

U.S. TREASURY OPERATING CASH AND TOTAL PUBLIC DEBT: OCTOBER 1997–APRIL 2000—Continued

(In millions of dollars)

	Treasury operating cash: opening balance	Treasury operating cash: closing balance	Change	Total borrowing from the public: opening balance	Total borrowing from the public: closing balance	Change
Nov .....	47,567	6,079	-41,488	3,639,079	3,645,212	6,133
Dec .....	6,079	83,327	77,248	3,645,212	3,680,961	35,749
2000:						
Jan .....	83,327	62,735	-20,592	3,680,961	3,596,976	-83,985
Feb .....	67,735	21,962	-40,773	3,596,570	3,613,701	17,131
Mar .....	21,962	44,770	22,808	3,613,701	3,653,447	39,746
Apr .....	44,770	92,557	47,787	3,653,447	3,540,781	-112,666

Sources: U.S. Department of the Treasury, Monthly Treasury Statements, at <http://www.fms.treas.gov/mts/>.

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

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

### ORDER OF BUSINESS

Mr. LOTT. Mr. President, we are working with the managers of various pieces of legislation to determine the best way to proceed. Senator DASCHLE and I have been discussing how to proceed. We have had a very busy time over the past 8 days. We have had a lot of votes. We have completed a lot of work: The Department of Defense authorization bill—actually, we completed that with debate at night—the Interior appropriations bill today, the death tax elimination legislation last Friday, and the marriage tax penalty today.

The question is how to proceed at this point. We hope we can complete action on the foreign operations appropriations bill so it can go to conference, as we did yesterday on the legislative appropriations bill.

Our colleagues will recall, we did take that up but didn't complete it. We need to get that done so that can go to conference and the House and Senate conferees can begin working with the administration to get that important legislation passed. I know they have interest in it. We do, too.

We are also committed to getting four appropriations bills done before we go out for the August recess: Agriculture, which is, I believe, ready to proceed. The managers are in the area. Senator COCHRAN and Senator KOHL are in the area; The energy and water appropriations bill is ready to go when we complete Agriculture; Treasury-Postal Service will be ready next week, and Commerce-State-Justice.

That would be 11 appropriations bills. That would still leave the HUD-VA appropriations bill and the DC appropriations bill. But for a variety of reasons, we probably could not get those two done until some time in September, maybe even the middle of September anyway.

Now, there are other issues in which Senators are interested. We have been

discussing ways to proceed to them, or if we could proceed to them. We had discussed the possibility of going to the NCAA gaming issue. I discussed that with some of the advocates on this side of the aisle at noon today. I understand, in fact, we may not be able to proceed to that because we have to clear it with a lot of different Senators. But we will continue to look to see if we can find a way to have that legislation considered.

Senator DASCHLE will want to comment on a number of these things, and maybe ask questions, too.

We still have pending the Elementary and Secondary Education Act. We put about a week or more into that legislation. A lot of amendments have been offered and voted on. There is a feeling, I hope, on both sides of the aisle that we would still like to actually complete that legislation.

I would like to consider working on it and at some point proceed the way we did on the Defense authorization bill so we actually get it completed. I am going to talk more with Senator DASCHLE about that. He will want to consult, I am sure, with the ranking member on his side. I will want to consult with the chairman on our side, Senator JEFFORDS, and Senator CRAIG, and others who are involved in that.

I continue to urge the Judiciary Committee to make progress on judicial nominations. There are a number of nominations that have had hearings, nominations that are ready for a vote, and other nominations that have been pending for quite some time that should be considered.

I have discussed this matter regularly with Senator HATCH, including last Friday afternoon and, again, just briefly yesterday. I cannot make the Judiciary Committee vote. I cannot tell them who to vote on, but I can urge them to continue to work on those nominations that can be cleared and can be reported to the Senate.

I have been assured by the chairman that they are going to have a markup and report out some judges on Wednesday of this week or—I thought it was Wednesday. Has it been moved to Thursday? I thought it was 10 o'clock on Wednesday. But they are going to report out judges this week and have at least one more hearing before the August recess. They expect to report out another group of judges next week. In that group will be not only district judges but circuit judges. So I want to make that record clear.

With regard to the issue a lot of Senators are interested in, the China permanent normal trade relations issue, we have to finish the appropriations bills. But we are discussing now a procedure, which we can discuss, that would allow us to go ahead and proceed to it, take some action on it next week but recognize that because of the time that could be required in having to debate and file cloture on a motion to proceed, and other cloture motions that might be necessary, we would not be able to complete it and do the appropriations bills next week.

Also, I continue to have a desire to find a way for the Thompson-Torricelli issue to be considered, either free-standing or as an amendment. So we need to get that resolved before we actually move to proceed to the China PNTR bill.

But I can see, again, the possibility of doing some work on that free-standing at night or doing it as an amendment, or, of course, he may reserve his right and may, in fact, believe he has to actually offer it when we go to China PNTR.

So what I am proposing here—and I would like Senator DASCHLE to comment on it—is that we go ahead and complete action on the foreign operations appropriations bill, send it to conference; that we go to the Agriculture appropriations bill; that we then take up the other appropriations bills in this group—energy and water, Treasury-Postal Service, and CJS—but that we work to see if we can proceed at night, perhaps on Thursday, perhaps next Monday, on the Elementary and Secondary Education Act. I need to consult with Senators that have been involved in that from the committee—the chairman and others I mentioned—and Senator DASCHLE needs to do the same thing.

If we could get an understanding that we would work on all these, we would also entertain the idea of proceeding to the China PNTR legislation next Wednesday. I believe, as it now stands, I would have to file a cloture motion on that. That cloture, then, would ripen on Friday; I believe that would be the 28th of July, which would be the Friday that we would hope to go out for the August recess. That would be the final action, unless 30 hours had to be run off of it at that time. Then we would go back to that when we come back after the August recess in September. The positive effects of that

would be that we would show clearly we intend to go to this legislation.

We are going to work together to get these appropriations bills done. We are going to go to China PNTR. We are going to get over the first hurdle, recognizing that there are several other hurdles that could require quite a bit of time to complete.

But those are sort of the parameters of what Senator DASCHLE and I and others have been talking about.

I say to Senator DASCHLE, why don't I yield the floor so you can make comments on that and/or ask any questions.

Mr. MCCAIN. Mr. President, may I ask a brief question.

The majority leader discussed with me earlier, off the floor, about the possibility of bringing up the NCAA prohibition of betting on college sports. This bill was passed overwhelmingly through the committee after hearings. Every college coach in America is committed to this proposition that betting on college sports should stop.

I would allege there would be a vote of 98-2 in this Senate, if it came to a vote. It is something I think we could get done. I think we could get it done quickly. Every college coach in America, the most respected men and women in America, are saying that these young people are tempted by this gambling and by this betting.

It was a unanimous recommendation of the National Gaming Impact Study Commission. I hope that the majority leader and the Senator from South Dakota would enter into a time agreement so we could get this done and stop what every college coach in America is saying is an outstanding evil and temptation that needs to be removed from these young Americans who have been basically put in their charge.

I hope the majority leader will consider, in consultation with the Democratic leader, that we bring this bill up, get it passed, and get it on the President's desk.

Mr. LOTT. If I could respond to Senator MCCAIN's comments, as I indicated to him at lunch, I was prepared and am prepared to move to proceed to that issue. I understand perhaps there may be objection to proceeding. I had hoped maybe we could get an agreement to go ahead and proceed. But we can call it up, and if there is objection, there is objection. We will have to deal with it at that point.

Of course, one option is to file cloture to try to overcome that objection. But we would have to factor in the time that would take and how that would play in all these other issues we are trying to balance.

Senator DASCHLE and I thought maybe we could go to it, but we have an obligation. Just like I had to talk to Senator MCCAIN, I need to talk to Senator BROWNBACK. He has Senators he needs to talk to. I believe—I do not want to speak for him—he indicated he thought perhaps there would be an objection to proceeding. We did not think

that was the case as early as 11 o'clock today. We will continue to work with the Senator because I am committed to working with him and Senator BROWNBACK to find a way for this issue to come up and be considered. If we can ever get it to a vote, I think the Senator is right; it is going to pass overwhelmingly.

Mr. DASCHLE. Mr. President, I associate myself with the remarks of the majority leader in regard to the NCAA bill. I think there is broad support for it. But I also recognize that every Senator is within his or her rights to object and to prolong consideration of any bill for whatever length of time the rules might allow.

We have colleagues on this side of the aisle who have indicated to me that is their intention. I know we have to take that into account as we schedule legislation for the balance of this work period. I will certainly work with the distinguished chair of the Commerce Committee and the majority leader to find a time, either through an amendment or through a freestanding bill, to bring it up.

Senator LOTT has articulated very clearly the discussions he and I have had over the last hour or so. He has expressed the desire to me—not only to me, to the Senate on several occasions—that we finish at least 11 appropriations bills. I have indicated my hope that we could accommodate that kind of schedule, even though we recognize the disruptions in the schedule, even tomorrow, necessary disruptions. I think it is accomplishable. I would like to work with him to attempt to try to resolve these matters. I have indicated to him that a number of colleagues on this side of the aisle have indicated to me that in order for us to do that there would be a need to address a number of other issues.

The majority leader has identified each of those issues and responded just as we discussed. It is my understanding that there will be a markup in the Judiciary Committee on future judicial nominations. I hope, as the majority leader has indicated, it will include both circuit and district judges. It is my understanding that is likely to occur. He has also now indicated that we will get another batch of them done next week and that a mix of circuit and district judges is also anticipated. I am very pleased with that information and commend him for his efforts to move this process along. He has operated in extraordinarily good faith in working with me to try to move these nominations along. I know it is not easy. It is very difficult. But he has certainly been a major factor in getting us to this point.

We have again indicated the desire, as we have on several occasions, to bring up PNTR, at least through a motion to proceed beginning next Wednesday. I subscribe to his suggestion or his proposal that would allow us to vote on cloture on the motion to proceed on Friday. We would then have 30 hours of

debate. Senators who wish to discuss the matter beyond the vote or perhaps preceding the vote would certainly be entitled to do so. We could have the vote either on Friday or immediately after we come back. That would accommodate at least overcoming one major hurdle. I applaud him for approaching the issue in that way.

Third, we have discussed on several occasions on the floor our hope and desire that we can use the dual track that worked very successfully in accommodating Senators' needs to address a number of issues but also in finishing legislation, as we did with the Defense authorization bill. There came a point when we had exhausted the amendment process and rightfully brought the issue to closure. I hope, as Senator LOTT has noted, that we might be able to do that with ESEA as well. It is important for us to resume this dual track. I am very pleased with the majority leader's commitment to continue a dual-track process over the course of the next couple of weeks. We have the opportunity to get a lot of work done—work on appropriations bills, work on judges, work on PNTR, and work on ESEA—as a dual-track vehicle with which we can work to offer other amendments. I am pleased with our discussions and hope we can proceed with that understanding.

I, again, thank the majority leader for his willingness to work with us and accommodate all of these important matters.

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Senator from Montana.

Mr. BAUCUS. Mr. President, I compliment both leaders. This is incredibly complex, all of the scheduling. We have had lots of conversations. Every Senator in this body has had conversations with both of them, and I know they are trying to do their very best to work all this out. Not getting into any specific item, I am appreciative of the tone and nature of the conversation I have just heard and of the items mentioned. As one Senator, I wanted to tell them how much I appreciate their working together to get these things up along the lines they have outlined.

Mr. LEVIN. Will the majority leader yield?

The PRESIDING OFFICER. The majority leader is recognized.

Mr. LOTT. Mr. President, I am glad to yield to the Senator from Michigan.

Mr. LEVIN. Mr. President, I add my thanks to the two leaders for their efforts. We watch them with admiration as they seek to work through these multiple challenges. We have had many discussions concerning one of the items about which they talked. I just couldn't sit here without adding my gratitude to both of them.

Mr. LOTT. I thank the Senator.

Let me note, for instance, the types of things we do need to accommodate. The Senate tomorrow will want to accommodate Senators wishing to attend the services for Senator Pastore, a

great Senator from the State of Rhode Island. A delegation will be attending those services tomorrow morning. We will continue to work, but we will withhold the votes or stack the votes, if any are required, until the afternoon at 2 or 2:30. I don't know exactly what time it would be, but I know Senator COCHRAN would want to do that. That is the kind of situation we have to try to accommodate. We can't always dictate how we will proceed because we want to do this in memory of a Senator who served in this body for many years.

We will continue to act in good faith to try to make sure Senators' wishes are known and accommodated. We may not be able to get them all worked out. As to the NCAA gaming, I thought maybe we could move to proceed to that without objection, but there may be a legitimate one. I had promised a couple of Senators we would make sure they knew of that.

I will also need to talk to Senators about the best night that we could do some work on ESEA. Senator DASCHLE will want to do the same in view of that.

Mr. DASCHLE. Mr. President, if the majority leader will withhold, 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. 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.

Mr. LOTT. I understand there may be some clarification that needs to be completed before we can proceed to the appropriations bill for Agriculture.

#### FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2001.

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to consideration of H.R. 4811, the House-passed foreign operations appropriations bill. I further ask unanimous consent that all after the enacting clause be stricken and the text of S. 2522, as amended, be inserted in lieu thereof, the bill be read the third time and passed with the motion to reconsider laid upon the table.

The bill (H.R. 4811), as amended, was read the third time and passed, as follows:

*Resolved*, That the bill from the House of Representatives (H.R. 4811) entitled "An Act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes," do pass with the following amendment:

Strike out all after the enacting clause and insert:

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:*

#### TITLE I—EXPORT AND INVESTMENT ASSISTANCE

##### EXPORT-IMPORT BANK OF THE UNITED STATES

*The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program for the current fiscal year for such corporation: Provided, That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act that has detonated a nuclear explosive after the date of the enactment of this Act.*

##### SUBSIDY APPROPRIATION

*For the cost of direct loans, loan guarantees, insurance, and tied-aid grants as authorized by section 10 of the Export-Import Bank Act of 1945, as amended, \$768,000,000 to remain available until September 30, 2004: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such sums shall remain available until September 30, 2019 for the disbursement of direct loans, loan guarantees, insurance and tied-aid grants obligated in fiscal years 2001, 2002, 2003, and 2004: Provided further, That none of the funds appropriated by this Act or any prior Act appropriating funds for foreign operations, export financing, or related programs for tied-aid credits or grants may be used for any other purpose except through the regular notification procedures of the Committees on Appropriations: Provided further, That funds appropriated by this paragraph are made available notwithstanding section 2(b)(2) of the Export Import Bank Act of 1945, in connection with the purchase or lease of any product by any East European country, any Baltic State or any agency or national thereof.*

##### ADMINISTRATIVE EXPENSES

*For administrative expenses to carry out the direct and guaranteed loan and insurance programs, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed \$25,000 for official reception and representation expenses for members of the Board of Directors, \$58,000,000: Provided, That necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the collection of moneys owed the Export-Import Bank, repossession or sale of pledged collateral or other assets acquired by the Export-Import Bank in satisfaction of moneys owed the Export-Import Bank, or the investigation or appraisal of any property, or the evaluation of the legal or technical aspects of any transaction for which an application for a loan, guarantee or insurance commitment has been made, shall be considered nonadministrative expenses for the purposes of this heading: Provided further, That, notwithstanding subsection (b) of section 117 of the Export Enhancement Act of 1992, subsection (a) thereof shall remain in effect until October 1, 2001.*

##### OVERSEAS PRIVATE INVESTMENT CORPORATION

##### NONCREDIT ACCOUNT

*The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, such expenditures and commitments within the limits of funds available to it and in accordance with law as may be necessary: Provided, That the amount available for administrative ex-*

*penses to carry out the credit and insurance programs (including an amount for official reception and representation expenses which shall not exceed \$35,000) shall not exceed \$38,000,000: Provided further, That project-specific transaction costs, including direct and indirect costs incurred in claims settlements, and other direct costs associated with services provided to specific investors or potential investors pursuant to section 234 of the Foreign Assistance Act of 1961, shall not be considered administrative expenses for the purposes of this heading.*

##### PROGRAM ACCOUNT

*For the cost of direct and guaranteed loans, \$24,000,000, as authorized by section 234 of the Foreign Assistance Act of 1961 to be derived by transfer from the Overseas Private Investment Corporation noncredit account: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such sums shall be available for direct loan obligations and loan guaranty commitments incurred or made during fiscal years 2001 and 2002: Provided further, That such sums shall remain available through fiscal year 2010 for the disbursement of direct and guaranteed loans obligated in fiscal years 2001 and 2002: Provided further, That in addition, such sums as may be necessary for administrative expenses to carry out the credit program may be derived from amounts available for administrative expenses to carry out the credit and insurance programs in the Overseas Private Investment Corporation Noncredit Account and merged with said account.*

##### FUNDS APPROPRIATED TO THE PRESIDENT

##### TRADE AND DEVELOPMENT AGENCY

*For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, \$46,000,000, to remain available until September 30, 2002: Provided, That the Trade and Development Agency may receive reimbursements from corporations and other entities for the costs of grants for feasibility studies and other project planning services, to be deposited as an offsetting collection to this account and to be available for obligation until September 30, 2002, for necessary expenses under this paragraph: Provided further, That such reimbursements shall not cover, or be allocated against, direct or indirect administrative costs of the agency.*

#### TITLE II—BILATERAL ECONOMIC ASSISTANCE

##### FUNDS APPROPRIATED TO THE PRESIDENT

*For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other purposes, to remain available until September 30, 2002, unless otherwise specified herein, as follows:*

##### AGENCY FOR INTERNATIONAL DEVELOPMENT

##### DEVELOPMENT ASSISTANCE

##### (INCLUDING TRANSFER OF FUNDS)

*For necessary expenses to carry out the provisions of sections 103 through 106, and chapter 10 of part I of the Foreign Assistance Act of 1961, and title V of the International Security and Development Cooperation Act of 1980 (Public Law 96-533), \$1,368,250,000, to remain available until September 30, 2002: Provided, That of the amount appropriated under this heading, up to \$14,400,000 may be made available for the African Development Foundation and shall be apportioned directly to that agency: Provided further, That of the funds appropriated under this heading, not less than \$425,000,000 shall be made available to carry out the provisions of section 104(b) of the Foreign Assistance Act of 1961: Provided further, That none of the funds made*