

|           |             |           |
|-----------|-------------|-----------|
| Moynihan  | Reid        | Snowe     |
| Murkowski | Robb        | Specter   |
| Murray    | Rockefeller | Stevens   |
| Nickles   | Roth        | Thomas    |
| Nunn      | Santorum    | Thompson  |
| Packwood  | Sarbanes    | Thurmond  |
| Pell      | Shelby      | Warner    |
| Pressler  | Simpson     | Wellstone |
| Pryor     | Smith       |           |

## NOT VOTING—2

Bennett Simon

So the amendment (No. 1853) was agreed to.

Mrs. KASSEBAUM. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. KENNEDY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

UNANIMOUS-CONSENT REQUEST—  
S. 908

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate turn to the consideration of S. 908, the State Department reauthorization bill, immediately following the disposition of S. 641, the Ryan White bill.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Mr. President, I object. Let me just respond.

I was under the impression that we had an agreement that following the disposition of the Ryan White Act, we would go back to the legislation relating to gifts. That has been everyone's understanding. I am hopeful that we can do that. I think we are very close. I think we could work under a time agreement.

I had the opportunity to talk to a number of those who have been actively involved in the negotiations, and I think progress is being made. So there is really absolutely no reason at this point to move on to other legislation until we resolve that. I hope that all our colleagues will understand that and will persist in keeping to the schedule that everyone was working under the assumption we would have, beginning with the disposition of the Ryan White Act.

Mr. LOTT. Mr. President, if I might respond to the distinguished minority leader's comments, there is a lot of work underway on the gift rule issue. I think progress is being made. There are a couple of different packages that are out there, with some potential amendments pending. I do not think that we have come to closure on that, although we are continuing to work in a bipartisan way, and we have meetings later on tonight to see exactly where we are.

We would like to get some sort of understanding about what the procedure would be for it to come up. I think we are getting there, but I do not think we are quite ready to go to the gift rule issue yet. It may be that tomorrow we will be. I think the leader would like to

do that, intends to do that before this week is out, and we will continue to move in that direction.

In order for us to make sure that we have legislation ready to go, we need to make this effort. But in view of the objection—

Mr. DASCHLE. Mr. President, if I can respond briefly, and I appreciate the explanation given by the Senator from Mississippi, I suspect what this means is there will be cloture motions filed. Frankly, I think the message that that sends is not the one that many of us would really like to see.

No one is holding up State Department authorization. No one is holding up foreign aid appropriations. No one is holding up any legislation of which I am aware. So to lay down cloture motions under these circumstances seems to me, first, premature, and then second, in violation of what I thought was an understanding we had on both sides that we would go to gifts.

There was not any axiom to that, any corollary that said it was only if we had some agreement about the procedure or about amendments that we would return to gifts. The issue was, would we do gifts and lobbying together this week? The answer was, yes, we were going to do that. Now we do not have that understanding. It is a violation, certainly, of the understanding that we have had on both sides.

So I am very disappointed, frankly, that the majority has seen fit to file cloture motions prior to the time we even have any appreciation as to whether or not there are objections to the bills themselves or even going to the bills. There are none, to my knowledge.

Mr. LOTT. Mr. President, I would like to say as one who has been actively involved in trying to move these negotiations along this week and feeling we made great progress and actually came to conclusion on a unanimous vote on a lobby reform bill—I wonder how many people would have thought that was possible 1 week ago. We did it.

We are now working feverishly to try to come to a reasonable agreement on the gift rule issue. There is no intent to not keep commitments, and the fact is to keep them. We would like to continue to do it in a low-key, reasonable and bipartisan way. We are going to do that.

The leader has every intention of us doing what we said we would do on gifts. He has kept his commitment to bring up both of them. We are working. I think what he is hoping for is that those of us who are involved would get to a point and say, "Yes, we are ready to go back." Both sides right now would say we are not quite there.

Having said that, also with regard to the cloture motion, while you might say in the classic sense we have not had any filibusters this year, in fact every bill we have had up this year, with maybe one or two exceptions, has been very lengthy with hundreds of

amendments. I really wonder sometimes how the Senate looks when we have 127 amendments pending on a bill. What happened to the committee process around here?

Mr. DASCHLE. Will the Senator yield?

Mr. LOTT. Without getting into a further argument on that, if we do not file a cloture motion now, then we would not be able to get a vote on that by Friday. If we are going to be able to complete very vital legislation before we leave for the August recess period, we have to complete the gift issue, hopefully we could complete regulatory reform, we have State Department authorization.

You would think we would all like to get to conclusion on State Department authorization. We have the foreign aid authorization bill pending, the DOD authorization bill pending, DOD appropriations and welfare reform, all of which we would like to get done. If we are going to get them done, we cannot spend a week each on every bill. I will be glad to yield.

Mr. DASCHLE. Just for a clarification. I am interested in knowing if the cloture motions are on the bill or the motion to proceed, and if they are on the motion to proceed, can the distinguished Senator from Mississippi inform us on the number of filibusters on motions to proceed to bills so far this year?

Mr. LOTT. They are both on the motion to proceed and in anticipation of likely resistance to proceed. Maybe it will not occur, but that possibility does exist and there had been some indications that might happen. Maybe it will not be necessary.

Let me say this, too. We always have the option—if we work out agreements, if we are making progress—we can vitiate these. But if we wait until Friday and we do have a filibuster on a motion to proceed and we are not making progress, it is too late then to file a cloture motion, and then we are over to Saturday or next Monday or next Tuesday.

I understand how the minority leader feels about this, and I know sometimes that filing cloture motions make it more difficult for us to sort of get together. But you must also understand, as the majority leader did in the previous Congresses, you have to try to find a way to move things along.

It is not easy. It is very hard. I had no appreciation whatsoever of what the majority leader is up against in the Senate, when Senator Mitchell was the majority leader. Now I have had a chance, being a little closer as the whip, to see what the majority leader goes through of either party, and it is a very tough job with the rules we have in the Senate.

This is not intended to slight anybody. It is not intended to make anybody mad. It is intended to try to have an opportunity to move the process along, and I hope that it will be taken in that spirit. The last time a cloture

motion was filed, I think it was vitiated. We did not go through with it. But we have to have that option, as we move this legislative process through.

Mr. DASCHLE. Mr. President, I will be very brief. Let me just say, I appreciate the answers given by the distinguished Senator from Mississippi.

He did not answer my question as to the number of votes cast, or I should say the number of cloture votes taken, or the number of filibusters actually endured as we consider the motion to proceed. If I recall, there is not one.

Last year and the year before, there were many occasions when the majority leader was compelled to file a cloture petition because there was a filibuster on the motion to proceed.

I will simply restate for clarification, we had an agreement. The agreement was we go back to gifts when this legislation is finished. We are in violation of that agreement, No. 1. No. 2, I think it sends the wrong message about the desire of the majority to work with us in trying to accommodate an agenda. We were only given this a couple of minutes ago.

I am surprised and disappointed. We will work through it and we will certainly do our best to accommodate the schedule. We also would like to see a completion of a lot of these items. I think we can do so without throwing cloture petitions down prior to the time we even have some consultation as to whether it is necessary.

I thank the Senator. I yield the floor.

Mr. LOTT. Mr. President, just one further response, and I think we can move this issue along. One of the reasons we perhaps have not already finished the gift rule issue is that the majority leader wanted to accommodate the President on the Bosnian resolution question.

He deferred action from last week over to this week by agreement on both sides, and in an effort to accommodate the President and allow more time to pass so that maybe something different would change in Bosnia, or with regard to the situation in the United Nations. That is why we went back to Bosnia. Everybody understood that. We were not quite ready anyway on gift.

Plus, I might note, I do not believe there was any agreement that we would go to Ryan White before we went back to gift. We went to the Ryan White bill because there was agreement that we could take it up and hopefully complete it, and in the meantime we could continue to work on the gift rule.

We already have not done exactly what maybe was intended, but for good reason. We went to the Bosnia resolution because we did not complete it by agreement last week. We went to Ryan White because we were ready to go, and then we can keep working on the gift bill.

We will continue to work with the distinguished Democratic leader, and hopefully be able to finish all of these

ills that we have scheduled before the week is out, and at a reasonable hour on Friday, also.

#### UNANIMOUS-CONSENT REQUEST

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate turn to the consideration of S. 908, the State Department reorganization bill, immediately following the disposition of S. 641, the Ryan White bill.

Mr. DASCHLE. I object.

#### FOREIGN RELATIONS REVITALIZATION ACT—MOTION TO PROCEED

##### CLOTURE MOTION

Mr. LOTT. Therefore, I now move to proceed to S. 908, the State Department reorganization bill, and send a cloture petition to the desk on the motion.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the petition.

The bill clerk read as follows:

##### CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to S. 908, the State Department Reorganization bill:

Dan Coats, Spencer Abraham, Nancy Landon Kassebaum, Rick Santorum, Jesse Helms, Judd Gregg, Rod Grams, Olympia Snowe, Bob Dole, Thad Cochran, Paul Coverdell, Larry E. Craig, Phil Gramm, Kay Bailey Hutchison, Don Nickles, Trent Lott.

Mr. LOTT. Mr. President, I ask unanimous consent that the cloture vote occur on Friday at 10 a.m. and the mandatory quorum under rule XXII be waived.

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

Mr. LOTT. I now withdraw the motion to proceed.

The PRESIDING OFFICER. The motion is withdrawn.

#### FOREIGN ASSISTANCE PROGRAMS APPROPRIATIONS AUTHORIZATION ACT

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate turn to the consideration of S. 961, the foreign aid authorization bill, immediately following the disposition of S. 641, the Ryan White bill.

Mr. DASCHLE. Mr. President, for all the reasons already provided, I object.

##### CLOTURE MOTION

Mr. LOTT. Mr. President, for all the reasons cited on this side, I therefore now move to proceed to S. 961, the foreign aid authorization bill, and send a cloture petition to the desk on the motion.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

##### CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to S. 961, the Foreign Assistance Authorization bill:

Dan Coats, Spencer Abraham, Nancy Landon Kassebaum, Rick Santorum, Jesse Helms, Judd Gregg, Strom Thurmond, Olympia Snowe, Bob Dole, Thad Cochran, Paul Coverdell, Larry E. Craig, Phil Gramm, Kay Bailey Hutchison, Rod Grams, Trent Lott.

Mr. LOTT. Mr. President, I ask unanimous consent that the cloture vote occur on Friday, immediately following the 10 a.m. cloture vote if not invoked, and that the mandatory quorum under rule XXII be waived.

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

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

The PRESIDING OFFICER. The motion is withdrawn.

Mr. LOTT. I yield the floor.

#### RYAN WHITE CARE AUTHORIZATION ACT

The Senate continued with the consideration of the bill.

Mr. HELMS. Mr. President, the intention is to have two amendments voted on back to back as near to 6 o'clock or shortly thereafter as possible. Then we will continue with two more amendments, with no further rollcall votes this evening.

Tomorrow morning, we will vote on two additional amendments, plus final passage on Ryan White.

Did I state it correctly?

Mrs. KASSEBAUM. Mr. President, there is a possibility of debate on another amendment that Senator GREGG has wanted to offer.

Mr. HELMS. Yes.

Mrs. KASSEBAUM. That would be tomorrow morning, as well.

Mr. BRYAN. Mr. President, I talked with the distinguished floor leaders. I need 5 minutes, if possible, to be able to speak as in morning business.

I know the distinguished Senator from North Carolina has the floor. I do not want to in any way encroach upon his time. I need to do this.

Mr. HELMS. Proceed.

Mr. FORD. Mr. President, I would like to have the opportunity to ask—

Mr. HELMS. I still have the floor.

Mr. FORD. I apologize. I thought when you did that, you gave up the floor.

Mr. HELMS. No way, José.

Provided I do not lose my right to the floor, I yield 5 minutes to the Senator from Nevada and to the Senator from Kentucky.

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