

move to the next chapter of simplification of the Internal Revenue Code.

Mr. President, this is a happy day. I will, with enthusiasm, join what I am confident will be a large majority of my colleagues in voting for this conference report which will move us substantially towards the goal of an IRS Code that all Americans, that all those affected by its administration, will feel prouder about as citizens and will make their task of compliance with their tax responsibilities somewhat easier. Thank you, Mr. President.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader, Senator LOTT, is recognized.

Mr. LOTT. Mr. President, will the Senator from Montana allow me to make a brief statement before he proceeds?

Mr. BAUCUS. The Senator from Montana is absolutely delighted to allow the majority leader to proceed.

**UNANIMOUS CONSENT REQUEST—  
EXTENDING TIME TO FILE FIRST  
DEGREE AMENDMENTS TO S. 648**

Mr. LOTT. Mr. President, as all Members are aware, when a cloture motion is filed in the Senate, the provisions of rule XXII, the cloture rule, require all first-degree amendments must be filed at the desk by 1 p.m. the day before the cloture vote occurs.

Last evening, I filed cloture on the substitute amendment to the product liability bill. Realizing and observing how upset the Democratic leader was when cloture was filed last night, I checked with the desk as to exactly how many amendments had been filed to the product liability bill by our Democratic colleagues. To my dismay, earlier only two had been filed, but still a very small number, and only 21 Democratic amendments have been filed, and it is almost 1 p.m., the deadline time.

The Democratic leader stated last evening that many Members on his side of the aisle had amendments they wish to offer on this bill. And he also stated, "It is the right of all Senators to fulfill the functions of their responsibilities to offer amendments." Well, where are the amendments? And why have Members on the Democratic side of the aisle chosen not to file amendments within the timeframe that is outlined under rule XXII?

Could it be that our colleagues had never been prepared to exercise their right to offer amendments when it comes to the legislation? Instead, have our colleagues on the other side of the aisle just decided they would vote against cloture with the intention of never attempting to offer amendments that would have been intended, I am sure, to "improve the bill," as Senator DASCHLE suggested?

Since there have only been 21 amendments filed, it seems to me that maybe our Democratic colleagues are not serious about addressing this important

issue which is, by the way, a bill that has been laboriously worked out. It is a compromise bill. Senator GORTON of Washington, Senator ROCKEFELLER of West Virginia, have spent hours, days, months working on this. And this legislation has been approved by the administration, by the White House. They have indicated they would sign it. So why in the world would there not be a serious attempt here to pass this legislation?

But having said all that, I am prepared to offer a consent agreement that would extend the filing time for first-degree amendments until 5 p.m. this afternoon, if that would help accommodate our colleagues on the Democratic side or, for that matter, on the Republican side.

Therefore, I do now ask unanimous consent that, notwithstanding rule XXII, that the filing deadline for the first-degree amendments with respect to the product liability bill be extended to 5 p.m. this afternoon.

The PRESIDING OFFICER (Mr. GREGG). Is there objection?

Mr. BAUCUS. Reserving the right to object, I consulted with my Democrat colleagues, knowing this request would come up, and it is our belief that the consent should not be granted. Accordingly, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. I yield the floor, Mr. President.

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

**INTERNAL REVENUE SERVICE RESTRUCTURING AND REFORM ACT  
OF 1998—CONFERENCE REPORT**

The Senate continued with the consideration of the conference report.

Mr. BAUCUS. Mr. President, I would like to speak a little bit about the conference report that is before us, the IRS restructuring bill.

Today, the Senate reaches the end of a journey that has been 2 long years in the making. It is actually a journey that began a couple years ago when the National Commission on Restructuring the IRS was charged with investigating the IRS' repeated failure to modernize its computer systems. There are many stories of the IRS computer systems falling down, crashing, systems not meshing; and essentially the commission felt that it was their charge to try to find the answer to all these problems.

It became very clear, Mr. President, as the commission began trying to find a solution to the computer problems, that it was just touching the tip of the iceberg, that there are a lot more problems in the IRS that had to be addressed; namely, the abuse of too many agents, too many rogue agents, the insensitivity, too often, of its IRS employees toward taxpayers. Frankly, it led the commission to dig much more deeply into problems facing the IRS.

Accordingly, the commission proceeded to look at other areas in addition to computers. The commission probed various problems that the taxpayers face in our country.

Under the leadership of Senators KERREY and GRASSLEY and Representatives PORTMAN and COYNE of the House, the commission, I think, produced a series of very good recommendations that have become the foundation of the bill before us.

Again, it was a restructuring commission. They spent a lot of time looking at the problems of the IRS. They presented their recommendations to the Congress, and essentially, the bill before the Congress today is the manifestation, the outgrowth of those recommendations by the commission.

In addition, Mr. President, under the leadership of our chairman of the Finance Committee, BILL ROTH, with his very extensive hearings, we were able to draw out many more abuses, many more problems that our American people were facing with the IRS. As a consequence, I think we have a better bill. We were able to fine-tune some of those Restructuring Commission recommendations. In fact, we were able to add a few more. So altogether, I do think it is a combination of very good effort on the part of both the commission and the conference. And I think, Mr. President, that the result is going to turn out to be quite good for the American people—not perfect, but certainly an improvement.

Justice John Marshall once said, "The power to tax involves the power to destroy." We all know that the corollary to that is that the power of the tax collector must be very carefully balanced, because the tax collector, him or herself, has inordinate power when he or she tries to collect taxes. Any tax collection agency must be strong enough to make sure that everyone is paying his or her fair share of taxes, but not so powerful as to trample on the rights of ordinary citizens.

It is quite clear, through the testimony of our witnesses before our committee and comments from our constituents at home, that the IRS has lost that balance over the years.

Let me give you one example.

This is a plea for help from a constituent of mine in Montana. "The problem with the IRS started in 1997. John"—that is not this person's real name—"and I"—in this case it is John's wife—"had just bought a house. I was a semester away from graduating from college, and we thought the [failed] business [that we had] was behind us. The last week in July 1997, I returned home after a day of working at my part-time job to find a nasty note on my front door from [an agent] stating that he had 'tracked' us down and expected a phone call or [else] action would be taken. I promptly called him to find out [what was going on]. He was very rude and reluctant to give me any information, [saying he could not talk to me, did not want to talk to me