

reconciliation protections to avoid such restrictions. While the intent of the legislation may be worthwhile, I object to legislation being pushed through in this manner. The fast-track reconciliation procedures that were enacted in the Congressional Budget Act of 1974 were never intended to be used as a method to enact massive tax cuts that could not be passed without a thorough debate and amendment process. I know, because I helped to write the Congressional Budget Act of 1974, and it was never my contemplation that the reconciliation process would be used in this way and for these purposes—never! I would not have supported it. I would have voted against it.

In fact, I would have left some loopholes in the process that would have saved us from this spectacle every year, where tax legislation with wide-ranging ramifications on domestic and defense spending priorities that should be debated at great length and amended many times is rushed through this Chamber in order to fulfill a political party's agenda. Reconciliation has become a bear trap that cuts off senators from debate and ensures that legislation will be voted upon regardless of whether there has been ample debate. Reconciliation typically allows for only twenty hours of debate, equally divided between the two leaders, which can be yielded back by the leaders under a nondebateable motion. This year, the reconciliation bill will be voted upon after only two hours and twenty-two minutes of debate. Less than two and one-half hours on a measure that would cost \$248 billion over ten years. We owe the American people the assurance that their representatives are enacting legislation that will substantively address the marriage penalty problem in the most cost-efficient method possible.

I spoke in April on marriage penalty relief and the majority party's insistence on pushing this particular legislation through the Senate. While I supported marriage penalty relief then, I still opposed cloture to end debate on the underlying bill to allow senators to offer amendments, debate those amendments, and then vote on those amendments. Incidentally, this legislation was withdrawn from the floor after the minority party insisted on these rights, which is why this marriage penalty relief bill is now being considered in this fashion, under reconciliation protection. I made remarks in April on the marriage penalty relief bill, and made reference to James Madison's ideas on popular government, and the irony of how pushing through marriage penalty relief based on the notion that it is politically popular represented Madison's most profound worries about the character of republican politics. A fear of impulsive and dangerous influence that runaway public opinion could exert over legislation lay at the core of his thinking in 1787 and 1788. Indeed, Madison searched

for the proper mechanics for the safe expression of public opinion to prevent popular majorities from pursuing their purposes through means that wore away the bonds that might otherwise restrain them. I think it is also fair to say that Madison would have opposed legislating in this fashion, and the enactment of tax legislation under reconciliation instructions because it removes the bonds that ordinarily would prevent the majority party from pushing through legislation which happens to be the hot political issue of the moment. The Senate will learn one day the detrimental cost of legislating in this fashion.

Nonetheless, as I have said before, I will support both marriage penalty relief proposals in order to eliminate what can only be described as an unintended and unfair consequence of the income tax code. However, I do so with a certain degree of reluctance out of concern that my support would, in any way, be considered an endorsement of this style of legislating or that it would indicate my willingness to forsake fiscal responsibility relating to Social Security and Medicare in order to finance massive tax cuts.

Mr. ROTH. Mr. President, I ask unanimous consent that votes occur in relation to the following amendments in the following sequence, beginning immediately after the adoption of the Interior appropriations bill, with 2 minutes prior to each vote for explanation: Burns No. 3872, Hollings No. 3875, Lott No. 3881, final passage.

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

Mr. ROTH. Mr. President, I further ask unanimous consent that following passage, the Senate insist on its amendment, request a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate, with those conferees being ROTH, LOTT, and MOYNIHAN.

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

Mr. ROTH. Therefore, there will be no further votes, as already has been announced, this evening. Up to 11 votes will occur in a stacked sequence beginning at 9:45 a.m. on Tuesday.

ORDER OF PROCEDURE

Mr. ROTH. Mr. President, I ask unanimous consent that the Senate now turn to the Interior appropriations bill and I be recognized to call up the managers' package of amendments which is at the desk, the amendments be reported and agreed to, the motions to reconsider be laid upon the table, and the Senate then turn to H.R. 4516, the legislative appropriations bill, for Senator BOXER to offer her amendment.

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

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2001—Continued

AMENDMENTS NOS. 3778; 3779, AS MODIFIED; 3784, AS MODIFIED; 3786, AS MODIFIED; 3787, AS MODIFIED; 3788; 3789; 3891; 3892; 3893; 3894; 3895; 3896; 3897; 3898; 3899; 3900; 3901; 3902; 3903; 3904; 3905; 3906; 3907; AND 3908

The amendments, en bloc, were agreed to as follows:

AMENDMENT NO. 3778

(Purpose: To designate funds for the United Sioux Tribes of South Dakota Development Corporation for the purpose of employment assistance)

On page 138, line 1, insert “; and of which not to exceed \$108,000 shall be for payment to the United Sioux Tribes of South Dakota Development Corporation for the purpose of providing employment assistance to Indian clients of the Corporation, including employment counseling, follow-up services, housing services, community services, day care services, and subsistence to help Indian clients become fully employed members of society” before the colon.

AMENDMENT NO. 3779 AS MODIFIED

On page 168, line 13, insert the following before the colon: “, of which \$1,000,000 shall be for the acquisition of lands on the Pisgah National Forest and not to exceed \$1,000,000 shall be for Forest Holdings”.

AMENDMENT NO. 3784 AS MODIFIED

(Purpose: To provide for the management of the Valles Caldera National Preserve)

On page 165, after line 18, add the following:

For an additional amount to cover necessary expenses for implementation of the Valles Caldera Preservation Act, \$990,000, to remain available until expended, which shall be available to the Secretary for the management of the Valles Caldera National Preserve: *Provided*, That any remaining balances be provided to the Valles Caldera Trust upon its assumption of the management of the Preserve: *Provided further*, That the amount available in this bill to the Office of the Solicitor within the Department of the Interior shall not exceed \$39,206,000.

AMENDMENT NO. 3786 AS MODIFIED

(Purpose: To direct monies from the federal subsistence account to the State of Alaska to provide effective dual management under the federal subsistence fisheries program)

On page 170, line 3 insert before the period the following: “, *Provided*, That \$750,000 shall be transferred to the State of Alaska Department of Fish and Game as a direct payment for administrative and policy coordination and an additional \$250,000 shall be transferred to United Fishermen of Alaska as a direct payment”.

AMENDMENT NO. 3787 AS MODIFIED

(Purpose: To authorize the accrual of interest on escrow accounts established under section 1411 of the Alaska National Interest Lands Conservation Act and relating to re-withdrawn lands)

At the end of Title I, insert the following new section:

SEC. (a) All proceeds of Oil and Gas Lease sale 991, held by the Bureau of Land Management on May 5, 1999, or subsequent lease sales in the National Petroleum Reserve—Alaska within the area subject to withdrawal for Kuukpik Corporation's selection under section 22(j)(2) of the Alaska Native Claims Settlement Act, Public Law