

ever gets everything they want in a package. Senator KERRY showed that Democrats are willing to bend over backward to be bipartisan in areas such as small business. But on a number of issues that concern this Senator, there has not been that level of bipartisanship. I am compelled to object and will need to speak at some length this morning on the several issues that are important to me.

Mr. LOTT. If the Senator will withhold a second, I think the way I had asked for that consent is that he would be recognized immediately following Senator GRAMM. I was trying to ascertain how much time he might need.

Mr. WYDEN. If the majority leader will yield further, I am going to need the time that I intend to consume because one of the issues I am going to talk about is one of the most sensitive bioethical decisions of our time. It was stuffed into this legislation a little before midnight, when a handful of conferees were meeting, and has never been considered on the floor of the Senate.

Mr. LOTT. Mr. President, I appreciate the Senator's explanation. I yield to the Senator from Massachusetts for a question.

Mr. KERRY. Mr. President, with respect to the request, we would be happy to try to cooperate in terms of order and allowing people to speak. I am constrained on behalf of the minority leader not to agree at this point to some kind of limitation on time for our colleagues. If we could perhaps agree to this: I did want a couple of moments as manager to respond to the majority leader's comments. I will not take a long time at all. I know the Senator from Texas has been here and wants to speak. I think it would be fair to perhaps establish an order. If the Senator from Texas wants to live with the time, fine; I know the Senator from Oregon is not prepared to at this moment in time. We can at least establish an order.

Mr. LOTT. I wonder if we could do this: Maybe if the Senator from Massachusetts would like a couple minutes to respond, I think that is fair because he has some comments to respond to what I had to offer. Then we could go ahead and have a vote on an issue on which we need to proceed. Then when that is over or during that vote, we can work on an order to make sure everybody has a chance to be heard, the time that they need to speak, and we can continue on, having had one vote disposed of.

Mr. KERRY. Mr. President, again, on behalf of the minority leader, I would be constrained to object.

Mr. WYDEN. Mr. President, I object.

HIGH SPEED RAIL INVESTMENT

• Mr. HELMS. I commend the able Senator from Delaware (Mr. ROTH) for including the High Speed Rail Investment Act in this tax package. I'm glad he agrees that we need to develop a national intercity passenger rail system.

Mr. ROTH. I thank the Senator from North Carolina (Mr. HELMS) for his sup-

port for these provisions. Intercity passenger rail service is a key element of our Nation's multi-model transportation system.

Mr. HELMS. As the Senator from Delaware knows, the Southeast High Speed Rail Corridor, designated in title 23 U.S.C., Section 104(d)(2), is a vital part of the national transportation system. Within the corridor the Charlotte-Greensboro-Raleigh segment plays a crucial and essential role in linking the Northeast Corridor with other corridors.

New modern world class stations in Raleigh and Charlotte as well as rail infrastructure investments linked to the Greensboro station will enhance the safety and efficiency of the system. It is my understanding that station investments are directly eligible projects under the proposed legislation.

Mr. ROTH. You are correct. Station projects such as those you described on the Charlotte-Greensboro-Raleigh line are important examples of critical investments envisioned in this legislation.

Mr. HELMS. I thank the Chairman and commend him for his leadership. •

Mr. LOTT. Mr. President, I now withdraw the motion to proceed to S. 2557.

The PRESIDING OFFICER (Mr. L. CHAFEE). The motion is withdrawn.

BANKRUPTCY REFORM ACT OF 2000—MOTION TO PROCEED

Mr. LOTT. Mr. President, I move to proceed to the conference report to accompany H.R. 2415 regarding the Bankruptcy Reform Act, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The legislative clerk called the roll.

Mr. FITZGERALD (when his name was called). Present.

Mr. NICKLES. I announce that the Senator from Missouri (Mr. ASHCROFT), the Senator from Montana (Mr. BURNS), the Senator from Minnesota (Mr. GRAMS), the Senator from North Carolina (Mr. HELMS), the Senator from Arizona (Mr. MCCAIN), and the Senator from Pennsylvania (Mr. SANTORUM) are necessarily absent.

I further announce that, if present and voting, the Senator from North Carolina (Mr. HELMS) would vote "yea."

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Illinois (Mr. DURBIN), the Senator from California (Mrs. FEINSTEIN), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

I further announce that, if present and voting, the Senator from Delaware (Mr. BIDEN) and the Senator from Illinois (Mr. DURBIN) would each vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 87, nays 1, as follows:

[Rollcall Vote No. 288 Leg.]

YEAS—87

Abraham	Feingold	McConnell
Akaka	Frist	Mikulski
Allard	Gorton	Miller
Baucus	Graham	Moynihan
Bayh	Gramm	Murkowski
Bennett	Grassley	Murray
Bingaman	Gregg	Nickles
Bond	Hagel	Reed
Boxer	Harkin	Reid
Breaux	Hatch	Robb
Brownback	Hollings	Roberts
Bryan	Hutchinson	Roth
Bunning	Hutchison	Sarbanes
Byrd	Inhofe	Schumer
Campbell	Inouye	Sessions
Chafee, L.	Jeffords	Shelby
Cleland	Johnson	Smith (NH)
Cochran	Kennedy	Smith (OR)
Collins	Kerrey	Snowe
Conrad	Kerry	Specter
Craig	Kyl	Stevens
Crapo	Landrieu	Thomas
Daschle	Lautenberg	Thompson
DeWine	Leahy	Thurmond
Dodd	Levin	Torricelli
Domenici	Lincoln	Voinovich
Dorgan	Lott	Warner
Edwards	Lugar	Wellstone
Enzi	Mack	Wyden

NAYS—1

Kohl

ANSWERED "PRESENT"—1

Fitzgerald

NOT VOTING—11

Ashcroft	Feinstein	McCain
Biden	Grams	Rockefeller
Burns	Helms	Santorum
Durbin	Lieberman	

The motion was agreed to.

BANKRUPTCY REFORM ACT OF 2000—CONFERENCE REPORT

The PRESIDING OFFICER. The clerk will report. The assistant legislative clerk read as follows:

The Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate on the bill H.R. 2415, an Act to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes, having met, have agreed that the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, and the Senate agree to the same, signed by a majority of the conferees on the part of both Houses.

The PRESIDING OFFICER. The Senate will proceed to the consideration of the conference report.

(The report was printed in the House proceedings of the RECORD of October 11, 2000.)

Mr. LOTT. Mr. President, I ask the minority, and I am sure Senator KERRY is prepared to respond to this, if they are in a position to set a vote on the pending bankruptcy conference report after an hour or two of debate. I yield the floor for a response to that question from the Senator from Massachusetts on behalf of the leadership.

Mr. KERRY. Mr. President, on behalf of the leader, at this time I have to object.

Mr. LOTT. I certainly expected that. I know there are Senators who do object to that. This is very important legislation which needs to be enacted into the law. I appreciate the procedural cooperation we have had.

The bill has been debated for weeks, and many amendments have been offered on both sides. Minimum wage was offered, as a matter of fact, to this bill while it was pending on the Senate floor, but minimum wage now is going to be put in the tax relief package we have been discussing.

The bankruptcy bill ultimately passed by a vote of 83-14, so I will file cloture on this bill probably Sunday or Monday so we can get to a cloture vote and complete its action.

#### NATIONAL ENERGY SECURITY OF 2000—MOTION TO PROCEED—Continued

Mr. LOTT. Mr. President, I now move to proceed to S. 2557.

#### MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2001

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now turn to the continuing resolution, H. J. Res. 117, that no motions or amendments be in order, and the time between now and 3:15 p.m. be equally divided between the two leaders. I also ask unanimous consent that the vote occur on adoption of H.J. Res. 117 at 3:15 p.m. and paragraph 4 of rule XII be waived.

The PRESIDING OFFICER. Is there objection?

Mr. KERRY. Mr. President, no objection.

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

Mr. LOTT. Therefore, the next vote will occur at 3:15 this afternoon.

Mr. President, for the information of Senators who are interested in the schedule, it is expected that the vote at 3:15 p.m. will be the last vote of the day. However, at this time, in view of the need for continuing resolutions, unless some different agreement can be worked out, we will be expected to have votes on Saturday and on Sunday with continuing resolutions.

Of course, there is serious work underway right now on the matters of disagreement. I note Saturday is the sabbath for a number of our colleagues and for observant Jews, and Sunday is my sabbath. I prefer we get a CR that will take us to Monday while we continue to work, but we have not been able to enter into that agreement yet. If necessary, we will be here and voting on CRs on Saturday and on Sunday. It is my expectation that vote will come late in the afternoon or early evening on Saturday.

Also, again, Senator STEVENS from the Appropriations Committee and the appropriators are meeting right now on the final details of the Labor-HHS bill.

There is also some discussion about how we can move some of the problem issues out of the CSJ bill that has been reported out of conference and passed by the House. Corrections or changes, if agreed to, could be entered into the Labor-HHS bill.

I do want you to know the appropriators are busily working in their magical way, and I am sure at sometime a cone of honey will be produced, or maybe that is the wrong terminology to use, but they are getting closer to agreements. I hope it is something that can be signed, or I hope it is something I can vote for, too. Both of those are undetermined at this point. I know Senator KERRY wants to make further comments about an earlier issue. We now have 3 hours and 15 minutes to talk about the CR or other issues Senators wish.

Mr. STEVENS. Will the Senator yield for a moment?

Mr. LOTT. I will yield since I invoked the name of the distinguished chairman of the Appropriations Committee.

Mr. STEVENS. My name came up as a magician. I am Aladdin. I rub the lamp.

Mr. LOTT. Very good. That is right, and I hope you will start rubbing it very fast.

Mr. STEVENS. I am supposed to bring you out of the lamp.

Mr. LOTT. All right.

Mr. STEVENS. Mr. President, I have to inform the Senate that if we finish the Health and Human Services bill today—we are in good-faith negotiations, and we expect to be quite late today—that bill could not be finished in terms of its reading out and printing and being available to both sides until Monday afternoon at the earliest.

I hope we can get some consideration from the administration and from everyone to understand that. We would have two sessions—one on Saturday and one on Sunday. Some people work on their sabbath and some people do not. We have a staff who will be working, in spite of that, around the clock to read the legislation. There are some 40 pieces of legislation, in addition to the bill itself, that will be in the Health and Human Services bill; at least that will be our recommendation.

I urge that somehow or another I be allowed to offer an amendment to this continuing resolution and make it Tuesday night. I have told the White House and OMB that there is no way, even if we finish tonight, that we can take it up tomorrow or take it up Sunday. We will not be able to take it up until Monday night. The White House should know that, OMB should know that, and I hope the minority agrees with us.

We cannot vote on this bill, the major wrapup piece of legislation, until, at the earliest in the Senate, Tuesday. The House may be able to vote on it Monday night. To argue over a CR that takes us to tomorrow and to argue over one that takes us to Sunday

and one that takes us to Monday, when there is nothing we can do about finishing up this Congress, is just demonstrating our inability to deal with reality.

I hope the leader will allow me some time today to offer a motion to amend that CR and make it Tuesday. I have discussed it with the House, and they are in session. They can adopt it and send it to the President. Somehow or another, this idea we can only go day to day and we can produce something tomorrow that we have not finished today, when we have just one bill left which itself cannot be finished until Monday night, I think is foolhardy. I am prepared to challenge the President and all of his people to come to reality.

The discussions are being held with his people. If we do not finish them tonight, we will finish them tomorrow. If we do not finish them until tomorrow, it will be Tuesday morning before it is read out.

Maybe people do not understand what we do. Each side has a copy of the final provisions. Each reads it through, and we call in the people from the committees involved to be sure the provisions are correct. Then we get together and our staffs read it together, and each makes certain the other has not made any changes in it. And that will not be finished. It will take at least 20 hours of reading to do that. It will not be finished until Monday night.

Mr. LOTT. Mr. President, I say to the Senator from Alaska, we do not quite know what the appropriators do. I am not sure we really want to. We wish you the best because at least all of our schedules are in your hands, if not our lives. But I think what the Senator is saying is eminently reasonable. I urge you to get Senator BYRD to discuss that with the leadership on the other side, and if you talk with Senator REID, we will communicate with the administration and hopefully maybe by 3:15 p.m. we can take that reasonable action. I certainly would support it. But we have to get an agreement.

I yield the floor.

Mr. KERRY. Mr. President, if I may respond, I am confident the leader on our side wants to be as reasonable as possible. The issue on our side has been, as we said earlier, the level of progress, No. 1, and No. 2, the question of inclusivity.

What the chairman just said suggests there is a lot more inclusivity, and I presume reasonable minds will prevail at an appropriate time. A judgment has to be made by the administration and the minority leader with the level of progress. I am confident that will happen.

If I may continue, Mr. President, for a moment. Would it be appropriate at this point in time—Senator WYDEN has been waiting for a long time; I know the Senator from Texas has been waiting. I want to make a few comments yielding myself time off our time for a brief moment—I will be brief—at which point, may we have a unanimous consent agreement?