we need to do it, and we can go to bankruptcy before we go out. My intent would be to go to it next, after consultation with both sides.

Mr. DASCHLE. I appreciate the indulgence of the majority leader and his answers to my questions. I have one other question relating to the trade bills.

Obviously, we have attempted to discuss how to proceed for some time. I have made an offer to the majority leader that he has been kind enough to consider; that is, he and I would table amendments that were not relevant to trade but certainly allow for at least a period of time so Senators can offer these amendments, with the idea that they will be debated and tabled shortly after the time they are offered, I am certainly prepared to renew that offer to the majority leader. As he knows, he has made the situation, again, one which would require a procedural vote on cloture rather than a substantive vote on cloture, thereby, again, undermining our ability to finish the bill.

I wonder if the majority leader has given any more thought to this suggestion that he and I table these amendments and then move to final passage on trade, as I think we could have done even this week.

Mr. LOTT. In response to his question, I was in the hopes that if we could get agreement on the bankruptcy bill and the unrelated amendments that would be made in order under the agreement, that would help resolve the problem.

The difficulty is, in going through this process where we would in fact both vote to table, first of all, there is a lot of opportunity for mischief in terms of what amendments are offered, objections to time agreements, and how long would it take. That is one thing that worries me. If we do not get cloture and we go through a series of amendments where we have to vote to table them, I worry about the image of us voting to table, even if we could explain it procedurally. But if you vote to table fast track or vote to table agricultural sanctions or you vote to table some of these other things, I would prefer that the Senate not be recorded as having defeated or tabling some of these issues.

But the further problem is, if we go through and hold a number of these on this bill, how do we get it done in somewhat of a foreseeable period of time and then be able to get to bankruptcy? I am also worried about what in fact happens if we move to table or try to table or not table. I think the Senator has been right in saying that is where leadership has to weigh in and we have to make sure we get it done.

I think one of the issues that would have been the greatest problem would have been minimum wage, but I believe we are going to address the minimum wage on bankruptcy, therefore relieving the pressure, the need to put it on this particular bill.

So that is what we are up against. I have learned around here you never say never. I am just worried about being able to get this job done. Also, I have not been able to clear on our side an arrangement that would go through a repeated number of votes on trade. We have had this discussion privately. I think it is appropriate that we have it publicly, too.

Mr. DASCHLE. Mr. President, just in further clarification, I am wondering—there are really two issues. The majority leader has appropriately articulated one of the concerns he has with regard to finishing the bill. Cloture will do that, if cloture is invoked.

I am wondering if the majority leader would entertain tearing the tree down to allow Senators to offer amendments during the time the legislation is pending, thereby at least giving Senators the right to offer amendments, because he would still have the assurance, of course, that the bill—if cloture is invoked—would ripen and would ultimately terminate debate, but he then would cease to make the issue a procedural one. Then it would be one upon substance, which I think would be advantageous for both the majority leader and many of us who work with the administration to see this legislation pass.

Mr. LOTT. Are you talking about doing it during the period of time when we may be discussing, as on Monday, the Labor-HHS bill? Are you talking about postcloture? Also, what do we do in terms of getting time agreements if the Senator from South Carolina objects to that? Maybe we will just have to—that is a lot of ifs—what if, what if. We will have to work through that. It would take a lot of delicacy in trying to get it to a conclusion. But that is my concern.

Are you talking about trying to do it Monday, or are you talking about trying to do it during the day Tuesday or Wednesday? And how do we, in terms of time—even postcloture, a lot of amendments are in order.

Mr. DASCHLE. The majority leader points out a very important problem. If we invoke cloture, there are many important relevant amendments, that I think he and I would probably both support, that are not going to be in order on this legislation. I do not know how we are going to deal with that. I doubt he would be able to get unanimous consent to be able to offer it. I know amendments having to do with Africa, in particular, are in peril if cloture is invoked. So we have compounded the problem both from a relevancy point of view as well as from this procedural problem that we are attempting to work through.

You asked the question, When would this occur? I guess I am thinking, under the current circumstances, there would not be any time for it to occur because the vote on cloture would occur as early as Tuesday because that is when the cloture motion ripens. I would be willing to work with the majority leader on an acceptable schedule for such amendments and the filing of cloture were he willing to work to accommodate at least some amendments and the opportunity to deal with this relevancy question that I think, regardless of the circumstances, he would deal with.

Mr. LOTT. An interesting sidelight, if the Senator will yield.

Mr. DASCHLE. Yes.

Mr. LOTT. Postcloture, for instance, there might be some amendments with regard to African trade. I wonder if there might be some way we could get an agreement. I worry about it getting agreed to, because I am not sure the Senator from South Carolina would agree to it, where some of those amendments, while they are not germane, would not be in order postcloture, they certainly relate to what we are trying to do. I would certainly like to have some way found for amendments such as that, if they exist. I could think of a couple I have heard of that ought to be offered.

I will be glad to work with the Senator to try to find a way to see if we can at least do that and get it cleared. But we do have a problem with objections. We can see if we can get it agreed to, and we can try to get it agreed to, if we can get something worked out that we can offer. Then if it is objected to, we just have to deal with that.

Mr. DASCHLE. I know there are other colleagues who are waiting to do other business. I think we might talk more privately about this and proceed. But I look forward to working with the majority leader to see if we can find a way to deal with it.

Mr. LOTT. Thank you.

Mr. MURKOWSKI. If the leader would yield?

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

Mr. LOTT. There was no objection to that last request?

The PRESIDING OFFICER. There was no objection to the last request.

Mr. LOTT. I do have one more request I know the Senator from Alaska is interested in. If the Senator would like to make that request——

Mr. MURKOWSKI. Please proceed.

UNANIMOUS CONSENT REQUEST—S. 1287

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now turn to S. 1287, the nuclear waste bill.

Mr. DASCHLE. Objection.

Mr. REID. Objection.

Mr. BRYAN. Objection.

The PRESIDING OFFICER. Objection is heard.

Several Senators addressed the Chair.

Mr. LOTT. There was an objection. I believe I still have the floor.

I would be glad to yield for a question or comment.

Mr. MURKOWSKI. It is my understanding, Mr. President, there are a number of Senators who are seeking recognition for items they would like

to bring up in morning business. I obviously would like to accommodate them. But I wonder if we could get some idea of who and how many, because obviously I am prepared to start the debate on the nuclear waste bill and want to accommodate Members.

Mr. LOTT. Mr. President, I yield to Senator REID, if he would like to comment.

Mr. REID. I say, through the majority leader, to the Senator from Alaska, Senator DURBIN wishes to speak for 15 minutes and the Senator from Arkansas for 5 minutes. That is all we have until we turn to the matter of the Senator from Alaska.

I ask the Senator from Alaska, in relation to his opening statement, does he have any idea how long he is going to take?

Mr. MURKOWSKI. I have no idea, Mr. President, how long the leadership wants to go today. But I am prepared to accommodate the interests of the Senate and am also prepared to go at great length. So it might be appropriate if we had some indication of how long the leadership wants this matter debated today because I understand we are going to be going off of it and then back on it.

Mr. LOTT. If I could respond, Mr. President, we do not have a certain time set. I would not want in any way to preclude the Senator from using as much time as he needs.

It sounded to me as if you have about 15 minutes on the other side. You could take the time you need, and when that is completed—I see Senator BYRD may be here and want to speak, too. So as long as Senators are here and wanting to speak, we will continue this afternoon. But if I could——

Mr. REID addressed the Chair.

Mr. LOTT. I will be glad to yield to Senator REID.

Mr. REID. I say, through the leader, Senator BYRD is on the floor and he needs 20 minutes, just so the Senator from Alaska would have some idea. And I would think Senator BYRD would speak before Senator DURBIN.

Mr. DURBIN. That is a good idea.

Mr. REID. Although the Senator from Arkansas has agreed to how much time? Five minutes.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business, with Senators permitted to speak for up to 10 minutes each, with the exception of the Senator from Arkansas—I believe she wanted 5 minutes—Senator DURBIN for 15 minutes, Senator BYRD for 20 minutes, and then the Senator from Alaska be recognized after that to discuss the nuclear waste legislation.

Mr. REID. I say to the leader, then after the Senator from Alaska speaks, the two Senators from Nevada may have a couple words to say.

Mr. LOTT. Under this request, they would have 10 minutes. If they need additional time, I don't think anybody is going to object.

The PRESIDING OFFICER. Is there objection?

Mr. BRYAN. Will the majority leader yield for a question?

Mr. LOTT. I am glad to yield.

Mr. BRYAN. May the Senator from Nevada inquire as to the majority leader's intent? In light of the objection, does the majority leader intend to file a motion to proceed?

Mr. LOTT. Not at this time, although it is my intent, before we go out, to take whatever action is necessary to try to get on to the substance of this bill. But in view of the other things that are pending, Labor-HHS Appropriations conference report, the trade bill, and, hopefully, bankruptcy, I am not going to file that today.

Mr. BRYAN. I thank the majority leader.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Reserving the right to object, only to make this point, in the sequence here, if I could amend the unanimous-consent request so the Senator from Arkansas could go first, followed by the Senator from West Virginia. I am happy to be third in the sequence.

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

The Senator from Arkansas is recognized.

INEFFECTIVENESS OF THE SENATE

Mrs. LINCOLN. Mr. President, I rise on behalf of the people of Arkansas to express my extreme disappointment, frustration, and bewilderment with our ineffectiveness in the manipulation of the Senate. Today, I was supposed to be touring the former Eaker Air Force Base site in Blytheville, AR, with numerous officials from the National Park Service as well as other State and local leaders. This is a meeting we have worked on for months to arrange, understanding there might be legislative business today.

The community is united in its effort to have this former military base converted into a Mississippi Valley archeological facility and research center. The benefits this project will bring to northeastern Arkansas are enormous, and I had hoped to be there today to again demonstrate my support to the entire community and the Park Service and to urge a favorable decision by the Park Service.

I also had several other appointments scheduled with various constituents in the State, but I had to cancel all these meetings to be here for scheduled votes. I thought we might vote on key trade initiatives and might even get to an appropriations bill. But these votes are, once again, delayed and may never occur. This is not the first time I have had to cancel meetings or events on critical issues with large groups of constituents in Arkansas to stay in Washington for votes, votes and work that never happened or were simply procedural or partisan. My constituents understand when I have to be in Washington to vote, but what they do not understand and what frustrates me is when I stay in Washington for votes and work that never occur.

I would understand, and would encourage a great deal, if we were delaying debate so Members could travel to Rhode Island to pay tribute to our distinguished former colleague, John Chafee, a man whose presence in the Senate made this entire body a more respectful and enjoyable place, a truly bipartisan, wonderful colleague I enjoyed working with so very much and a great leader, one who I think would be proud to see us working to come to conclusion and bring about results on behalf of the American people. But this is not the case. There is no reason we should not be working and voting today.

October 29, today, was our target adjournment day. We could be and should be done. We have just voted our third continuing resolution. We could have been working in the Senate to come to conclusion. Five spending bills still remain, including funding for education and health care, which I think should have been our very first priority in the Senate. It is clear to everyone involved why this mess keeps happening, why we are not getting anywhere. The majority is trying to override the true design of the Senate. They are limiting debate. They are refusing amendments and pulling legislation off the floor to mute the voices of the minority. I have great concern with that.

I was elected to this body in November of 1998. I came to serve in 1999, during a historical situation that caused each of us to research and understand what the constitutional responsibilities of this body are about, to understand the design of this body. I was a Member of the House of Representatives. The Senate is called the upper Chamber, the deliberative body, for a very good reason. We are supposed to be above all of this. We are not the House. We should not operate as the House. We should be operating as a deliberative body, debating the issues, bringing out the concerns of each individual in this body, especially since just last night the House voted to gut Social Security by $17 billion. What an important issue to the people of America.

We have a lot of difficult decisions before us, decisions we should be debating, we should be making, and not postponing. I call on the leadership and on my colleagues in the Senate, again, let us roll up our sleeves and get down to work. The American people deserve no less.

The PRESIDING OFFICER. The Senator from West Virginia.