

Unless the Census Bureau is allowed to carry out its plan to produce a more accurate count than that which was produced in 1990, California and other states will again lose billions of dollars in federal assistance and will again have to subsidize federal programs with state and local tax dollars.

Since the flawed 1990 population count, the Census Bureau has worked with experts from across the country to design a more accurate census for 2000. The National Academy of Sciences, in three separate reports, concluded that the key to improving accuracy in the census is the use of sound statistical methods. Earlier this year, the Supreme Court ruled that the Census Bureau could not use statistical sampling for apportionment purposes.

Because the Census Bureau cannot use sampling, it has revised its census plan and requested additional appropriations to carry out a full enumeration census, using mail-back census forms and employing an army of bureau workers to personally and repeatedly visit those who do not respond. The Census Bureau's operational plan for carrying out the 2000 Census will be the largest peacetime effort in our nation's history, and will employ more than 860,000 temporary workers.

Mr. President, Congress must make every effort to support the Census Bureau's plan to count all Americans in 2000. The census should not be about politics. This is an issue of fairness, that impacts Americans nationwide. I urge my colleagues to support the additional \$1.7 billion appropriation that the Census Bureau needs to carry out an accurate census in 2000. We must do everything we can to ensure that everyone is included in the count, and that our communities are provided with the resources we need.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### RULE XVI

Mr. LOTT. Mr. President, in order to explain what is not happening now, I will use some leader time to advise Senators what our hopes are and why we are having a quorum at this time.

First of all, we are respecting the request of the Democratic leader to not go forward to the conclusion of the statements and any action or votes on the pending resolution so they can have a conference to discuss how to proceed.

What is involved here is my continuing effort to have the Senate correct a mistake that was made a few

years ago with regard to rule XVI. Rule XVI prohibited legislation on an appropriations bill. A precedent was set, and I confess I helped set that precedent. I mistakenly voted to overrule the ruling of the Chair, and so did others, because we were so committed to the issue. It has certainly been a problem for the Senate ever since.

Both sides of the aisle use appropriations bills for every legislative amendment or bill that they might be sponsoring or something they may be harboring to get a vote on. It has really gotten to be a problem in moving appropriations bills forward. The right thing to do for the institution, the right thing to do in terms of legislative sanity, and the right thing to do for the people of this country is to have that precedent established again which would say that Senators cannot offer legislation on appropriations bills without a point of order being in order. Keep in mind, if you get 51 votes, that could be overturned, but I think it will add additional pressure on Senators not to abuse that process.

The matter pending is the Commerce, State and Justice appropriations bill, a very important bill. It provides the funds, obviously, for the Departments of Commerce, State, and Justice. A major portion of law enforcement money is in this appropriations bill. We need to move it forward.

The Senate does not always move with dispatch, but sometimes we do. On an appropriations bill, obviously, involving billions of dollars, Senators want to have a chance to review it carefully and amendments will be in order. Amendments would be in order after the vote that we are about to have or could have reestablishing rule XVI. Senators could offer amendments that relate to the bill, that take money out or put money in, or strike out sections. All of that would still be in order.

Senator DASCHLE and I have basically agreed—in fact, we have exchanged pleasantries on this rule XVI issue several times over the past few years—that this is a precedent we need to go back and correct. We had a colloquy a month or so ago in which we said, yes, this needs to be done, and we need to work together to get it done.

There is concern that the way this was done, the minority had not been given notice. But earlier this summer, the minority was aware we were going to try to reverse this precedent, and 2 or 3 days were spent trying to block us from getting an opportunity.

I don't necessarily feel we have to do it this way or do it on this bill or do it right now, but my question is, if not now, when? If not in this way, in what way?

Mr. HOLLINGS. Will the Senator yield?

Mr. LOTT. I will be glad to yield, when I complete the point. I am willing

to work with both sides to try to find a way we can get this done. If there are suggestions by the Senator from South Carolina or the leader, I certainly am very interested in that.

I am not interested in any kind of a surprise action, but I am interested in trying to get some results on this which would help Senators on both sides of the aisle get the appropriations bills done. That is my only intent.

I yield to the Senator from South Carolina.

Mr. HOLLINGS. If the distinguished leader will yield, the truth is, on the contrary, we were given notice. We were told this particular violent crime trust authorization was just a place setter, a gatekeeper, so to speak, in the first degree, and we were going to voice vote it.

We were given notice that it was going to be voice voted and not use this particular maneuver to have a time agreement and, thereby, not be able to debate the rule change. So we were given notice in the other direction. We were totally misled. We were totally misled. I resent it.

Let me go back—there is no use in getting all excited. I am going back to Mississippi with the Governor, Ross Barnett. He was the first fellow to take the door off the capitol on Wednesday afternoon, and he lined them all up. Any and every citizen could come in and express his grief. And one day the trustee who cleaned up the capitol stood in line, and he said: I have to go to a funeral; my aunt just died.

And Governor Barnett said: When is that?

He said: Saturday.

I am hastening it along.

He said: All right. You can go Saturday; be back here on Monday.

And the trustee, Phillips, said: Yes, that is the truth. I will be back.

And so 2 months had passed. Phillips hadn't come back, and the press all agreed, let's just jump on Ross and get him this time. And so they said: Governor, wait a minute; where is the trustee and everything else? And old Ross just laid back and said: If you can't trust the trustee, who can you trust?

If I can't trust the chairman and the chairman can't trust the ranking member, then who can I trust? We were given notice wrongly.

Mr. LOTT. If I could reclaim my time, I don't know exactly what was said between the two Members, but I know there is no desire on either side to mislead. I want to make it clear that I have suggested to the chairmen of our subcommittees that we need to find a time and have a way to address this rule XVI issue. It is in the interest of the Senate. It is in the interest of both parties. But I am told that you have to get a time agreement to set up this process.

If we don't do it here, then, unless we get cooperation on both sides, we may

never get an opportunity to reinstate rule XVI. I will bet the Senator from South Carolina would like to see us do that. I will bet he would like to have the appropriations bills be appropriations bills. If we are going to do all of our legislating on appropriations bills, let's just get rid of the legislative committees. Let's just all get on appropriations. I would like to be on the Senator's committee. He is on Commerce, and I would enjoy serving there. I would like to be on the Commerce, State, Justice appropriations bill. That would work nicely.

I don't think we need to do that, though. We don't want to do it.

I want to make it clear, my instructions to our chairmen have been: Find a way, find a time for us to get this rule XVI reconsidered and corrected. A mistake was made.

I say to the Senator from South Dakota, who is here now, the distinguished Democratic leader, I am using leader time. I was trying to explain why we haven't been having votes, what is going on. I was reviewing the bidding of why we need to make this change, and I had not attributed any quotes or impugned anybody's integrity in their absence. I was trying to get this process going forward.

That is what is involved. I have been trying to find a way to get this done. I believe the Democratic leader wants to join me in getting this done. We have talked about it privately and publicly. If this is not the time, this is not the way to do it, then I am open to other times or other ways to do it. But this needs to be done so we can get our work done and not have everything in the world offered to every appropriations bill, whether it is Commerce, Transportation, Interior, or Defense. It is not something that is abused just on the Democratic side. As long as this mistake is not corrected, Senators will come in, as they are entitled to, from both sides and offer amendments involving who knows what on transportation—it could be an energy issue on transportation or on energy it could be a defense issue. We need to correct that.

So that is my intent, my goal. And where we have other issues, I know my colleagues on both sides are interested in other issues. I want to say publicly what I said to Senator DASCHLE last night. I am going through the process to appoint conferees to juvenile justice. I am going to ask consent. If it is objected to, I will file cloture today, and we will come back and vote Monday on that issue.

With regard to an amendment—or amendments, I think—with regard to agriculture and the pending problems across the Nation for our farmers, we need to address that. I will work with all Senators to find a way to do that. I think we ought to do it on the agriculture bill. I don't think we ought to

do it on Commerce-State-Justice. It will mess up the Commerce-State-Justice appropriations bill. It will delay it. Let's do it on agriculture.

I am willing to work with Senators on both sides of the aisle to call up the agriculture appropriations bill and have this issue addressed. If there is a problem with it procedurally, we will work to overcome that. I don't think we ought to duck that issue; it is too important. It is important to South Dakota, it is important to Mississippi, and to people all over America.

I am not interested at all in trying to duck issues. I think we ought to do them in the proper way. I have made those commitments to Senator DASCHLE, and I plan to keep them. It will take cooperation on both sides because we never know, as leaders, when one of our worthy Members will come swooping in with an objection. We had a unanimous consent agreement locked up and ready to sign off; in fact, it was done actually on the campaign finance issue. A Senator had not had a chance to look at it and he objected. That is his right. Basically, we had it all done.

So we have to work with Senators on both sides who have particular problems. If we have one Senator who objects that we had not anticipated, that presents a problem. If we work together, we can get it done. That is what I am trying to do. I would like to get the Commerce-State-Justice appropriations bill done. The chairman and ranking member overcame a lot of things and got agreements on a lot of problems in that bill. But their problem is all the extraneous, nongermane legislative stuff we are going to see drift in here to be thrown up on their bill. Every appropriations bill has somewhere between 40 and 100 amendments, and half of them are legislating on an appropriations bill. Let's correct this problem.

Senator DASCHLE has been kind enough to wait while I went through those things. I think it answers some of the questions he and his Members have. I thought it would be better to go ahead and address them.

Mr. President, parliamentarily, how can we proceed at this time? I have a limit on my leader time.

Mr. DASCHLE. Mr. President, I would be prepared to use my leader time if the Senator is finished.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

Mr. DASCHLE. Mr. President, I thank the majority leader for his explanation and the discussion we have had this morning. I think it is fair to say there is no question we were misled about the situation we are in today. That is undeniable. I had the opportunity to discuss matters yesterday with regard to the legislative schedule with our majority leader, and this did not come up. We were misled with regard to what the intent of the proce-

sure would be. So, clearly, there is a bitter taste in the mouths of the minority as we find ourselves in this situation this morning.

The problem is not legislating on appropriations; the problem is legislating. We are not able to legislate in large measure because on virtually every bill cloture is filed prior to the time amendments are offered. Every bill. And so what has happened is the minority is relegated to a set of circumstances that requires us to use whatever vehicle becomes available. That isn't the way it used to be, but that is the way it has been for the last few years.

So I am sympathetic, as I have noted to the majority leader, with this institutional concept of going back to the time when we respected appropriations as appropriations bills and also respected the authorization process. But the Senate virtually has eliminated the authorization process, in part, because we don't have the opportunity to offer amendments once authorization bills come to the floor. So we have been forced to use the appropriations bills as authorizing, appropriating, legislating, the whole gamut, the whole array, the universe of legislative actions that come with our responsibility. So I have indicated to the majority leader that I would like to find a way to overturn the mistake made by Republicans 4 years ago. I am glad they have acknowledged it was a mistake, but I must say, since that mistake was made, we have been driven into a new set of legislative circumstances that make it very difficult to do the people's business.

Senator BYRD noted in our caucus that it isn't just this particular issue that is troubling. Frankly, there are a number of other issues. One I will mention is the scope of conferences. The majority overruled the Chair on the scope of conference issue. The majority now has the ability in a conference committee to put anything in a bill, whether or not it was added on the floor of the House or Senate. Anything. It is wide open. That, too, is something we ought to be looking at. There is a huge array of problems, procedurally, I think we ought to address. This is one of them. It seems to me in that context we ought to be looking at whether or not overturning the Chair now is what we need to do.

I will say the majority leader has indicated a willingness to work with us in addressing these problems. I am personally concerned about the agriculture appropriations emergency supplemental we have to pass. Once a point of order is reestablished, we are completely locked out. There is no other way to do it. So from both a practical, as well as a procedural, and, frankly, a personal point of view, I am troubled by how we got here this afternoon.

I will also note that one of our colleagues who uses the rules as successfully as anybody ever has in all 220 years of our history, the senior Senator from Massachusetts, is not here. How ironic it would be that while he is tending to family matters, we took away his rights. So I suggest to the majority leader that we schedule another time for a good debate about all the things we should do.

I will work with my caucus to find the time, and we will need to have the votes. We know how the votes—I am quite sure I know—will turn out.

I am prepared to work with the majority leader to schedule a day, but not this afternoon. This is not the moment, for all the reasons I have outlined. I think we deserve an opportunity to debate this and all of its ramifications, and why it is that we find ourselves here in the first place, and how we might work—as the majority leader has noted, cooperatively. Cooperation is a two-way street. I want to cooperate with him. And I will in every way that I can. But I hope the majority will cooperate with the minority in giving us an opportunity to offer amendments and not fill the tree and not play the parliamentary game out to the extreme so that we are forced to do things we would rather not do.

I guess that would be my suggestion—that we find the time, perhaps early next week, to vote. We would agree to a timeframe within which this could be debated and a vote set.

I would be happy to discuss either on or off the floor a refinement of that recommendation with the majority leader.

I yield the floor.

Mr. LOTT. Mr. President, will the Senator yield? Or, Mr. President, I will reclaim any leader time I might have so that I can respond and pick up on what the Senator said.

We are somewhat on the horns of a dilemma. If we take extended time to debate those issues, then it further delays our ability to get appropriations bills done. Conversely, if we don't do it soon, all of the appropriations bills will hopefully be done, and we still will not have addressed this issue.

So I would like to pick up on what Senator DASCHLE said.

The suggestion was made that we not do this here but that we do it early next week.

I would like to discuss the possibility of having this debate on Monday or Tuesday morning and having a vote on this issue.

Is that something that would be acceptable to the Senator from South Dakota?

Mr. DASCHLE. Mr. President, I would want to consult first with the senior Senator from Massachusetts to be sure he could be back that early. I assume he might be back by then. I would want to consult, as well, with

my caucus. But that is in keeping with the recommendation that I made.

I am not averse necessarily to doing it on Monday or Tuesday, and to setting, as I noted earlier, a timeframe within which we could debate it and vote.

But, again, this is a matter which I think may require a little more consultation than the time we have this afternoon.

Mr. LOTT. If I could respond to that and make an observation, if we don't do it Monday or Tuesday, we will be under the rule that we passed for the budget reconciliation provisions. Wednesday, Thursday, and Friday will be on the reconciliation-tax cut bill. If we don't do it Monday or Tuesday, then it is not done next week.

We agreed that we wanted to get this done, but we have not had the time to get together and decide how we were going to get it done.

So I am in the position that if I give the Democratic leader notice that we want to get this done, he blocks it, or if we set it up to get it done without advance notice, the Democratic leader says, well, that is not fair.

We need to get it done. Everybody knows we need to get it done.

I would propose publicly that we do this Monday and vote Tuesday, and I will work with the Democratic leader on the specifics of getting that done early next week so that we will not go through this on the agriculture bill, on the transportation bill, on the Interior bill, on the HUD, and the Veterans Administration bill, and bill after bill.

I think that would be timely. I would be willing to go forward with the CJS without forcing the vote on overruling the Chair at this point but with the understanding that we are going to find the time so we can get this done.

Can I get that commitment from the Democratic leader?

Mr. DASCHLE. Mr. President, the leader can get that commitment in spirit.

Let me give the leader three qualifications, and I am sure the leader will accommodate me on all three qualifications.

First, if Senator KENNEDY has to be away for family business or personal family matters—the tragedy that he is facing—certainly the majority leader would understand that, and I hope he would accommodate Senator KENNEDY's needs as we schedule.

Second, he noted on more than one occasion, privately and publicly, that he is willing to work with us to ensure that, even if the Chair is overturned, we will find a way—and there are no misgivings about finding a way on either side, I hope—to pass an emergency agriculture appropriations measure. Clearly we will be denied that once this vote occurs. So I know—he told me privately and again alluded to it this morning—that he will work with us to do that.

Third, it would seem to me we would have to have a period of time—no less, at least, than 5 or 6 hours, 3 hours equally divided—to discuss this matter and then have the vote.

If he is willing to accommodate this Senator on those three matters, I would certainly, for the record right now, indicate my willingness to work with him to set a time certain for the vote.

Mr. LOTT. Mr. President, I don't think we need 6 hours, 3 hours equally divided on each side, to discuss this.

What that guarantees is that we wipe out another day next week and we further delay doing the people's business on the appropriations bills.

But if that is what is insisted on, if this is an effort—again, that appears to me to be eating up time so we don't get our work done, but if that is what it takes, I am prepared to consider that.

Let me go back to a couple of things.

No. 1, every Senator in this body knows I am very meticulous about trying to be sympathetic to Senators' needs when they have family problems or deaths or religious holidays. Nobody can take that away from me. I would never do anything to take away any Senator's rights while he is attending to a very sad, personal family problem.

Having said that, I don't view this as having taken something away from Senator KENNEDY or anybody else. I think this is giving something back to the Senate, and that is the ability to get our work done.

But if that is what is taking place here, if you believe you don't want to do this while he is involved obviously in a very necessary family responsibility, I will honor that.

Also, I must say everybody in this Chamber knows I work very hard to keep my word. It is used against me sometimes on both sides. I try to get Senators to vote on Mondays and Fridays. You wouldn't believe the effort that is put underway by Senators on both sides for that not to happen.

If we don't get our work done, you are going to say, well, why didn't we get our work done? While I am trying to get the work done, sometimes with the Democratic leader's help, Senators try to find a way not to vote on Mondays and Fridays.

I don't know how in the world you get your work done if you do not do anything on Mondays and Fridays, and you have people show up and say: Gosh, I want to vote in the middle of the day Wednesday. How do you get this thing done?

In terms of keeping my word and how it has been used against me, for instance, being able to offer amendments, I said, yes, we will go to juvenile justice. And I said we are doing it on a particular date with the clear impression that we would get it done within that week in 4 days. It took 2 weeks. After a lot of going back and

forth, we worked out an agreement on Patients' Bill of Rights, but we kept our word. We got it done. We had the debate, and it worked out fine, I thought.

But those 2 weeks took away 2 weeks that should have been spent on appropriations bills. But I kept my word. I really believe my word was used against me.

I have to try to force action on these things because we agreed we were going to deal with rule XVI. We have to find time to do that.

We agreed we would work out something where we would have a Social Security lockbox. We haven't done it. We have to find a way to do that. The American people want a Social Security lockbox. Everybody agreed that we need it. Let's get it done. I don't think we need to do it with 75 amendments in 45 hours. It is a little procedural fix that we can agree on with regard to Social Security being protected.

I filed cloture on those bills because every bill which we ought to bring up, somebody is threatening to filibuster it. Sometimes it is on our side. Sometimes it is on the other side.

Intelligence authorization: We wanted to try to get that up, and get the Department of Energy issue considered. We had a heck of a time getting it up to get it completed. Yet when we got through it, it passed 96-1.

Transportation appropriations bill: I want to get the transportation bill up. I am told in advance now that we are going to filibuster that.

What option do you have but to file cloture?

They don't want to bring it up because there is a provision in there that a couple or half dozen Senators do not like, or four Senators.

Let's get it up. Let's debate it. Let's have a vote on it and then move forward.

In fact, then, at that point, if Senators do not like the result, they have the option to filibuster. But when I am told if you try to bring up the transportation appropriations bill we are going to filibuster the motion to proceed, what option do you have?

There are explanations for these things.

I am interested in legislating. But I also have responsibilities as majority leader to legislate on issues the majority is interested in. I also have a responsibility—I think both leaders have a responsibility, all leaders—to get our work done.

Included right up front on that list of getting our work done is passing the appropriations bills.

I am doing my job. Most of these appropriations bills I don't particularly like, to tell you the truth. It doesn't necessarily make me feel real good to be worrying about all the appropriations bills, but it is part of the job, part of the process.

There is not a single bill that comes through here where a single Senator likes everything in it, but we move the process along. I can think of a whole bunch of things in State, Justice, and Commerce I would like to knock out, and a lot of things I would like to add, but I will not do that because the Senator from New Hampshire and the Senator from South Carolina put their work in there, it was passed by the committee, probably unanimously, and we ought to move it forward.

I will be glad to work with the Senator to try to lock in a time next week to get this issue debated. I am glad to debate it. I don't know how many times we will hear: You Republicans caused this problem. I am saying: All right, OK, we acknowledge it. Let's fix it.

I bet when the vote comes, it will be overwhelming. Both sides know this needs to be corrected. Let's get on with it. I don't know what the final vote will be, but I will be surprised if it is not 80-20. It will probably be more than that, 90-10. Why not do it? It is the right thing to do. It is good for the institution.

I thank Members for their patience while I responded. If we are ready, we can go forward and set up a time to have this issue debated and voted on. Hopefully, it will be within a reasonable timeframe.

Mr. DASCHLE. Mr. President, I have to respond to a couple of points made by my friend, the distinguished majority leader.

First, with regard to the Social Security lockbox, if ever our point was made on a particular bill, it is this one. This is exactly why we are here. I am amused and completely appreciate what it is Senator LOTT has just said once more: Why do we need so many amendments? This is a simple little idea—Social Security lockbox. Why do we need so many amendments? This is just a simple idea.

Mr. President, a simple idea can have profound consequences. There may be one or there may be more than one way to enact a simple idea.

Senator LAUTENBERG offered on the Senate floor an agreement that said we will limit ourselves—and here we are again, the minority—we will limit ourselves to 12 amendments. Our Republican colleagues objected. That wasn't good enough. Twelve amendments was too many.

We find ourselves, time and time and time again, not filibustering a bill. I do not remember the last time the minority filibustered a bill because we didn't want it to pass. The only time I can recall we have filibustered—and fortunately we have never lost—is on our procedural right to offer amendments. That is the only time, that I am aware of, we have fought, because our rights need to be protected. I am compelled to set the record straight, and I am com-

pelled again to respond. This is why we are in this box.

Ideally, what will happen is, a bill could get laid down, Democrats and Republicans could offer amendments; if it got out of line, Senator LOTT and I could say: People, we have to get this bill done. We have to get this bill done. Will you limit yourself? Let's develop a finite list of amendments.

Often that works. I have some of the best lieutenants I could hope to have, and when I sic them on the caucus, it is amazing how responsive the caucus is. It works. I come back and report to the majority leader, we can do this in 15 amendments, and we can do this tonight, and it works. That is one model.

The other model is, we are presented with a confrontation. A bill is filed, the tree is filled, a cloture vote is taken. That is the other model. That model doesn't work, and it will never work. I don't care whether it is an appropriations bill or an authorization bill, we will not allow that to work.

We can continue to play that out until we die of old age. It is not going to work, not as long as we are here. If we are going to get cooperation, then I am willing to look at that Social Security lockbox again. Twelve amendments doesn't seem too many to me. Yes, there may be some irrelevant amendments—not irrelevant, but non-germane amendments. They are certainly relevant to us.

I think the Republicans demonstrated last week, with the Patients' Bill of Rights, they can deal with it if we offer amendments. They can deal with it. They are in the majority. They have the votes to defeat our proposals. I am not sure I know what they are afraid of.

In any case, I have spoken long enough. As the majority leader has noted, the time has come to move on. I am willing to work with him to make the most of the time remaining this week and certainly next week.

I yield the floor.

Mr. LOTT. Mr. President, briefly, I note that in the presence of the President I was led to believe that, on the Social Security issue, two or three amendments would be enough on the lockbox. Then I am told later, well, we need 12 or 15. That is what I have to deal with all the time.

We can go back and forth as to what happened. We need a Social Security lockbox. We need to find a way to do it. The Senate is the only impediment to having that done.

What I propose to do with regard to rule XVI is ask consent—I am not doing it now—that when the Senate convenes on Monday, the 26th, we proceed to the original resolution to be placed on the calendar by the majority leader, immediately following the asserting of this agreement, and the resolution be considered under the following time constraints—this is the

resolution; obviously, it is very short and very simple—that the resolution be limited to 3 hours for each leader or his designee, no amendments or resolutions be in order, and final adoption be in order prior to recess or adjournment of the Senate on Monday. We could have that vote at the same time we have the vote on the juvenile justice conferees cloture, if necessary.

I ask the Democratic leader to consider that. If the Senator can check to see when Senator KENNEDY will be back—I talked to him myself early this week, and I had the impression he would be back early next week, but I didn't press him in terms of Monday, Tuesday, Wednesday, whenever.

That is, I think, a fair way to do this. That is how it was outlined to me. I think we ought to do it. Hopefully, we can make some progress now on the underlying commerce bill.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY AND RELATED AGENCIES APPROPRIATIONS ACT, 2000—Continued

Mr. LOTT. I ask unanimous consent to lay aside the pending amendment until 4 p.m. today, with no call for the regular order served to bring back the amendment before that time. That way, we will have time to talk, and meanwhile our managers can go forward.

Mr. REID. Mr. President, reserving the right to object, while the two leaders are on the floor, the original point of order was made by me, so I believe I have a right to talk about this.

I am not going to talk about the substance of the amendment but talk about our two leaders. Speaking for Democrats and Republicans, we are very proud of our leadership. The majority leader and the minority leader, I think, do an outstanding job of representing their respective interests. The legislative branch of government depends on these two men leading their respective caucuses.

We should be doing less procedural battling and more substantive battling. I hope the majority leader hears what the Democrats are saying. We want to legislate. We are not trying to stop anything from going through. We want our rights to be protected. We want the ability to offer amendments. That is all we are saying.

This was proven in the very good debate we had. We were allowed to have the debate as a result of the work done by our minority leader. I think it is important we have more issues debated here. I hope during this weekend the two leaders realize, as I know they do, the importance of having the Senate act as the Senate and that we start debating substantive issues.

I think this colloquy between the two leaders was very substantive and in-

formative. I hope it will lead to a much better and more productive Senate.

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

Without objection, it is so ordered.

Mr. LOTT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BUNNING). Without objection, it is so ordered.

Mr. GREGG. Mr. President, I ask unanimous consent that there be 2 hours of debate, equally divided, on the amendment that is about to be offered by the Senator from Delaware.

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

Mr. GREGG. No second degrees.

Mr. HOLLINGS. No points of order, no second degrees.

Mr. GREGG. No second degrees. And at the end of that time, we are prepared to accept it.

Mr. HOLLINGS. We are prepared to accept it. And as I said, no points of order.

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

AMENDMENT NO. 1285

(Purpose: To provide additional funding for community oriented policing services)

Mr. BIDEN. Mr. President, parliamentary inquiry. Is the amendment at the desk?

The PRESIDING OFFICER. No, it is not.

Mr. BIDEN. I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Delaware [Mr. BIDEN] for himself, Mr. SCHUMER, Mr. ROBB, Mr. DASCHLE, Mr. REID, Mr. HARKIN, Mr. LEAHY, Mr. AKAKA, Mr. BINGAMAN, Mr. DURBIN, Mr. GRAHAM, Mr. LIEBERMAN, Mr. HOLLINGS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERREY, Mr. KOHL, Mr. LAUTENBERG, Mr. LEVIN, Mrs. LINCOLN, Mrs. MURRAY, Mr. REED, Mr. WELLSTONE, Mr. BREAUX, Mr. MOYNIHAN, Mr. BAYH, Mr. DORGAN, Mr. BRYAN, Mr. KERRY, Mr. CLELAND, Mr. SARBANES, Mr. ROCKEFELLER, Mr. DODD, Mrs. BOXER, Ms. LANDRIEU, Ms. MIKULSKI, Mr. FEINGOLD, Mr. BYRD, Mr. SPECTER, Ms. COLLINS, Ms. SNOWE, Mr. TORRICELLI and Mr. JEFFORDS proposes an amendment numbered 1285.

The amendment is as follows:

On page 32, after line 7, insert the following:

COMMUNITY ORIENTED POLICING SERVICES

VIOLENT CRIME REDUCTION PROGRAMS

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 104-322) (referred to under this heading as the "1994 Act"), including administrative costs, \$325,000,000 to remain available until expended for Public Safety and Community Policing Grants pursuant to

title I of the 1994 Act, of which \$140,000,000 shall be derived from the Violent Crime Reduction Trust Fund: *Provided*, That \$180,000,000 shall be available for school resource officers: *Provided further*, That not to exceed \$17,325,000 shall be expended for program management and administration: *Provided further*, That of the unobligated balances available in this program, \$170,000,000 shall be used for innovative community policing programs, of which \$90,000,000 shall be used for the Crime Identification Technology Initiative, \$25,000,000 shall be used for the Bulletproof Vest Program, and \$25,000,000 shall be used for the Methamphetamine Program. *Provided further*, That the funds made available under this heading for the Methamphetamine Program shall be expended as directed in Senate Report 106-76: *Provided further*, That of the funds made available under this heading for school resource officers, \$900,000 shall be for a grant to King County, Washington.

On page 21, line 16, strike "\$3,156,895,000" and insert "\$3,151,895,000".

On page 26, line 13, strike "\$1,547,450,000" and insert "\$1,407,450,000".

On page 27, line 13, strike "\$350,000,000" and insert "\$260,000,000".

On page 30, line 21, strike all after "Initiative" through "Program" on line 23.

On page 35, line 1, strike "\$218,000,000" and insert "\$38,000,000".

Mr. BIDEN. Mr. President, let me begin by thanking the chairman of the subcommittee and the ranking member. This is a bit unusual. I am violating what the Senator from South Carolina would recognize as the Russell Long rule.

When I first came to the Senate, Russell Long, the distinguished Senator from Louisiana, was chairman of the Finance Committee. One day I walked up to him because I had an amendment to a finance bill. He said: I will accept it. I said: Thank you very much, Mr. Chairman. Then I got back to my seat in the back row, and a staff person who had worked here longer than I had—I had only been here about 3 months—said: Senator, you really want a rollcall vote on that.

So I went ahead and I did my little spiel. Then I asked for the yeas and nays. The roll was called, and Russell Long voted against the amendment and encouraged others to vote against it. It was defeated. I walked up to him and said: Mr. Chairman, my Lord, you told me just 15 minutes ago you would accept my amendment. He said: Yes, I would accept your amendment. But I did not say anything about a rollcall vote.

We are not going to have, I hope, a rollcall vote on this amendment. I want to thank the chairman of the subcommittee for accepting the amendment. I apologize to him for speaking on something that is going to be accepted. But I think this is of such consequence that it is important to remind our colleagues of what we are about to redo.

A few weeks ago, the Appropriations Committee zeroed out all funding for the COPS Program, nearly closing the doors of what I believe to be the most