

program and make sure it works efficiently. Keeping the Section 8 reserves at adequate levels is an important part of making this housing program work. Basically, the Section 8 reserves provide additional funds to Public Housing Agencies (PHAs) whose voucher program costs exceed their budget allocation in a given year. Thus, if a PHA approaches the final months of its fiscal year and needs more funds to pay landlords or pay for utility costs, it can request up to 2 months of additional funding from HUD. The reserves are critical to the program's financing because HUD bases each PHA's annual budget not on its expected costs in the coming fiscal year, but rather on its actual costs in the prior year. Since the factors that cause such increases can be unpredictable from year to year, sufficient reserves are necessary so that PHAs won't be forced to reduce the number of families they serve.

I am also concerned about the current rescission language in the bill. It is not unusual for Congress to reclaim Section 8 monies that HUD does use. However, this year's bill goes one step further by rescinding all future recaptures from Fiscal Year 2002 and prior years, and diverting them into other accounts, some of which are not even related to the housing needs of low-income families.

As I mentioned previously, PHAs' budgets are based on the prior year's actual costs and not on their expected costs if they adopt changes to serve more families. They may need additional resources beyond their budget allocations if they succeed in making their programs work better. But this bill cuts the Section 8 reserves that could provide these additional resources. And, by rescinding all recaptures that HUD could make this year and next, it deprives HUD of funds to ensure that PHAs that are increasing voucher utilization do not get caught in a budget squeeze. HUD may also use recaptures to adjust contracts with owners under the project-based Section 8 program if unforeseen costs arise, such as rising utility prices. If HUD does not have the resources to make these adjustments, these owners may opt-out of the Section 8 program. Finally, HUD can currently redirect at least some recaptures to offset Section 8 costs in the upcoming fiscal year, reducing the appropriated dollars needed to maintain the size of the program. This in turn, frees up funds to provide more new vouchers.

If we are serious about helping extremely low-income families benefit from voucher assistance, then we need to ensure that the needed resources are available to make this program work well and efficiently. But this bill contains two provisions that run the risk of doing just the opposite. Both the reduction in reserves and the rescission could run the risk of undermining the financing of the Section 8 program, and undermining efforts to serve more families with vouchers. Let's not run this

risk. Let's ensure that the Section 8 program is our first priority for use of recapture funds.

Again, I thank Senators BOND and MIKULSKI for all of their hard work on this bill and I hope that we will be able to discuss these matters in more detail, and that we work together to find ways to address these issues.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Ms. MIKULSKI. Mr. President, I now ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The bill having been read the third time, the question is, Shall the bill pass?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from New Mexico (Mr. DOMENICI) is absent because of a death in the family.

The PRESIDING OFFICER (Mr. DAYTON). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 5, as follows:

[Rollcall Vote No. 269 Leg.]

YEAS—94

Akaka	Dorgan	McConnell
Allard	Durbin	Mikulski
Allen	Edwards	Miller
Baucus	Ensign	Murkowski
Bayh	Enzi	Murray
Bennett	Feinstein	Nelson (FL)
Biden	Fitzgerald	Nelson (NE)
Bingaman	Frist	Nickles
Bond	Graham	Reed
Boxer	Grassley	Reid
Breaux	Gregg	Roberts
Brownback	Hagel	Rockefeller
Bunning	Harkin	Santorum
Burns	Hatch	Sarbanes
Byrd	Helms	Schumer
Campbell	Hollings	Sessions
Cantwell	Hutchinson	Shelby
Carnahan	Hutchison	Smith (NH)
Carper	Inhofe	Smith (OR)
Chafee	Inouye	Snowe
Cleland	Jeffords	Specter
Clinton	Johnson	Stabenow
Cochran	Kennedy	Stevens
Collins	Kerry	Thomas
Conrad	Kohl	Thompson
Corzine	Landrieu	Thurmond
Craig	Leahy	Torricelli
Crapo	Levin	Warner
Daschle	Lieberman	Wellstone
Dayton	Lincoln	Wyden
DeWine	Lott	
Dodd	Lugar	

NAYS—5

Feingold	Kyl	Voinovich
Gramm	McCain	

NOT VOTING—1

Domenici

The bill (H.R. 2620), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

Mr. BOND. Mr. President, I move to reconsider the vote.

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Ms. MIKULSKI. Mr. President, I move that the Senate insist on its amendments and request a conference with the House, and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Ms. MIKULSKI, Mr. LEAHY, Mr. HARKIN, Mr. BYRD, Mr. KOHL, Mr. JOHNSON, Mr. HOLLINGS, Mr. INOUE, Mr. BOND, Mr. BURNS, Mr. SHELBY, Mr. CRAIG, Mr. DOMENICI, Mr. DEWINE, and Mr. STEVENS conferees on the part of the Senate.

BIPARTISANSHIP ON
APPROPRIATIONS BILLS

Mr. BYRD. Mr. President, as the Senate prepares to adjourn until September, I thank the members of the Senate Appropriations Committee who have worked so hard to report nine bills from committee for the fiscal year that begins on October 1. In particular, I thank my distinguished colleague, the ranking member on the full committee, TED STEVENS and the chairmen and ranking members for the five bills that have passed the Senate.

The five chairmen and ranking members include Senator BARBARA MIKULSKI and Senator KIT BOND on the VA/ HUD and Independent Agencies bill, Senator HARRY REID and Senator PETE DOMENICI on the Energy and Water bill, Senator PATTY MURRAY and Senator RICHARD SHELBY on the Transportation bill, Senator RICHARD DURBIN and Senator ROBERT BENNETT on the Legislative Branch bill and Senator CONRAD BURNS on the Interior bill.

We have a longstanding tradition on the Appropriations Committee of working together on a bipartisan basis to produce the thirteen appropriations bills. This year, we established a goal of reporting nine bipartisan and fiscally responsible bills prior to the August recess. We have met this challenge. I thank my good friend TED STEVENS for his leadership in helping us meet this goal.

Based on that tradition of bipartisanship, the transition in party leadership on the Appropriations Committee was seamless. The hard work of the committee to produce 13 bills preceded the transition and continued after I assumed the chairmanship and the committee was reorganized on July 10, 2001. This is a credit to all of our colleagues and our dedicated staff who have labored unceasingly to bring these bills to the Senate.

Producing the fiscal year 2002 appropriations bills has been a particular challenge this year. With the election of a new President, the President's budget was sent to the Congress on April 9, 2001, 2 months later than in a normal year. When we received the President's budget, it included a number of proposed reductions in discretionary programs. We have scrutinized the budget and where appropriate we

accepted the proposed cuts, but in other cases we had to restore cuts in programs that have broad bipartisan support in the Senate.

Restoring these cuts, while funding programs that are important to all Americans, has been very difficult, given the very tight limits on discretionary spending contained in the budget resolution. I did not vote for that budget resolution, but we have worked together on a bipartisan basis to produce bills that are within their 302(b) allocations. We do not have unlimited resources at our disposal, so we have been forced to make difficult decisions. Nevertheless, we believe the bills that the committee brought to the Senate have been fair, balanced, and served the needs of the American people.

We have held the line while making sure that we kept our promise to our Nation's veterans, we have helped the poor move to a better life by rebuilding neighborhoods, we have protected the environment and invested in science and technology and we have funded disaster relief programs in response to floods and other natural disasters to provide assistance to our citizens in their time of need.

We have funded our Nation's transportation systems to promote safe travel on our roads, in the air and on our waterways. We have invested in our Nation's energy independence and funded our natural resource programs. We have invested in our Nation's infrastructure for bridges and dams and navigation projects.

I thank the many Senators who have dedicated themselves to this task and I look forward to working to send thirteen bipartisan and fiscally responsible appropriations bills to the President. I have spoken with the House Appropriations Committee Chairman BILL YOUNG and the Ranking Member DAVID OBEY and urged them to move quickly to conference on the appropriations bills. I had pressed the House to complete conference action on two of the bills before the August recess, but the House did not name their conferees. However, our staffs will be working during August to resolve differences between the House and Senate bills so that we can go to conference on several of these bills when Congress returns in September.

I am committed to producing 13 bills this year. We should not go down the road employed in recent years of producing omnibus appropriations bills that rob Members of the opportunity to read, let alone understand the contents of the bill. We intend to work together on a bipartisan basis to meet the challenges that lay before us.

ORDER OF BUSINESS

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DASCHLE. For the information of our colleagues, there will be three votes shortly on three nominees that

we will take from the Executive Calendar. We are in the process of drafting a unanimous consent request to accommodate debate and the vote on those three nominees.

I urge colleagues to stay in proximity of the building and the floor because these votes will happen shortly. The distinguished chair of the Judiciary Committee has reported them out, and I thank him and applaud him for his expedited work on these nominations. There will be a short debate and then there will be votes. They will not be stacked, but as I understand it, there is a request for time on each of the nominees.

We will have those votes and, hopefully, at that point, we will be able to announce further legislative business.

Mr. LEAHY. If the distinguished leader will yield, it is my understanding—and I have not had a chance to speak with the distinguished ranking member, but I hope there will be a very short time on these nominees on statements, in such a way that the leader will be able to propound, if he wishes, a request that the last two of the three votes be 10-minute votes.

Mr. DASCHLE. Mr. President, if we can accommodate all Senators with that understanding, we will make that part of the request. If Senators wish to be heard on these nominations, I hope they will let us know. Shortly, we will propound that unanimous consent request.

Mr. LOTT. If the majority leader will yield, he is not propounding a unanimous consent at this point?

Mr. DASCHLE. Shortly. Not at this point.

Mr. LOTT. The majority leader is to designate a short period of time for each one of these nominations; is that right?

Mr. DASCHLE. It was my understanding that there were requests for time on each nominee. If there is not, then it is my desire to have a period during which Senators could speak to the nominees and we would have three stacked votes.

Mr. LOTT. I thank the Senator for yielding.

Mr. DASCHLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Senate now proceed to executive session to consider the nominations reported out earlier today by the Judiciary Committee: William Riley to be a Circuit Judge for the Eighth Circuit, Sarah

Hart to be the Director of the National Institute of Justice, and Robert Mueller to be the Director of the FBI.

I ask unanimous consent that I can request the yeas and nays on each with one show of seconds, and that prior to the votes on these nominees, there be 10 minutes of debate equally divided between the chairman and ranking member of the Judiciary Committee; that the motions to reconsider be laid upon the table; that the President be immediately notified of the Senate's actions, and that the Senate return to legislative session; and that the second and third votes in the series be 10 minutes in length.

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

Mr. DASCHLE. Mr. President, I ask unanimous consent that following the votes on these nominations, the Senate then resume consideration of the Agriculture supplemental bill.

The PRESIDING OFFICER. Is there objection?

Mr. LOTT. Mr. President, reserving the right to object, I ask that the unanimous consent request be amended to provide for a vote on Lugar amendment No. 1212, with 60 minutes of debate prior to the vote on the cloture motion.

Mr. DASCHLE. Mr. President, I object to that temporarily. I need to consult with my colleagues and certainly the chair and the manager of the bill, but perhaps that is something we might be able to do. We will certainly work with the Republican leader to provide him with some information in that regard at a later date.

Mr. LOTT. Mr. President, further reserving my right to object, I appreciate the spirit in which Senator DASCHLE made his comments. We are going to try and find a way to get the Agriculture supplemental appropriations bill done, and done in a reasonable period of time, certainly before too late tomorrow.

I want to add to that, I appreciated what he had to say earlier tonight about his willingness to try and find a way to get completion on this bill, even tonight, so we would be able to go ahead and go to our constituents and our families tomorrow. I doubt it is going to be possible to do that, but we are still looking for a way. I appreciate his attitude, but at this point I understand his hesitancy, and I feel constrained to object to going straight to the cloture vote. The PRESIDING OFFICER. The objection is noted.

Mr. DASCHLE. With that objection, it is likely the final vote on the nominations tonight will be the last vote, and we will then have the cloture vote tomorrow morning at 9:30.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.