow. We can't give that assurance completely yet today. I want to work with the majority leader. If additional rollcalls are required, we will give plenty of notice to all Senators. But our hope is that we can accommodate Senators who have schedules.

Mr. LOTT. One option, if the Senator will yield back so that I can comment, Senator STEVENS even suggested we might want to have another vote later on this afternoon or later on at 5, 6 or 7 o'clock. But we will try to avoid that, and when we can give you some further confirmation on when the next recorded vote will occur, we will let you know—hopefully within an hour.

Now, I might also note that I am being told that an agreement has been reached on the FDA reform conference report, that papers are being done now, and hopefully Senator JEFFORDS is working with all the interested parties on that. Within an hour or so, we hope we could get those papers ready and get that done on a voice vote.

The Senator is now saying we may have to have a recorded vote. If we do, then we might have to look at doing that later on or maybe even tomorrow. So we will have to consult on that.

One other one we may try to do is adoption and foster care. We understand perhaps there has been agreement on that legislation in a bipartisan way. We are trying to clear that.

So that answers part of Senator DORGAN's inquiry. We have a couple of issues that we may have ready to go here pretty quickly. That is why we would like to have the option to discuss with the Senator and others moving one or the other of these bills or the conference report.

Ms. MOSELEY-BRAUN. Will the majority leader yield for a question?

Mr. LOTT. Other possible items for consideration are the Eximbank conference report, and Senator DASCHLE and I are working on the Executive Calendar nominations.

I congratulate everybody for their cooperation on the Labor-HHS-Education appropriations bill that just passed. The conference report that we have been working on for weeks and weeks and weeks passed 91 to 4. It just shows what can happen when we finally get around to taking a stand and getting a vote.

I would be glad to yield to the Senator from Illinois.

Ms. MOSELEY-BRAUN. I thank the Senator.

With regard to the majority leader's request for rolling all the remaining appropriations bills into one vehicle, as the majority leader may be aware, I had not wanted to object, but I reserve my right to object with regard to the immigration issue pertaining to Haitians. The D.C. appropriations bill provides for special status or relief for Guatemalans, Nicaraguans, Salvadorans and Cubans and leaves out the Haitians.

Certainly, I cannot imagine that is a result we would want to see, and I urge the majority leader and other negotiators to see that that real injustice is corrected as they discuss the final package for that legislation.

Again, I, just like everyone else in this Chamber, would love to have this go out on a unanimous rollcall vote or unanimous voice vote, but at the same time the gravity of the injustice in that situation is just so profound I would have to lodge an objection if that does not get done.

Mr. LOTT. I appreciate the Senator's comments. She has been discussing it with Senators on both sides of the aisle. I just saw her talking with the chairman of the Appropriations Committee at lunch. So I know she is going to find a way to address this issue in a way that she would be comfortable with, and we will continue to work with her on that.

Does the minority leader wish to say anything more?

Mr. LOTT. Mr. President, it would be my intent at this time to put in a request for morning business until the hour of 4 p.m. so that we can talk about these various issues and see where we may go.

Mr. DASCHLE. Mr. President, if I could just suggest, the majority leader has noted that Senator KERREY would like to speak. If a unanimous consent request is propounded for morning business, I would like it—I do know Senator DORGAN has noted his desire to offer amendments, but if morning business were to occur, I would suggest perhaps it occur after Senator KERREY's remarks.

MORNING BUSINESS

Mr. LOTT. I believe we already had an agreement by unanimous consent we would go back to Senator KERREY, followed by Senator ROTH. Others may want to comment, but I would like to ask now there be a period of morning business until the hour of 4 o'clock and Senators be limited to speak for 10 minutes each.

Mr. DORGAN. Reserving the right to object, Mr. President, let me again inquire as to when the majority leader expects we might be able to entertain some amendments that we might have finally considered. I know that I was able to offer an amendment. I also know that Senator INHOFE offered an amendment to the fast track bill. He may have other amendments; I do not know. I know I have amendments and Senator HOLLINGS and some others have amendments they want to have considered. I have not objected to moving other business that is important to the Senate. I think it is important to get this business done. I have not objected to that. But to put us into morning business is simply a suggestion that we don't want to go to regular order, and the regular order is fast track. We have amendments, one pending, others wanting to be offered.

So the majority leader, I assume, brought fast track to the floor of the Senate because he wanted us to move and proceed to consider it. When he did that, I had hoped we would be able to offer amendments. If we keep allowing the majority leader simply to put us into morning business with intervals of other business he decides he wants to pursue, we will never get to dispose of amendments on fast track. I don't think that is an appropriate way to deal with fast track.

Mr. LOTT. Mr. President, if I could respond to the Senator, I would like him to allow us to get this time now and give us an opportunity to talk with him and others. I should note that when we go back, of course, to this issue, I believe the pending amendment is the Inhofe amendment. I presume there would be other amendments in relation to that issue, maybe a second-degree amendment. I think maybe the Senator would want to talk to his leadership and give me a chance to talk to Senator INHOFE as to how we would proceed on that, and we could use this next 50 minutes to do that.

Mr. DORGAN. Well, I would say the regular order would be my amendment, and I won't object to this request, but I will at some point in the future if the Senator wants to continue to do this, because what this will mean is the majority leader will bring in the body of work he wants to have done here.