

on Agriculture, Nutrition, and Forestry will meet on November 6, 7, and 8, 2001, in SR-328A at 8:30 a.m. The purpose of these business meetings will be to continue discussion on the next Federal farm bill.

COMMITTEE ON ENERGY AND NATURAL  
RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a nomination hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will take place on Wednesday, November 14, at 9:30 a.m. in room 366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the nomination of Kathleen Clarke to be Director of the Bureau of Land Management, Department of the Interior.

Those wishing to submit written testimony for the hearing record should e-mail it to *Sam\_Fowler@Energy.Senate.Gov* or fax it to 202-224-9026.

For further information, please call Sam Fowler on 202/224-7571.

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Subcommittee on Public Lands and Forests of the Committee on Energy and Natural Resources.

The hearing will take place on Wednesday, November 14, beginning at 2:30 p.m. in room 366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the investigative report of the Thirtymile Fire and the prevention of future fire fatalities.

Because of the limited time available for the hearing, witnesses may testify by invitation only. Those wishing to submit written testimony for the hearing record should e-mail it to *shelley\_brown@energy.senate.gov* or fax it to 202-224-4340.

For further information, please contact Kira Finkler of the committee staff at (202) 224-8164.

AUTHORITY FOR COMMITTEES TO  
MEET

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Monday, November 5, 2001, at approximately 6:15 p.m., following the first vote of the day, for a business meeting to consider the nomination of Mark W. Everson to be Controller, Office of Federal Financial Management, Office of Management and Budget.

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

DISCHARGE AND REFERRAL—S.  
1586

Mr. REID. Mr. President, I ask unanimous consent that the Energy Com-

mittee be discharged from further consideration of S. 1586, and the measure then be referred to the Committee on Environment and Public Works.

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

ORDERS FOR TUESDAY,  
NOVEMBER 6, 2001

Mr. REID. Madam President, I ask unanimous consent that the previous order regarding the convening hour of the Senate, on Tuesday, November 6, be changed to 2:15 p.m.; that there be 15 minutes of debate equally divided between Senators DASCHLE and LOTT or their designees in relation to the Daschle-Kennedy collective bargaining amendment to the Labor-HHS Appropriations Act prior to a 2:30 p.m. cloture vote on the amendment; further, that the remaining provisions of the previous order remain in effect.

The PRESIDING OFFICER (Mrs. CLINTON). Without objection, it is so ordered.

PROGRAM

Mr. REID. Madam President, as a reminder, notwithstanding the convening hour of the Senate on Tuesday, second-degree amendments to the Daschle-Kennedy amendment must be filed prior to 1 p.m.

I say to those within the sound of my voice, both parties will still have their usual Tuesday caucuses from 12:30 p.m. to 2:15 p.m. There is a lot of other Senate business that can be conducted prior to the 2:30 vote.

ORDER FOR ADJOURNMENT

Mr. REID. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order, with the exception that Senator NICKLES be allowed to speak for up to 12 minutes and the Senator from Tennessee, Mr. THOMPSON, be allowed to speak for up to 12 minutes.

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

The Senator from Oklahoma.

Mr. NICKLES. Madam President, I thank the Chair and my colleague, Senator REID, for his cooperation.

THE DASCHLE-KENNEDY AMENDMENT TO LABOR-HHS APPROPRIATIONS

Mr. NICKLES. Madam President, tomorrow, at 2:30 p.m., the Senate will vote on the Daschle-Kennedy amendment which deals with collective bargaining for municipal employees. I say "municipal employees," meaning public safety employees in the States.

I used to be a State legislator. I was in the State senate for 2 years. We dealt with collective bargaining in my State. Almost every State has dealt

with that issue. Some States prohibit collective bargaining for police, firefighters, sheriffs, and emergency personnel. Most States allow it.

But I am looking at the legislation that Senator KENNEDY and Senator DASCHLE are trying to put on the Labor-HHS appropriations bill, and they go a lot further than most of the States.

Then I think, wait a minute; one, we are not supposed to legislate on appropriations bills. We passed a rule, Senate rule XVI, saying we are not going to legislate on appropriations bills. This is clearly legislation on an appropriations bill. It is brand new legislation creating a new title. It says this title may be cited as the "Public Safety Employer-Employee Cooperation Act of 2001." It is brandnew legislation. It is dealing with collective bargaining on public safety employees. It does not belong on this bill. It has been reported out of the Labor Committee.

Senator DASCHLE is the majority leader. He can call it up at any time. It should not be on an appropriations bill. I checked the parliamentary procedures, and I was told the Parliamentarian would say there is underlying language in the House bill, so maybe it would be germane, and therefore we would have a vote on germaneness. In other words, it is OK to legislate on this appropriations bill. I do not agree with the result, but, anyway, the net result is, we are talking about legislating on dealing with collective bargaining that almost all the States do. Why are we doing it on the Federal level?

I read the Constitution and the 10th amendment to the constitution says:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Why is the Federal Government getting ready to do something that it has never done? We are going to take over what the States and what the cities have done. We are going to dictate collective bargaining rights; there is a whole series of rights. I do not disagree with any of them particularly; I just think it should be done by the State, not by the Federal Government.

I have no problem if firefighters or police or sheriffs or emergency personnel want to organize within the States' laws. Great. Most of them do. Most States have some collective bargaining rights. Fine. But it should not be a Federal statute. It should not be a Federal cause of action. There should not be things in this legislation that most States do not have.

There is language in this bill that most States are not aware of and most individual Senators, who may have said they would support this amendment, are not aware of. There is requiring an interest impasse resolution mechanism, such as fact-finding, mediation, arbitration, or comparable procedures.

I will tell you, as State legislators, we fought for a long time on whether