

Some of our Republican friends may believe the Teamsters should be punished for these gains. I believe that they deserve praise instead of punishment. I urge my colleagues to give our amendment the kind of support that it deserves.

Mr. NICKLES. Will the Senator yield for a question?

Mr. KENNEDY. I am glad to.

Mr. NICKLES. In looking at your amendment, you said that nothing in this section should be construed to affect the obligations under the consent decree. I might agree to that part. But then you also add, "or any court orders thereunder." What do you mean by that last few words?

Mr. KENNEDY. I would expect that what we would include in that is any court orders that would be related under the consent decree or that would be related to the consent. Is there something in particular—I would be glad to attempt to define that, if the Senator has some particular concerns in some particular way. But it seems to me to be fairly clear. Any of the orders that would be a part of that consent decree. Now that we are retained and we are within the consent decree, there would be any of the court orders with regard to the various elections. And I would expect that as we did before, we would want to comply with the consent decree in those areas.

Mr. NICKLES. I am just trying to help a little bit. If the Senator will drop those last few words, I might agree to his amendment, because I think our amendment is consistent with the consent decree. But I may be overly interpreting. I don't know exactly what the sentiment is for "or any court orders thereunder." But it might be hoped by the Teamsters, or something, they could go to court and find some court that would say, yes, the Federal Government should pay for a rerun election. That is not covered.

I might tell my colleague that I have done a little homework on this. The rerun is not covered by the consent decree. There certainly is no obligation for taxpayers to pay for reruns, which is not consistent with the statement of the Senator from Massachusetts. That, I think, is factual.

So my point is, if the Senator would delete those last few words "or any court orders thereunder," I think I could accept his amendment.

Mr. KENNEDY. If there was any court order affecting the 1996 elections of Teamsters officers—I would like to try a short quorum call to make sure that would be language, which I think appears to be to the Senator's point, and I think it would meet the objectives. But maybe we could suggest a short quorum call to make sure that we have the language that conforms to both of our understanding.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### THE ELECTION IN LOUISIANA

Mr. WARNER. Mr. President, I was distressed yesterday to hear comments on the floor relative to the duty of the U.S. Senate under the U.S. Constitution to determine—and we have the sole authority under the Constitution to determine—the issues as relating to the presence or absence of that degree of fraud or other conditions that would affect the outcome of the election in Louisiana. The subject has been discussed many times on the floor.

As chairman of the Rules Committee, I have overall responsibility for the direction and the daily conduct of this investigation. I will later today either address the Senate or put in the RECORD a detailed accounting of everything that I, the staff of the committee, and others have done since the last time I reported to the Senate with regard to this very important case. But I wish to assure my colleagues that while I regret that the Democrats decided to walk out on the investigation that the Republican majority of the committee, and specifically myself, we have continued to fulfill what I and others regard as the bottom-line responsibility of the U.S. Senate, and that is to go and look at every reasonable source of potential evidence as it relates to fraud in this election. This has taken a great deal of time. I recognize that it has stressed the patience of many.

But if you look historically, as I have done, at comparable situations when the U.S. Senate has been faced with the election problems, this case thus far is relatively short in duration. Many have gone for as much as 18 months to over 2 years.

It is my hope and my expectation that we can conclude this work in a reasonable period of time. Under the leadership of our distinguished majority leader and, indeed, some on the other side of the aisle, we were very near to an agreement whereby both sides concurred that this matter could be concluded before late September—this month. That fell by the wayside, and I was then given the authority at long last, although I had asked a number of times—it had been denied by the Democrats—the authority to issue subpoenas. I received that authority from the committee. Subpoenas were promptly issued. And I went to Louisiana on two occasions and each time conducted 2 full days of hearings. I repeat, 2 full days; 4 full days thus far of hearings in Louisiana.

In response to those subpoenas, individuals without exception came in, some voluntarily. Those individuals responded in large measure to the best of their knowledge to each and every question. Some equivocated. That is

true in any trial. I used to be an assistant U.S. attorney for 4 or 5 years, and I have tried many cases. But I can judge witnesses fairly well based on that experience. I say on the whole the witnesses were forthcoming in their oral testimony.

Likewise, we issued subpoenas duces tecum for records. We have in the possession of the Senate now some four to six cartons of records as a consequence of those subpoenas issued in August. Most of those records relate to the gambling industry, which, according to official records, put anywhere from \$10 to \$15 million into the elections taking place on December 5 or 6 of 1996 because there was a referendum that affected the gambling industry. They had a right to participate and contribute money to foster their interests in certain votes as related to the referendum.

But anyway, that is a voluminous amount of record material that must be gone over carefully by Senate staff and such other adjunct support as we can get from the GAO. Much to my disappointment, and despite the efforts of the distinguished majority leader, myself, and others, the FBI pulled out when the Democrats left. That left us short-handed in the nature of support. But we are doing our best. And despite the efforts of majority leader, myself, and others, the FBI still has not come in to give any further help.

All of this is to say the buck stops with me as the chairman. And I can, in clearest of conscience, report to my colleagues that I feel that the Rules Committee, its staff, and the Republican Senators participating are fulfilling the exact requirement placed upon us by the U.S. Constitution.

I urge that the Members of this body continue to allow that work to be done in an orderly fashion as best we can, given the extraordinary handicaps we have, both financial, time and staffwise, to do our work, to go over the records we have.

I announced in Louisiana it would be my judgment, subject to concurrence of other members of the committee, to have at least one more hearing, this time here in the Rules Committee room, at which time the gambling industry would be subpoenaed to come and explain in detail the voluminous amount of records we now have before us. We need to ascertain whether or not this sum of money, ranging from \$10 million to \$15 million, was expended in a proper way in accordance with Federal and State law, or in fact did some of it slip into areas which could have generated fraud and, indeed, affected the outcome of this election through fraud.

So, Mr. President, I see the majority leader now at this time and I, due to time constraints, have to stop my remarks, but I will put in the RECORD today, either orally or insert a more complete dissertation, exactly what we have done.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

#### ORDER OF PROCEDURE

Mr. LOTT. For the information of all Senators, our Democratic colleagues are objecting today to permission for two committees to meet during the pendency of this session. The Agriculture Committee began meeting at 9 a.m. this morning to discuss rural and agriculture credit issues. Yet, as a result of that objection, or the objection we heard on that committee meeting, they had to abruptly end their meeting at 11:30 this morning.

The Environment and Public Works Committee is scheduled to meet at 2 p.m. today, and I want to take some action here momentarily that will allow them to, in fact, begin their hearing to discuss the Superfund Cleanup Act. Permission for them to meet was also objected to by the Democrats. It is my understanding that prominent witnesses have flown in from all over the country to appear before the Environment and Public Works Committee to discuss this vital environmental issue, what can we do to reform Superfund so the lawyers don't clean up but we clean up hazardous waste sites across America in most every State in this Nation.

Included in the group that was to come to testify is the Governor of Nebraska. He is scheduled to be introduced momentarily by one of the Senators from Nebraska. That testimony would certainly be key with respect to the Superfund Act in that State.

The objection lodged by the Democrats would deny that meeting from taking place unless the Senate were to recess. I regret that the Senate must recess in the middle of the day while discussing a very, very important piece of legislation, the Labor and Health and Human Services appropriations bill. We were, I thought, committed to working together in completing the appropriations process, especially a bill like this. While there are still some amendments pending that are of great interest and perhaps even controversial, we have made progress, and I think we could finish it up tonight with a little effort.

Unfortunately, this objection will only delay the consideration and passage of the Labor, HHS appropriations bill. Our colleagues from the other side of the aisle have stated that "there is no intention to interrupt the business of the Senate, which is to pass these appropriations bills. There is no one out there objecting to the work on those appropriations bills." Yet, the Democratic objection to the Environment Committee meeting today on Superfund in fact does interrupt the business of the Senate. I truly regret the action taken by our colleagues here today and hope this will not become a practice by Members on the minority side of the aisle.

Having said all of that, by consent a vote is scheduled at 4:30 p.m. today on

the D'Amato amendment to the Labor, HHS appropriations bill, and I now ask unanimous consent the Senate stand in recess until 4:30 p.m. today.

Mr. DASCHLE. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. DASCHLE. Mr. President, it is with great reluctance that we come to this point, but I think it is important for us to remember from where it is we have come and how it is we got here. I will not elaborate in the detail at this point except to say this:

This was a bipartisan investigation during the first phase. I recall to my colleagues during that phase we asked the same attorneys who were involved in the last contested election—that is, Senator FEINSTEIN and her opponent, Mr. Huffington—to examine the circumstances of this particular race. They did. They recommended a certain course of action, and the majority on the Rules Committee chose to ignore it.

They then set in motion a second phase for investigation. That investigation also was bipartisan. That investigation took the course of a couple of months and came back again on a bipartisan basis with recommendations that again were ignored by the majority.

It was with increasing frustration that Democrats warned our Republican colleagues that we could not tolerate this endless abrogation of the regular order, this bipartisan effort to come to some conclusion on this investigation.

With some reluctance, we continued to work and ultimately indicated that beyond the end of July we were simply not in a position to tolerate unnecessary elongation and the increasingly partisan nature of this investigation and put our colleagues on notice that it must end. We indicated that if it had not ended by the time we came back after the August recess, we would have no recourse but to add increasing pressure to the process to bring about some end.

Now, this may or may not bring about an end. I am disappointed and somewhat alarmed that the chairman of the Rules Committee has now announced further hearings and further efforts to prolong this—in my view, completely unnecessarily. It would be one thing if evidence had been produced to suggest in some way some wrongdoing on the part of Senator LANDRIEU, but that has yet to be produced. In fact, just the opposite. If any wrongdoing, anything related to wrongdoing has been found, it has been with regard to her opponent, Mr. Jenkins. That is where the wrongdoing becomes increasingly evident as we look closer and closer at this case.

So, Mr. President, I must say we will continue to insist that committees meet for no longer than 2 hours as long as this situation continues. If it takes a month, I will put my colleagues on notice that we will use this selective

approach for committee meetings for however long it takes until it is resolved. We simply cannot tolerate the unnecessary and political effort to prolong this investigation further, and we have no other recourse but to take the action we have, and so for that reason I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. Mr. President, I want to make sure that the—first of all, I do not think—

Mr. DASCHLE. I do not intend to object to the unanimous-consent request propounded by the majority leader, and I apologize for it. I object to this process. I do not want to have my objection construed as an objection to the UC propounded by the majority leader.

Mr. LOTT. Mr. President, I regret that we have to take this action in order to get our business done on a very important environmental issue. This sort of selective hit certainly, I think, would not be in the best interests of the legislative process of the Senate. We want to get Superfund legislation considered by the committee to the floor. We want to hear from witnesses such as the Governor of Nebraska and citizens who are affected by this. It seems to me the normal way of doing business around here is that is allowed to happen.

Mr. President, the saber rattling has begun. After bipartisan cooperation by Senate Democrats and Republicans over the past several months, it seems as though the Democrats have now returned to the preening and posturing of politicians more interested in blocking and obstructing the other side than concern for the interests of the American people.

Senate Democrats have effectively withdrawn from the bipartisan spirit of negotiation and compromise that has been evidenced regarding the budget and tax bills recently enacted by the Congress. Mr. President, the minority is, in effect, threatening to shut down the effective operation of the Senate. Now, they can call it selective cooperation or some other slick phrase that seeks to skirt the truth of the matter, but the American people are too smart for these word games, or, in Washington speak, for deceptive political spin.

Let me state, positively, that we are more than willing to continue the spirit of bipartisanship to achieve significant accomplishments on subjects of importance to the American people. For example, we are more than willing to work through the Appropriations bills, through ISTEA, and through debate on the many other matters pending before the Senate. But it is going to take cooperation and good faith on both sides, including the Members of the minority.

That good faith and cooperation is now missing on the part of the minority. The subject of the investigation into the election in Louisiana involves a duty of the Senate—of every Member of the Senate—to fully, thoroughly,