

the proper way to proceed; We ought to do the essential things.

Clearly, there is a difference of view about that. There is a difference of philosophy. There are those who genuinely believe the more money that can be spent through the Federal Government, the more it helps people, and that is what we ought to do—continue to always increase the size and activity of the Government.

Others, including myself, believe there are essential finances for the Federal Government to carry forth, but the best way to do it is to limit that Federal Government to allow local governments to participate more fully, to allow people to continue to have their own tax dollars.

The longer I am in Washington, the more I am persuaded the real strength of this country does not lie with the Federal Government. Obviously, it is essential. Obviously, it is important. Functions such as defense can only be performed by the Federal Government.

Communities are shaped by things people do through local government or voluntarily. These mean so much to the strength of communities. We have a program called the Congressional Award Program in which young people are urged to take on community activities. We give out medals. It is wonderful to see the activities in which the young people become involved. It is wonderful to see themselves in the future as doing volunteer things, as becoming leaders, taking the risk of leadership, and spending their personal time to strengthen that community.

We do have real differences of opinion. That is why we are here. We have a system for resolving those differences. Not everybody wins these debates. Some lose and some win. It is not a winning proposition to obstruct progress. I think that is where we find ourselves.

I hope the leaders and Members on both sides of the aisle will take a long look at our position. We need to have a system where everyone with different ideas gets to present their ideas, but we have to do it in an organized way, where the amendments are germane to the issue. Now we find ourselves with some amendments—gun control amendments, for example, as important as they may be—that come up on every issue. It stalls what we are doing in terms of the basic generic purpose of that discussion, invariably coming up with the same kinds of amendments over and over. I think we can find a way to resolve that. I think we should. We have a great opportunity to move forward on a number of things, whether it be education, whether it be Social Security, whether it be tax relief, whether it be strengthening the military. These are the kinds of things that are so important.

I yield the floor.

#### CLOTURE

Mr. CRAIG. Mr. President, I was sitting in my office watching the floor on

C-SPAN and I heard my colleague from Wyoming speak out about some of his concerns as they relate to conduct of priority business on the floor of the Senate. I am pleased he would come this early afternoon to discuss what I think is really a very important and necessary issue for all of us to understand but, more importantly, for the public that pays close attention to what we do to understand.

During debate last week, after the vote concerning the Byrd-Warner amendment on the President's open-ended mission in Kosovo, several things were said by the minority leader that I feel need to be corrected. If you were to take the minority leader at face value last week, I think you would have gotten a distorted view of what we did in the Senate and what was an appropriate and necessary approach.

The day before the vote on the Byrd-Warner amendment, the Senate passed a rule that said only germane amendments could be offered to appropriations bills. "Germane" is a technical term for relevant. The following day, the minority leader stated before us:

No majority leader has ever come to the floor to say that, before we take up a bill, we have to limit the entire Senate to relevant amendments.

Those are the minority leader's words, straight out of the CONGRESSIONAL RECORD. When I heard that, I was surprised, and I began to think about past Senates, past Congresses. I began to do some research. I must tell you I was surprised that the minority leader would, in fact, make that statement. The minority leader also said that he would defy anybody to come to the floor and challenge the statement. I am here today, I did my research over the weekend, and I challenge the statement of the minority leader. I think it is time the American people understand exactly what he meant and why he meant it.

We have important and critical legislation that needs to be passed in a timely manner to deal with all that is important for the millions and millions of Americans whose lives are impacted by what we do here.

In the appropriations bills there is money for education, health services, agriculture, for the environment, for national defense, and for other essential Government services on which so many people rely. I want to take a few minutes to explain what the majority leader said last week and, more importantly, I want to spend more time saying why what the minority leader said last week was wrong.

The majority leader was clearly trying to expedite the activities of the Senate when he asked those of us on each side of the aisle, Democrat and Republican, to agree to unanimous consent requests that would cause the Senate to move along in a timely fashion. When the minority leader came to the floor and suggested that irrelevant amendments should be debated in full and this was an inappropriate thing

and had never been done before, then what he was saying simply was not an accurate statement.

The rules of the Senate are very easy to understand and fairly straightforward. For instance, a cloture vote, as far as its dictionary definition, is a petition to limit debate. The petition must be signed by 16 Senators. It is then voted on by the entire Senate, and it takes 60 votes to invoke cloture; in other words, to move on. Cloture is a formal way of ending a filibuster, or ending intentional debate that prolongs the proceedings of the Senate. A filibuster, of course, is a time-delaying tactic, a strategy used to extend debate, as I just mentioned, and ultimately to prevent a vote from being taken by Senators.

By the way, the term "filibuster" comes from the early 19th century Spanish or Portuguese pirates' term "filibusteros," meaning those who held ships hostage for ransom. Therefore, in order to stop a filibuster, a tactic used to hold the Senate hostage, a cloture motion must be filed. It is the formal beginning of the process to end a filibuster.

Let me go back to what the minority leader said last week. He said that "No majority leader has ever come to the floor to say that"—meaning we ought to limit debate and move to the relevant issues of the day. He said that—"before we take up a bill, we will have to limit the entire Senate to relevant amendments." In other words, shaping the debate, moving it along in a timely fashion.

That statement caused me to take a short walk down memory lane. Let me take us all back to the 103d Congress. The Senate was controlled by Democrats, not Republicans, under the watchful eye of the majority leader, George Mitchell. During the same Congress, almost 300 legislative measures were enacted into law. Of those 300 measures, Senator Mitchell considered 15 of them to be the object of a filibuster. In other words, Senator Mitchell feared that there would be a filibuster on a particular piece of legislation. Senator Mitchell's response to this imaginary threat was to file 43 cloture motions on these 15 measures.

Let me repeat: Senator Mitchell filed 43 cloture motions on 15 legislative measures he thought might be filibustered. Of these 43 cloture motions, 21 of them—almost half—were filed on the same day the Senate actually began debating a bill. In his attempt to break a filibuster, he filed cloture on bills 21 times before debate had even begun.

If there was any intent to intentionally limit debate—and once you have a cloture motion in place, and once you have proceeded to the bill postcloture, then only relevant amendments should apply—then, of course, George Mitchell was doing exactly what he intended to do as majority leader, Democrat majority leader of the Senate: Limit debate, shape debate to the particular bill involved.

Did Senator Mitchell say before a bill was even offered that the Senate would be limited to relevant amendments? He did not have to say it. His actions said it, and they were very clear, loud actions. He did 21 filings of cloture the same day the Senate actually debated a bill. He took a procedural step that would make the threat a reality. In other words, he did not come to the floor to suggest he might have to do something to limit debate to relevant amendments; he just did it. And that is the prerogative of a majority leader.

Clearly, Senator Mitchell went much further than the rule we passed last week. As the minority leader well knows, Senator Mitchell perfected the art of confrontational legislating. Not only would Senator Mitchell not allow nonrelevant amendments, he filed cloture on bills 43 times in the 103d Congress.

That is the record. That is setting the record straight. I say to Minority Leader DASCHLE, I took up your challenge. I did my research. I believe those are the facts. But Senator Mitchell's tactics of the past pale in comparison to the strategy of the minority leader in the Senate today. Again last week, the minority leader said on the floor in reference to an appropriations bill that:

Constitutionally, appropriations bills must begin in the House of Representatives. We are, in a sense, circumventing the rules of the Congress by allowing these bills to be debated and considered prior to the time the bill comes before the Senate.

I did some simple research, such as picking up a copy of the U.S. Constitution and turning to article I, section 7, clause 1, and reading it, just reading it:

All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Let me also turn to another provision, "Riddick's Senate Procedure, Precedents and Practices." This is, of course, one of the procedural booklets we follow:

Bills originate in the House:

In 1935, the Chair ruled that there is no Constitutional limitation upon the Senate to initiate an appropriation bill.

Obviously, the intent of what I am suggesting is that we can initiate appropriations bills, and we have, and we have held them at the desk. As the House sends its appropriations bills across, we attach a House number or we move through that process in a way that accommodates.

Why would the minority leader propose such an idea? I think it is really quite clear. It is to obstruct the action and the movement of the Senate.

Maybe there is another reason. Maybe there is a reason that is subliminal, that is not so clear. Maybe the reason was talked about this morning in the *Washington Times*: "CBO now predicts a \$40 billion surplus"—even a greater surplus of monies than the kind that was predicted earlier that the Budget Committee analyzed when it proposed its budget resolution.

Maybe it is why he wants to drag the feet of the Senate through June, July, August, and into September, so at the very end, a lame duck President, with his veto, can hold a Senate hostage and gain the spending of billions more dollars than were proposed in this present budget when he proposed total discretionary appropriations of about \$223 billion where our budget discretionary spending is around \$600 billion. Maybe he really wants to make good on not giving American citizens some tax relief by returning some of these surplus dollars to them. Maybe he really wants to make good on the idea that expanding Government and spending more money is really the mantra, the very foundation and the basics of the Democratic Party that he represents.

I am not sure, but what I am sure of is that what the minority leader said on the floor of the Senate last week does not ring true to past Senate actions practiced by Democrat and Republican majorities.

We operate on the rules of the Senate. We operate on past precedent. We also operate on a consistency that assures a motion of activity here that produces 13 appropriations bills in a timely fashion to fund our Government in a way that I think our American citizens and taxpayers expect us to perform.

What the minority leader said last week was we would not perform; he was going to draw a line and stop us, and he drew that line in the sand. He said, for example: We do not need to deal with the same bill twice; let's wait until the House gets its bill here. Yet he was saying that in the backdrop of a gun debate that had been dealt with numerous times on the floor of the Senate over the last year; in fact, a debate in which his side had won and passed legislation that moved to the House, and the House rejected it.

I am not quite sure I understand even that argument because it not only is inconsistent with the very actions that were taking place at the time, and that was, we were redebating for the fourth or fifth time an idea or a piece of legislation in which the Senate itself had been involved throughout the 106th Congress.

The reason I have come to the floor this early afternoon is to set the record straight. I think it is important for the Senate and for the United States as a whole to understand how we operate and that what we were doing and what we were proposing were clearly consistent within the rules. No rules had been bent. There was not a rules committee of a single individual but the action of a Congress and a Senate operating under unanimous consent and doing so in an appropriate and responsible way.

If there was a bad precedent set last week, it was not bad in the sense that it was one majority leader simply following the actions of another majority leader some sessions ago, recognizing the timely need to move legislation

along and to be able to do so by limiting certain types of amendments that were irrelevant to the fundamental debate and the consideration of a given appropriations bill.

I hope this clears the air. I hope what we experienced last week was but a thunderstorm, and now the clouds have cleared and the air is a bit fresher. I hope we can move on in a timely fashion, as we must, because if that does not happen, I and others will be coming to the floor on a very regular basis and I will not mind pointing a finger at those who object and those who obstruct.

We have a responsibility to cause our Senate to operate in an appropriate fashion, and certainly debate on one and all issues is important and can happen, but I do believe the citizens of this country expect us to get our work done; they expect us to balance our budget; they expect us to be fiscally responsible; and, most importantly, they expect and anticipate a limited Government that does the right things for its citizenry. That is what we are intent upon accomplishing. I hope we can move forward, and I hope we can do so in a timely fashion.

I yield the floor.

The PRESIDING OFFICER (Mr. THOMAS). The Senator from Utah.

Mr. BENNETT. Mr. President, I, like other Members of the body, read this morning's paper and read the comments of the Democratic leader. I have heard the comments on the floor of some of our colleagues, including the current occupant of the chair, and the Senator from Idaho. Since it is somewhat of a slow day, I decided to add my voice to the voices that have been raised here, perhaps from a slightly different perspective.

I know, in Senate terms, I am a relative newcomer. I am only in my second term. And around here, that counts for little more than being in your first term, but it does not put you in the rank of Senate historians or the old Senate "bulls," as they used to be called.

Nonetheless, if I might, I would like to go back and quote a little personal history because my first exposure to the Senate, up close and personal, came in the early 1950s.

If I may reminisce with you, I remember sitting in the family gallery, night after night, when the Senate would be debating, listening to the oratory that went on and the clashes of opinion that would occur, and falling in love with the place. I was a teenager.

My father had been elected in the election of 1950. I was here in the summer of 1953. Dwight Eisenhower was the President—the first time a Republican President had been in office since 1932. The Democrats were apoplectic about the idea that there was a Republican President, and carrying on with great frustration.

I remember the towering debates—and they were debates. They were not

speeches given to empty Chambers. They were debates between the two protagonists on the Finance Committee.

Paul Douglas, the Senator from Illinois, would come down here and thunder against the terrors of the Eisenhower administration. I would listen, in the family gallery, as a Republican, and wonder if anybody could respond. Then Eugene Millikin would enter the Chamber, bad back and all. He sat there in that seat in front of me. It was very difficult for him to move because of his back. So when he would turn, he would turn his entire body, and it would be slow. I remember, clearly, Senator Douglas recognizing what had happened when Senator Millikin had come on the floor. Senator Millikin was the chairman of the Finance Committee.

Senator Douglas said: The Republicans have brought up their heavy artillery in bringing in Senator Millikin. He said: In fact, I would even say they have brought their nuclear cannon.

I sat in the family gallery and listened to this, and thought: What is going to happen now?

Senator Millikin, with a few well-placed barbs, proceeded to destroy Senator Douglas' argument. And Senator Douglas got mad. He started complaining about the fact that the Senator from Colorado—because that is where Millikin was from—had as much authority in this body as he did, the Senator from Illinois. He pointed out how many people there were in Illinois and how few people there were in Colorado, and he got very indignant about it.

I remember Millikin's response. He said: Mr. President, the Senator from Illinois is no longer opposed to the bill before us, he is now opposed to the Constitution. I must say, I am not surprised.

With that, he turned on his heels and walked out, leaving Senator Douglas sputtering a bit.

So I go back that far with my experiences with the Senate. I served in the Nixon administration as a lobbyist for one of the Departments. We did not call it that because under the law you are not allowed to lobby as a member of the executive branch; you conduct congressional liaison.

Again, because my father was still a Member of the Senate, I had access to the family gallery. When my Department had a bill before the Senate, I would come and sit in the family gallery and watch the debate as the bills would pass—or not pass—and I remember very clearly the pattern of debate in those days. This is now in the late 1960s because I served in the Nixon administration, and President Nixon took office in 1969.

Votes would be scheduled in advance, with a specific time. The time that sticks in my memory is that 11 o'clock was a fairly normal time for votes. We would get into the gallery around 10, because the debate would be winding

up in anticipation of the 11 o'clock vote.

Senators would start coming into the Chamber by 10:15. I would say, there would be 30 Senators in the Chamber listening to the final debate.

By 10:30, the Chamber would be almost full, because at 10:30, Everett Dirksen, as the Republican leader, would stand up to give the Republican position, the final speaker prior to the vote. Everyone wanted to hear Everett Dirksen. He would go on for 15 minutes, until a quarter to 11. By this time, the Chamber would be completely filled—every Senator in his or her seat.

Then Mike Mansfield would stand up, with the tremendous respect and dignity that he had. If I may say so, without diminishing that respect, Mike Mansfield, as an orator, was no match for Everett Dirksen. He was not as fun to listen to, but he had an earnestness and a determination about him that made him a towering giant of this body.

Then at 11 o'clock, when Mike Mansfield would be through, whoever was presiding would bang the gavel, and the Senate would proceed to vote, with every Senator sitting at his desk.

I remember watching my father, who sat on the front row to the right, go up to the table and get a copy of the names of all of the Senators, and keep track of how they were voting himself. He would mark it off, as did all of the other Senators, just the way the clerk marks it off.

The only time I have seen that happen since I have been in the Senate is when, during the impeachment trial, I went down and got one of those records, and I sat and made my own record of every Senator's vote in impeachment. I thought it was a significant enough event to revive that custom.

Why am I going through this history? For one reason. Because I read in this morning's paper the accusation made by the Democratic leader that what the Republican majority leader has been doing these last few days is leading to the erosion of the history and sanctity of the Senate, leading to a destruction of this institution.

I give you this history as my credentials, as one who wants to comment on this institution, who wants to talk about what is going on and what has gone on. No, I will not engage in a debate with the Democratic leader as to whether there was or was not precedent of what he has done. My friend from Idaho has done that, and that is appropriate.

But I am not here to do that. I am here to talk about this institution and what has happened to it in the roughly 50 years since I sat as a teenager in the family gallery and fell in love with it.

It is a little startling to me I can talk about that being nearly 50 years ago, but it was. As I say, I was a teenager. Now I am beginning to look forward to the time when I will be 70. I as-

sure my constituents it is a long way away, but in fact it is in about 3 years.

What has happened to the institution in a half a century of my observations of it? If I go back to the old institution—that is, the institution that I knew in those years—appropriations bills were the least controversial of any bills. Appropriations bills passed without discussion, debate, or confusion. The institution assumed that the Appropriations Committee knew what it was doing. The major debates were over authorization bills. Once something was authorized, it was the duty of the appropriators to come up with a legitimate amount of money, and there was no attempt to saddle appropriations bills with controversial riders or amendments. It simply was not done.

The appropriations process was considered the most routine of any process that was carried on around here. Oh, there was partisanship in those days. There were bitter speeches, as the kind I have just described between Senator Douglas and Senator Millikin, but there was no attempt to use the rules of the institution to slow down the appropriations process for political benefit. It simply wasn't done. It was simply not considered acceptable in this institution. Now we do it. Now it happens. I can't put my finger on the turning point at which it happened, but I think I can identify one important point along the road, and it happened while I was in the Senate.

In 1995, a gentleman for whom I have utmost respect as a political tactician and strategist, Newt Gingrich, made a serious miscalculation. I remember discussing it with him sitting over in what is now the Lyndon Johnson Room, as he came over from the House to tell us in the Senate what they were going to do in the House.

They were going to deliver the coup de grace to the Clinton administration by forcing the President to accept a balanced budget agreement, and the reason they would force the President to do that is that they would use the appropriations process to put leverage on him.

I remember a number of us saying to him, "Well, Newt, what happens if the President doesn't cave?" He said, "What do you mean, if the President doesn't cave? This President not caving in? Are you kidding me?" He went down example after example where President Clinton had caved under pressure from the Congress. He said, "This will be the final example that we have taken control in the Congress, we have seized it from the executive branch, and we will make him a lame duck for the last 2 years of his term. This is the crucial moment at which the Congress demonstrates its power."

I asked, and a number of others asked, "Wonderful, Newt, but what if it doesn't work?" He said, "What do you mean, what if it doesn't work? Of course, it will work. What do you mean, what if he doesn't cave? Of course, he will cave."

Speaker Gingrich, in a massive miscalculation, set in motion a series of actions that ultimately ended up in a partial shutdown of the Federal Government. As the shutdown went on, we Republicans did our best to try to explain that it was all Bill Clinton's fault. We did our best to say it was all the responsibility of the administration. And the press did its best to tell everybody it was all our fault.

Ultimately, the Republican leader on this side, Bob Dole, stood here and said, "Enough is enough, we are going to put the Government back to work." Senator Dole's instincts were right, and Speaker Gingrich's instincts were wrong, and the Republicans paid an enormous electoral price for Newt Gingrich's mistake in the 1996 election. We frittered away our opportunity to win back the Presidency, and we saw our margins in the House of Representatives go down in that election.

I think that was a watershed event because I think the people in the White House discovered that if they could use the appropriations process to create a crisis that would be seen as a Government shutdown by the Republicans, they could get political advantage. The appropriations process has never been the same. The White House negotiators have been much tougher since that happened. The demands coming out of the White House have been much more significant, and the threat is: We will veto, we will veto, we will veto; the Government will shut down, and you Republicans will get blamed for it. You have to give us what we want.

We have seen the appropriations power move from the legislative branch to the executive branch, under the threat of a veto and the threat of a Government shutdown. That is a sea change in constitutional structure and a sea change in politics that has happened while I have been in the Senate. That is part of what is going on right now. Right now, under instructions from the White House, the Democrats are saying: Let us do whatever we can to get ourselves in a situation where we can rerun the movie of 1995 in the fall of 2000. Look at how it helped us in the election of 1996 to keep Bill Clinton in office. Look at how it will help us in 2000 to get AL GORE into office.

So an appropriations bill comes along: Let's do everything we can to slow it down. An appropriations bill comes on the floor: Let's do everything we can to increase the amount of debate time. We may end up voting for the appropriations bill, but that is not the point. It isn't a question of, do we vote for it or do we vote against it? It is a question of, how much can we slow it down so as to create the opportunity to rerun 1995 one more time? That is part of what is going on.

Another thing that is going on that you never would find in the old Senate—again, by "old Senate," I mean that time I saw during my father's 24 years here. It used to be that when the Senate voted on an issue, it passed or

it failed, and it was done with. If it came back to be voted on again on the part of those who had lost, it came back in a new Congress when there had been an election and, presumably, people changed their minds. It never was the case that something was voted on again, and again, and again, and again, and again, and again, and again, and again in the same Congress. They never used to do that. Certainly, they never used to do it with rollcall votes.

I remember when Lyndon Johnson was the majority leader—this story has been told many times, but it is worth recounting here—a Senator came to him with an amendment, and Johnson said, "Fine, we will accept it." The Senator said, "I want a vote." Johnson said, "No, you don't want a vote. We will accept it." "No, let's debate it and have a vote." So they debated it, and it was defeated, with Johnson voting against it and using his power as the majority leader to kill it. The Senator came to him and said, "You said you would accept this." Johnson said, "Yes, but you didn't let me. You insisted on wasting the time of the Senate to have a debate and a vote, and I am telling you, you don't do that anymore. You don't do that ever again." The Senator learned.

We have rollcall votes around here on everything. We will have a resolution to memorialize Mother's Day, and someone will ask for the yeas and nays, and we will spend a half hour voting, 100-0, and it slows everything down. Why do we do that? Well, maybe on Mother's Day we all want to be on record saying we are for Mother's Day. I will tell you why we do it—and, again, it is something that never would have been done 30 years ago. We do it to build a record for campaign purposes, not for legislative purposes.

The Senate has become a campaign-focused organization rather than a legislative-focused organization. I will give you my own experience with this. When I ran in 1998, my opponent stood up before the crowds, on television, whatever, and said, "Senator Bennett is pro-tobacco." Pardon me? "Absolutely. Look at his record. He voted with the tobacco interests 12 different times." I did? I was there. I didn't remember voting with the tobacco interests once. "No, he is lying about his record. Here it is."

Then we go into the web site where he has all of this listed under the fetching title, "What Senator Bennett Doesn't Want You To Know," and here is the list of all of my "pro-tobacco" votes. What were they? They were procedural votes, votes on motions to table, votes in support of the leader moving legislation forward.

On the one tobacco vote that counted, which was a cloture vote on Senator MCCAIN's bill, I was in the antitobacco forces; and, indeed, I had and used, during the campaign, letters thanking me for my strong antitobacco stand from the American College of Pe-

diatric Surgeons, et cetera, et cetera. All of the people who were involved in the tobacco fight knew I was on their side. They knew the process around here well enough to know these 12 votes about which my opponent was talking were meaningless as far as the real issue was concerned.

I will tell you what I said to him. We checked his FEC report, and I said to my opponent: You paid \$20,000 to a computer firm to research my voting record and come up with this list. I recommend you call them and get your money back because you wasted it. They gave you wrong information.

He said I was pro-liquor. He had a voting record that said I was in favor of alcohol. Pardon me? We got into it. We found out what the vote was that I supposedly cast that made me pro-alcohol. It had to do with Federal highway funds and the rights of the States to set their own levels of alcohol tolerance, and because I am in favor of States controlling that and voted against having the Federal Government dictate it, suddenly I had cast a pro-alcohol vote. He went on and on and on in this same vein.

I understand what is going on here. Amendments are not being offered for legislative purposes. Bills are not being called up for legislative purposes. Recorded votes are not being called for because someone wants to improve the legislation. Records are being built on issues that can be misrepresented as serious challenges to incumbents. They are being brought up again and again and again so that people can stand up in a campaign and say that the incumbent voted wrong 17 times. Lyndon Johnson would not have stood for it. Everett Dirksen would have had a quip about it that would make everybody laugh. But it is now the way things are done in this institution.

I said that I am responding to the suggestion of the Democratic leader that somehow what is going on here is destructive of the institution. I agree that what is going on is destructive of the institution. But I do not put it at the feet of the majority leader. I think it has historic roots that go back beyond this majority leader and that go back before the previous majority leaders. I don't know when it started happening, but we have come a long way from the day when the Senate would vote with a rollcall vote about 50 times in a session—that is how often my father voted on rollcall votes—a day when the Chamber would fill up to hear the debate because it was a significant vote. We have come a long way from that.

The institution has become primarily a campaign platform. Let us make no mistake about it. What is going on right now in the Chamber is all geared to November and not in any sense geared toward solving problems. It is not geared toward moving the Republic forward. It is all geared toward getting those multiple votes that a computer

can find and then put it on a web site that can be used in a campaign speech on the part of the challenger.

I agree with the Democratic leader that this cheapens the institution. I agree with the Democratic leader that it threatens the institution. But I disagree with him as to the solution.

I think all Senators need to back away from the idea that the primary purpose of being in the Senate is to give campaign speeches, and back away from the idea that the primary function of coming to the floor is to do things that will give you an advantage in November and so you can misrepresent and attack an incumbent. There is a time for partisanship, and there is a time to be very firm about the position that you take. But there is also a time to recognize that the institution is threatened if you let partisanship get out of hand.

It reminds me of the signature comment that comes to us out of the Vietnam War where, I believe, a captain was quoted as saying after a particular battle that it was "necessary to destroy the village in order to pacify it." If it is necessary to destroy the institution of the Senate in order to make it part of my party's control, I want no part of that activity. In my own campaign, I have refused to engage in negative advertising. I want no part of what I call "Carville-ism"; that is, the politics of personal destruction that has become so prevalent in the last 8 years. I want no part of it.

I remember a man saying to me: If you do not go negative, you will not win the nomination.

I said to him: The nomination is not worth it. I would rather retain my self-respect than gain a seat in the Senate. Fortunately, I have both.

I say to all of my colleagues on both sides of the aisle—because Republicans campaign just as vigorously as Democrats—let's stop using the Senate as an institution solely for campaign purposes. Let's stop using the rules of the Senate that can allow votes and that can call up amendments solely for the purpose of creating campaign records. Let's recognize that the purpose of the Senate is for legislation, not campaigning.

If we can do that, we will not get back to the days that I have described, but we will at least get towards them in the sense that this institution will survive, as we like to call it, "the greatest deliberative body in the world" and not "the greatest campaign forum in the world."

I thank the Chair for his patience. I thank my colleagues for their indulgence as I have taken this memory trip. But I hope that all of us will recognize that we have something to learn from the past and from the kind of institution this once was, and we have a responsibility to see to it that it does not degenerate into what it could be.

I yield the floor.

Mr. DASCHLE. Mr. President, I listened to Senator CRAIG's remarks

about Senator Mitchell's use of cloture in the 103d Congress. As to the cloture numbers the Senator mentioned, yes Senator Mitchell filed cloture 23 times on the first day of an item's consideration but what he failed to mention was that only one of those instances was on a bill. Let me repeat that—in only one instance in the entire 103d Congress did Senator Mitchell file cloture on the first day a bill was considered, and in that instance it was with the bill sponsor's permission. It was Senator ROCKEFELLER and the bill was product liability. In all but four of the other instances the Senate was not in an amendable situation, they were on motions to proceed, conference reports, or attempts to go to conference.

There were two instances where Senator Mitchell filed on amendments on their first day, the first was on Senator KENNEDY's substitute amendment to the national community service bill and the other was on the Mitchell-Dole Brady gun amendment, in each case a true filibuster was going to be waged. In other words members of the minority had indicated a willingness to try and kill the legislation by extended debate. This has not been the case this Congress', cloture is filed in attempt to stifle the ability of individual Senators to offer amendments and that is the crucial difference that I pointed out last week.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk 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 (Mr. BUNNING). Without objection, it is so ordered.

#### ORDER OF BUSINESS

Mr. LOTT. Mr. President, before we do the closing remarks, we are waiting to see if Senator DASCHLE has any remarks he would like to make at this point.

Just so Senators will be aware of the likely schedule this week, of course this is the week before the Memorial Day recess. We have a number of conferences that are completed or nearing completion, so we could have votes on a number of conference reports this week, including but not necessarily limited to bankruptcy reform, crop insurance, the satellite loan conference report, and the e-commerce digital signature conference report. Not all of those have been wrapped up, but we are hopeful that one or all four of those will be available during the process of the week's schedule.

We also are expecting to receive from the House early in the week the Agriculture appropriations bill. We had hoped to go to that bill tomorrow and then, of course, as soon as it was received from the House we would go to

the House-passed bill. If the House is not able to complete action on the Agriculture appropriations bill on Tuesday, then we will need to confer with the leadership on both sides of the aisle and decide exactly how we can go to that bill and have its consideration completed before the week is out. But I want to emphasize before we go home for Memorial Day, we must complete the Agriculture appropriations bill.

We are still hoping that the House will be able to act on the legislative appropriations bill and we will be able to complete action on it also before we leave.

So we will be having votes possibly into the night on Tuesday. We could very likely have a late session Thursday. Members should expect a session on Friday. If we are not through with the Agriculture appropriations bill, then we will keep going until we complete it. We could be in session Friday night or Saturday. This is work that has to be done. For reasons which I need not repeat at this point, we are behind schedule in getting that done. We need to complete it.

I am not going to propound a unanimous consent request at this time on nominations, but so everybody will know, we have now been discussing the possibility of an agreement to take up as many as 72 nominations. There may still be some objections to one, two, or three of those. Somewhere between 65 and 72 nominations have been offered by the majority that we could take up and consider. Most of them would be confirmed, without the need for debate, in wrapup or on a unanimous voice vote. In at least four or five cases, some time would be required, with regard to the FEC nominees and at least a couple judges, with recorded votes necessary on somewhere between four and six at the most.

We could complete up to as many as 72 nominations in the next 24 hours, including 16 new Federal judicial nominations. Again, three or four of those nominations for judgeships could require recorded votes, but I believe we could get them all done.

There has been objection from the minority. I discussed the situation with Senator DASCHLE this morning, and he is still working on it. We hope we can get this resolved shortly without having to spend the whole week just on nominations. This really should be done in 5 or 6 hours with five or six votes and the rest of them done without any objections. There are a variety of nominations: U.S. marshals, U.S. attorneys, IRS oversight board members; Administrator, drug enforcement; two National Transportation Safety Board members; one Nuclear Regulatory Commission member; eight various Department of State positions, including the special negotiator for chemical and biological arms control issues, and a number of other nominees.

I want it on the record that we are prepared to go to those at this point.