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House of Representatives

The House was not in session today. Its next meeting will be held on Saturday, January 20, 2001, at 10 a.m.

Senate

MONDAY, JANUARY 8, 2001

The Senate met at 12 noon and was called to order by the President pro tempore [Mr. BYRD].

The PRESIDENT pro tempore. Today's prayer will be offered by guest Chaplain Dr. Craig Barnes, National Presbyterian Church, Washington, DC.

Dr. Barnes, please.

PRAYER

The guest Chaplain, Rev. Craig Barnes, offered the following prayer:

Lord God, as the Senators of our land begin their deliberations this day, we would be careful to ensure that the first words we speak remind us of our complete dependency upon You. We ask that You would bless these Senators as Your servants. They have come with their hearts and minds filled with great agendas, but even these, our leaders, are never more than mortals on a journey from dust to dust. So it is to you that we look for sacred visions that are greater than party visions and certainly greater than the visions any one of us could carry into this Chamber. By Your Holy Spirit, accommodate Your will to our political process, that it may be used to lead this Nation to Your own future filled with hope. And when the day is done and this Chamber is again empty, may all who have come here to serve the Republic know that their work has not been in vain. Encourage them in the certain conviction that they will one day hear from You: Well, done, good and faithful servants. This we ask in the name of the Lord whose way we prepare. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

THE JOURNAL

The PRESIDENT pro tempore. The Journal will now be read.

Without objection, the further reading of the Journal will be dispensed with and the Journal will stand approved to date.

The Chair recognizes the Senator from Nevada.

PRINTING OF MATERIAL

Mr. REID. Mr. President, I ask unanimous consent that a colloquy between Senators DASCHLE and LOTT regarding S. Res. 8, the organizing resolution passed by the Senate last Friday, be printed in today's RECORD, and that the permanent RECORD be corrected to provide for its inclusion with the resolution when it passed the Senate last Friday.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The material ordered to be printed in the RECORD is as follows:

SENATE ORGANIZATION

Mr. DASCHLE. The resolution just agreed to represents an honorable compromise between the two parties on how best to organize the Senate in the 107th Congress. It was agreed to only after extensive negotiations between

the two leaders, and after thorough consultation with all Senators. Although there were difficult issues presented, and the two sides approached those issues from very different points of view, in the end we were able to reach an agreement that, we hope, will allow the Senate to take up and act on the Nation's business in a bipartisan manner. In the meantime, we both agree that this situation is new ground and some things may have been overlooked in the crafting of this resolution. I would therefore acknowledge that there may be an additional need to revisit this issue at a later date.

Mr. LOTT. I concur with the assessment of the majority leader, Senator DASCHLE. The unique circumstances presented by this historic 50-50 Senate created significant challenges in organizing the Senate, and those circumstances required both sides to compromise. Having both met with our respective conferences, we both have discovered the potential need in the future to revisit some of the items contained in this agreement. I think it is fair to say that we will deal with the new issues in good faith as they arise. After a great deal of effort, Senator DASCHLE and I have found a way to, in essence, meet half way. That is what this resolution does.

Mr. DASCHLE. I will briefly describe the provisions of the resolution.

First, it provides that the membership of Senate committees will be equally divided between the two parties, and that, consistent with a separate resolution passed on January 3, 2001, all committees will be chaired by

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Republican Senators beginning at noon on January 10.

Second, the resolution provides that committee budgets and office space will be divided equally, subject to the customary set-asides for administrative expenses and so-called non-designated staff. It is our expectation that the details of those arrangements will be negotiated and agreed to by the respective chairman and ranking members of the committee, in consultation with other members of each committee. It will also be left to the committees, as is customary at the beginning of each new Congress, to agree to committee rules of procedure.

Further, the resolution provides that committee administrative expenses may be increased where necessary, but that the total administrative expense allocation for all committees shall not exceed historic levels. I would add that my understanding of this provision is that it will result in little or no net increase in the total amounts spent by committees on administrative expenses.

Third, it provides, in the case of a tie vote in committee on a bill or nomination, that either leader may move to discharge the committee, and that after 4 hours of debate, equally divided, the Senate proceed to vote on the motion to discharge. If the motion is agreed to, the bill or nomination would be placed on the calendar. Similarly, in the case of a tie vote in a subcommittee on a legislative item or nomination, the resolution authorizes the committee chairman to discharge the subcommittee and place the legislative item or nomination on the full committee agenda.

Fourth, the resolution provides that no cloture motion shall be filed by either party except to bring to a close debate, and that in no case shall cloture be filed before the expiration of 12 hours of debate.

Fifth, it stipulates that it shall continue to be considered the prerogative of the majority leader to make motions to proceed—although the resolution does not affect the existing right of every Senator to make a motion to proceed if he or she chooses to do so.

Sixth, it provides that in scheduling and debating all legislative and executive business in the Senate, both leaders shall seek to attain an equal balance of the interests of the two parties.

Finally, it provides that should either party attain a majority of the whole number of Senators during the 107th Congress, a new organizing resolution would be required. I would add that it is the expectation of the two leaders that if the ratio in the full Senate changes to 51–49, then a resolution instituting one-seat margins in all committees would be necessary.

That summarizes the basic provisions of the resolution. Does the distinguished Republican leader wish to comment?

Mr. LOTT. The majority leader has described the resolution accurately. I

would add only that it is my hope and expectation that tie votes in committee will be the exception and not the norm in this Congress, and that the discharge provisions of the resolution will rarely if ever have to be used. Given the unique nature of this 50–50 Senate, and the closely-divided nature of the country, it is my hope that committee chairmen and ranking members will strive to achieve strong, bipartisan majorities for all legislation and nominations considered in their committees, and that all Senators will work together in that spirit. Senator DASCHLE and I agree that this represents the wisest approach and will give us the best chance of success in addressing the needs of the American people.

With respect to the ratios of members on conferences, we both understand that under previous Senate practices, those ratios are suggested by the majority party and if not acceptable by the minority party, their right to amend and debate is in order. We both agree that the intention of this resolution is not to alter that practice and this resolution does not serve to set into motion any action that would alter that practice in any way. The two leaders agree to work together to ensure that conferees are appointed in a fair and bipartisan manner.

Mr. DASCHLE. In addition to the provisions just discussed, the distinguished Republican leader and I have reached understandings on several related matters, which I believe he would like to describe.

Mr. LOTT. The Senator is correct; we have reached understandings on the following related issues.

First, I have discussed with the majority leader concerns that have been raised about the floor procedure known as “filling the amendment tree.” Senator DASCHLE and I appreciate and understand those concerns, and we wish to assure Senators that it is our intention that the Senate have full and vigorous debates in this 107th Congress, and that the right of all Senators to have their amendments considered will be honored. We have therefore jointly agreed that neither leader, nor their designees in the absence of the leader, will offer consecutive amendments to fill the amendment tree so as to deprive either side of the right to offer an amendment. We both agree that nothing in this resolution or colloquy limits the majority leader’s right to amend a nonrelevant amendment nor does it limit the sponsor of that nonrelevant amendment from responding with a further amendment after the majority leader’s amendment or amendments are disposed of.

Second, we have agreed that the two parties will have equal access to common space in the Capitol complex for purposes of holding meetings, press conferences, and other events.

Finally, we have agreed that henceforth the duties of presiding officer of the Senate, now under the control of

the majority party, will be shared in part by the minority party.

Mr. DASCHLE. I appreciate the remarks of the distinguished Republican leader. I also want to assure him that during the 17 days in which Democrats will hold the majority, we intend to operate in the most bipartisan manner possible. As I have said before, in a 50–50 Senate, bipartisanship is not just an option, it’s a requirement. This resolution enables the Senate to get to work immediately on the Nation’s business—including nomination hearings, some of which have already begun. I thank my friend the Republican leader, and all Members of the Senate, for their cooperation and good faith in allowing us to reach agreement on this important measure. I yield the floor.

REMOVAL OF INJUNCTION OF SECURITY

Mr. REID. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on January 8, 2001, by the President of the United States: Protocol to Amend the 1949 Convention on the Establishment of an Inter-American Tropical Tuna Commission (Treaty Document 107–2).

I further ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President’s message be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Protocol to Amend the 1949 Convention on the Establishment of an Inter-American Tropical Tuna Commission, done at Guayaquil, June 11, 1999, and signed by the United States, subject to ratification, in Guayaquil, Ecuador, on the same date. In addition, I transmit, for the information of the Senate, the report of the Department of State with respect to the Protocol. The Protocol will not require implementing legislation.

The Protocol amends the Convention for the Establishment of an Inter-American Tropical Tuna Commission, done at Washington May 31, 1949, and entered into force March 3, 1950 (the “Convention”), to allow the European Union to become a member of the Inter-American Tropical Tuna Commission (IATTC) created under the Convention. Presently, the Convention is only open to governments of states. The Protocol will, upon entry into force, allow regional economic integration organizations like the European Union to become a party to the Convention and a full member of the