

charitable and civic organizations due to language contained in the National Labor Relations Act. The language stipulated that if we provided access to our property to outside groups, then we would also be required to provide access to union organizations for the purposes of organizing, solicitation, distribution, picketing or other union purposes. Clearly, we believe there to be a difference between charitable and civic groups, and union activity.

Additionally, while Americans have generously responded to our national crises, we are beginning to learn how local and state-based charities are beginning to suffer. We believe that your amendment is well suited for this present time, and will permit us to work with such worthy causes.

This is very simple. The issue is simple and clear. Should union activity, including picketing, be treated the same as the Salvation Army bell ringer, the VFW, or the Salvation Army and other good groups soliciting for good causes? Should community-based charities be prohibited from soliciting funds in front of a retailer if that retailer would like them to, simply because of a decision by the National Labor Relations Board that says if they do one, they have to allow picketing and distribution of union material in front of that store? That is the issue.

Clearly, they should not be treated the same. They are totally different causes. Retailers, while having great incentive to help charities, are not going to have an incentive to do something that is going to impede their own businesses. We should make that distinction, and this amendment would allow that for this year in this appropriations bill, and would allow for this year—a year clearly that our Nation is in crisis—to encourage that kind of charitable activity on the part of our Nation's retailers.

I retain the remainder of our time.

The PRESIDING OFFICER. Who yields time? If no one yields time, the time will be charged equally to both sides.

Mr. REID. Madam President, I have spoken to the Senator from Arkansas, and he is going to yield back his time. I will yield back my time. There are a number of Members in the Chamber. We can start the vote. I yield my time.

The PRESIDING OFFICER. All time is yielded back.

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the amendment. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Alabama (Mr. SESSIONS) is necessarily absent.

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

The result was announced—yeas 40, nays 59, as follows:

[Rollcall Vote No. 318 Leg.]

YEAS—40

Allard	Frist	McConnell
Allen	Gramm	Miller
Bennett	Grassley	Murkowski
Bond	Gregg	Nickles
Brownback	Hagel	Roberts
Bunning	Hatch	Santorum
Burns	Helms	Shelby
Cochran	Hutchinson	Smith (NH)
Craig	Hutchison	Thomas
Crapo	Inhofe	Thompson
DeWine	Kyl	Thurmond
Domenici	Lott	Warner
Ensign	Lugar	
Enzi	McCain	

NAYS—59

Akaka	Dodd	Lincoln
Baucus	Dorgan	Mikulski
Bayh	Durbin	Murray
Biden	Edwards	Nelson (FL)
Bingaman	Feingold	Nelson (NE)
Boxer	Feinstein	Reed
Breaux	Fitzgerald	Reid
Byrd	Graham	Rockefeller
Campbell	Harkin	Sarbanes
Cantwell	Hollings	Schumer
Carnahan	Inouye	Smith (OR)
Carper	Jeffords	Snowe
Chafee	Johnson	Specter
Cleland	Kennedy	Stabenow
Clinton	Kerry	Stevens
Collins	Kohl	Torricelli
Conrad	Landrieu	Voinovich
Corzine	Leahy	Wellstone
Daschle	Levin	Wyden
Dayton	Lieberman	

NOT VOTING—1

Sessions

The amendment (No. 2074) was rejected.

Mr. REID. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. CAMPBELL. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the Gramm second-degree amendment No. 2055.

Mr. REID. Mr. President, will the Senator yield for a unanimous consent request?

Mr. CAMPBELL. Yes.

Mr. REID. Mr. President, I appreciate the courtesy of my friend from Colorado.

UNANIMOUS CONSENT AGREEMENT—H.R. 2590 AND H.R. 2311

Mr. REID. Mr. President, I ask unanimous consent that the Chair lay before the Senate the conference report accompanying H.R. 2590, the Treasury-Postal appropriations bill; that there be a time limitation of 6 minutes for debate with respect to the report, with the time divided as follows: 3 minutes for the chairman and 3 minutes for the ranking member; that upon the use or yielding back of all time, the conference report be laid aside and the Senate then proceed to consideration of the conference report to accompany H.R. 2311, the energy and water appropriations bill; that there be 60 minutes for debate, with the time controlled as follows: 10 minutes each for the chair and ranking member of the subcommittee, Senators STABENOW and

BURNS, and 20 minutes under the control of Senator MCCAIN; that upon the use or yielding back of the time, the Senate proceed to vote on adoption of the conference report to accompany H.R. 2311, the energy and water bill, to be followed by a vote on adoption of the conference report to accompany H.R. 2590, the Treasury-Postal bill, with no further intervening action, and that these votes occur at a time to be determined by the majority leader following consultation with the Republican leader.

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

Mr. REID. Mr. President, if the Senator from Colorado needs more time, please let us know.

TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the conference report will be stated.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to the respective Houses this report, signed by all of the conferees on the part of both Houses.

The PRESIDING OFFICER. The Senate will proceed to consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of Friday, October 26, 2001.)

Mr. DORGAN. Mr. President, I want to take this opportunity to talk about the conference report we have now completed with the House of Representatives. It has been a delight and pleasure to work with Senator CAMPBELL. I very much appreciate his work and the work of Patricia Raymond and Lula Edwards, and my staff: Chip Walgren and Matt King and Nicole Rutberg. They have been exceedingly helpful in putting together a very substantial conference report on a lot of subjects.

Let me describe some of these issues. Some bills we consider when we have the conference report in front of the Senate consist primarily of salaries and expenses for a number of agencies in the Federal Government. About 40 percent of the Federal law enforcement functions are funded in this appropriations bill: The Customs Service; the Bureau of Alcohol, Tobacco, and Firearms; the Secret Service; the Financial Crimes Enforcement Network; and other law enforcement agencies, including the IRS criminal investigation division, as well as the Postal Inspection Service, which a lot of people don't think much about—they don't spend a lot of time thinking about it,