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open-ended set of rules have a number of strategies, if one wants to slow the process down, which are not remedied by the cloture rule itself. I think there are two fallacies from the Maxwell argument that I heard. Number one, I don't regard the system as being broken by the evidence of the special session. I regard that as a failure of will on the part of the body to exercise normal decision making, I think, but that's certainly up for grabs. But the second place where I think it fails is this. It assumes that the way to make the process work so that the majority rules in a timely fashion is by curing the cloture rule, and in my estimation it doesn't. What you've taken...if the problem is the length of time that we spend on various issues, it will not be...that problem will not be solved by tinkering with the cloture motion. It will simply mean, go to the rule book and look for another alternative path to the same end. And because the rule book is so thin, and because it starts with the notion of deliberation, making the perfect cloture rule will not save us.

SENATOR CUDABACK: One minute.

SENATOR LANDIS: There is a relatively simple rule that would be helpful, and that would be to vest the Chair with essentially the decision to what is in order and out of order, and make that based on what it is dilatory or not. But I doubt if we'll do that. My suggestion is this. (Laugh) Actually, my suggestion is, we'd probably do just as well without a cloture rule as we would with one. I've experienced life before the cloture rule and after the cloture rule, and the cloture rule has not shortened debate; it has lengthened debate. That's the net effect of it. And secondly, if you weren't going to do away with the cloture rule, you'd probably leave it where it is. Because my guess is that this will simply unleash a torrent of vituperation and ill will, by trying to make a rule itself which doesn't work well solved by one particular change which doesn't get to the real underlying problem of the cloture rule. And we've all tried...as a matter of fact, the cloture rule has been changed...

SENATOR CUDABACK: Time.