

motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. DORGAN. Mr. President, reserving the right to object, and I shall not object, I would like to inquire of the majority leader his intention with respect to the pending business, which prior to this unanimous-consent request was the fast-track legislation. I understand that the conference report is privileged and you are seeking a unanimous-consent request with respect to a time agreement. I shall not object to that. But I want to inquire about the intentions of the majority leader with respect to the fast-track legislation—when we might expect to get to amendments on that.

Mr. LOTT. Mr. President, if I could respond, we have some business we need to go through here with regard to some nominations, also another piece of legislation, the PUHCA legislation, some statements that will be made.

As I mentioned, we are trying to work out something to where we can move to the D.C. bill and Amtrak. It is our intent to return to fast track, so that there will be time for further debate and, I presume, amendments, as we go on into the afternoon and into the night and tomorrow. We are trying to get some of these other bills agreed to and moved today. We will try to do it before we get back into the debate.

We, of course, ask for your cooperation as we try to get consent to move some of these bills.

Mr. DORGAN. Mr. President, further reserving the right to object, the majority certainly will have my cooperation. I share his interest in moving these—

The PRESIDING OFFICER. If the Senator will withhold. The Senate is not in order.

The Senator from North Dakota.

Mr. DORGAN. The majority leader certainly will have my cooperation. I share his interest in making progress on a number of the items he has just mentioned.

I am concerned, however, that we not get into a corner of the legislative time period and discover that some say there is not time to offer amendments on the fast-track legislation. A number of us have amendments that would require some debate, and we want very much to be assured by the majority leader that we will not be precluded from offering those amendments. So as we proceed, I want to have some assurance that that will be the case.

Mr. LOTT. Mr. President, before I respond, can I inquire, are these germane amendments the Senator is entertaining to the fast track?

Mr. DORGAN. Some are germane, some are nongermane. They all relate to fast track and to trade. We are not under a cloture motion, so all the amendments would be in order.

Mr. LOTT. Let me just say that there are Members on both sides of the aisle that have amendments. I know they

want an opportunity to offer them. We will return to that bill. There will be an opportunity to offer amendments. But I can't say exactly what time it will be at this point. It very well could be tonight. We will need to work with the Democratic leader and talk about the time and how we are going to handle that.

Mr. DORGAN. Mr. President, I shall not object to the request made by the majority leader. I will seek further inquiry upon request later in the day because we do want to find time for those amendments.

The PRESIDING OFFICER. Is there objection to the majority leader's request?

Without objection, it is so ordered.

The clerk will state the conference report.

The legislative clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 858) to authorize appropriations for fiscal year 1998 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of September 16, 1997.)

#### UNANIMOUS-CONSENT REQUEST— NOMINATION OF JOSEPH DIAL

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the nomination of Joseph Dial, of Texas, to be a Commissioner of the Commodity Futures Trading Commission.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE. Mr. President, on behalf of Senators on our side, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. Mr. President, just a note. As we try to clear nominations on the Executive Calendar, there will be a necessity to bring up some of them for a unanimous-consent request or a vote. There will be objections sometimes on both sides of the aisle, but it is so we can make it clear that we are not just delaying some of these. This nomination affects another nomination, and it would be very hard for us to get those cleared, if there are objections. We will continue to move the nominations. We have several that we think we can clear tonight—most of the ambassador positions, and others—and I am working with Senator DASCHLE on that.

#### UNANIMOUS-CONSENT REQUEST— S. 621

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now

turn to S. 621, the so-called PUHCA reform bill.

Mr. DASCHLE. Mr. President, on behalf of the Senators on this side of the aisle, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. Mr. President, in light of the objection of our colleagues on the Democratic side of the aisle, the Senate will not be able to consider this very important public utility holding company bill prior to the end of the 1st session of the 105th Congress. I regret the objection. We will certainly try again next year to move it when we will call it up, and, if we have to have cloture votes, we will do so. We will certainly consider it when we get into the 2nd session of the 105th Congress.

Mr. President, I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BOND. Mr. President, I ask unanimous consent for 2 minutes as in morning business.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE. Reserving the right to object. I only reserve the right to object so that we can accommodate Senator KERREY, who also seeks recognition for purposes unrelated to the Intelligence Committee bill. If there is no objection to that, I have no objection to the unanimous-consent request of the Senator from Missouri. The request is this: I ask unanimous-consent that Senator KERREY be recognized following Senator BOND.

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

The Senator from Missouri is recognized.

#### INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT

Mr. BOND. Mr. President, I thank the Members on the other side. We all know that, because of matters which we won't continue to debate here, our ISTEA or highway reauthorization measure has not gone forward. We will not be able to resolve the many difficult questions over funding allocations and funding formulas this year.

Several days ago, I said that I was working with the EPW, the chairman, Chairman CHAFEE, Chairman WARNER, Ranking Member BAUCUS, and the members of the committee to permit our highway departments in our States to continue obligating funds, continue transit and safety operations and DOT operations for the next 6 months.

Mr. President, just a brief report. We are now working on a formula which would say to each State that, for the next 6 months, you may obligate up to half of what you had in the past fiscal year for contracts for the coming summer construction season. There will be no changes and no impact on the formula, but there will be complete flexibility. So if you have unpaid, unspent

obligations in one category, you can spend them wherever you need to. We are working with the House. I appreciate the cooperation of all Members, because I believe we all understand that we cannot leave highways and transportation without the ability to go forward in the summer construction season.

I thank the leadership of the Senate. We are working with the House to have a proposal that I believe should be acceptable. It does not involve any funding allocation changes or reestablish any formulas, but it does permit the work to go forward. It is vitally important. I appreciate the time of this body. I invite any comments personally that Senators may have about this vitally important measure.

The PRESIDING OFFICER. Under the previous agreement, the Senator from Nebraska is recognized.

Mr. KERREY. Mr. President, I appreciate very much the bipartisan work to come up with a 6-month extension of the highway bill. It is terribly important for all of our States and terribly important that we have some certainty out there. I appreciate the fact that all of us have kept our voices down for the moment.

#### UNANIMOUS-CONSENT REQUEST— H.R. 2676

Mr. KERREY. Mr. President, I ask unanimous consent that the Senate proceed immediately to H.R. 2676, the IRS Restructuring Act of 1997, just received from the House, that the bill be read a third time, and passed, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. ROTH. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. KERREY. Mr. President, I yield to the distinguished Senator from Delaware.

Mr. ROTH. Mr. President, I say to my distinguished friend from Nebraska that, as he knows, we are beginning to hold hearings on the important problems of reconstructing the IRS. I think that the House legislation is good legislation. It's a good beginning, but, frankly, it does not address all the problems that were uncovered in the hearings held by the Finance Committee a few weeks ago.

We will proceed very expeditiously with the hearings on this matter. We will seek to respond to all of the problems that were raised in our hearings. We think it is important to strengthen the authority, that there is nothing more important to reorganizing and reforming the IRS than providing for independent oversight.

So, while I think it is a good beginning in that action that was taken by the House, much remains to be done to reform the IRS in a manner that it will provide true service to the American taxpayers.

Mr. KERREY. Mr. President, as long as we are in session, I will come to the floor, and I hope those on the other side of the aisle will look at this bill. The Senate did confirm Charles Rossotti to be the new Commissioner of the IRS. There is a lot in this bill. If you look at it, you would say, my gosh, I'm surprised that we don't already do this. It gives the Commissioner the authority to hire, fire, move people around, and to provide marketplace incentives. It has a public oversight board, as well as increased oversight on our side. It has significant changes in here that give the public more information on the basis of audits.

I appreciate very much the fine work that Chairman ROTH has done in the 3 days of hearings. We took a look at some additional things. But this Commissioner is going to be expected to manage a 110,000-person agency through a very difficult filing season this year, next year, and the year after.

This bill addresses many, if not most, of the problems that have been identified by your citizens at home. I hope that during the next couple of days—this bill began as bipartisan. Congressman PORTMAN, Representative from Ohio, and I; chief sponsors on this side in the Senate, Senator GRASSLEY, and I—I hope my Republican colleagues will take a look at this bill. There is a lot more that can be done. There is no question about that. But there is also no question that when we give Mr. Rossotti this authority you are going to get a dramatic improvement in the efficiency of the operation of the IRS. Hundreds of collection notices are going to go out every day; over 1 million additional notices for audits; and other contacts the IRS is going to make per month with taxpayers. For every day we wait you are going to have to answer citizens at home. "Why didn't you give the Commissioner the authority? Why didn't you provide the kind of authority needed to be able to manage the agency on behalf of taxpayers?"

I believe delay will cost taxpayers. They are not going to be happy about this delay.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. NICKLES. Mr. President, I want to make a couple of comments. One pertains to the IRS proposal. I think Senator KERREY's assessment of the House-passed language is correct. It is good language. But I certainly agree with the chairman of the Finance Committee. We had outstanding hearings conducted in a very fair, bipartisan way that said we should do more. I think Chairman ROTH said we want to do more, demand to do more, and I think we can do better. The House passed a very good bill. We passed a better bill.

I tell my colleagues. We want to continue to work together in a bipartisan fashion to pass really good IRS restruc-

turing reform in this Congress. I hope and expect we will.

#### INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT

Mr. NICKLES. Mr. President, I also want to make a comment concerning Senator BOND, and the outstanding work he has done in the Environment and Public Works Committee to pass the highway bill. We need to pass one this year. The Senator from Missouri has been working with Senator BAUCUS and others in a bipartisan fashion, and I believe it has unanimous support in the Environment and Public Works Committee to pass a reauthorization bill, or at least passing an extension for 6 months to allow the States to continue contracting.

They came up with a way that said, "Well, we are not going to have one side win on the formula issue, or another side." I think it is a good compromise until we pass a 6-year bill, which we tried to do.

I might mention that we had four cloture votes on whether or not we would take up the highway bill, and it was basically filibustered because people wanted to add campaign reform and unrelated issues. That is unfortunate. That is history. Now we have to move on. We only have a few days to do it.

I compliment my colleague from Missouri, and others who have worked with him, and I urge our House colleagues to work together with us to make sure we get this passed. Let's pass this before we leave. I think it is vitally important to the highway programs in every single State in the Nation.

#### DOD AUTHORIZATION

Mr. NICKLES. Finally, Mr. President, let me conclude on the DOD authorization bill. We just had a resounding vote of 90 to 10 on the Department of Defense authorization bill on which Senator THURMOND has worked, and many other colleagues have been working on for a long time—a year. They put in a lot of work. They have a good bill. It is a bill the President should sign. I urge the President to sign it.

On the depot issue, which has been very contentious amongst a few States, I think we came up with a fair compromise. I think we came up with a compromise that allows States to compete, and to compete fairly.

So I compliment all Senators involved. I urge the President to sign the Department of Defense authorization bill to allow our military people to receive the cost-of-living adjustment, and to allow authorization to go forward on many very important military projects all across our country.

Mr. DORGAN. Mr. President, will the Senator yield?

Mr. NICKLES. I am happy to yield.