

this year, that we are now at the end of this session of Congress, and that the new provision is quite controversial—adding such a provision in conference was bound to cause great turmoil. The conferees should have anticipated that it might endanger, or at the least, delay, passage of the underlying bill.

I wish that the conferees had acted with greater prudence in the interest of passing the important FAA Reauthorization legislation.

Second, I strongly oppose the labor provision itself. I am not an expert on labor law or transportation law. But after reviewing the law in question and the facts of this case, I conclude that the provision that was added is in fact a special exemption from applicable labor organizing rules for one company.

The provision's supporters argue that it is merely a "technical correction" to the Interstate Commerce Commission Termination Act of 1995. They claim that Federal Express is an "express carrier", not a "motor carrier" for purposes of labor organizing rules.

Why is this classification so important?

For the working people, the employees of Federal Express, it makes all the difference—between being able to organize like other employees of other companies across the country, on a local basis, or having to organize nationally, drastically reducing their ability to organize.

According to the Surface Transportation Board, the agency that assumed regulatory responsibilities of the ICC when it was terminated by Congress, in a June 14, 1996 letter from Chairman Linda Morgan, Federal Express was never considered to be an "express carrier" by the ICC.

Chairman Morgan states in that letter that Federal Express, has always been classified as a "motor carrier", not an "express carrier".

I believe the law and the facts are clear. Federal Express is and always has been a "motor carrier", subject to the labor organizing rules of the National Labor Relations Act, which allows employees to organize locally.

The provision that was inserted in the conference report is a special exemption from the labor organizing rules that apply to "motor carriers" such as Federal Express.

If the proponents of such an exemption wish to debate this proposal, they have every right to introduce legislation, hold hearings on it, and try to move it through Congress. But I believe that it is inappropriate and imprudent to attempt to push it through in a conference report in the last hours of this session.

Mr. LEVIN. Mr. President, the conference report now before us includes language which would restore the express carrier classification within the Railway Labor Act. This rider was not included in the FAA reauthorization bill as passed by either the House or the Senate. It was inserted into the

legislation in the conference. This is not the right way to legislate.

The language that was inserted by the Conference Committee into the FAA Reauthorization Act was deleted by the ICC Termination Act of 1995 (Public Law 104-88), a law passed by Congress. That deletion was included in the legislation when it was before the House and when it was before the Senate and was a part of the conference report as adopted by both Houses. It was not a modification made in the enrollment process, as has been suggested.

Concerns have been expressed that removal of this provision from the FAA reauthorization would greatly delay or kill this bill. That is not accurate. I support the FAA reauthorization. It is important for America and for Michigan. Virtually all Members of the Senate support this bill. There is a bill at the desk in the Senate which contains all of the language of the FAA reauthorization bill now before us with the single exception that it does not contain the provision causing so much controversy. The bill at the desk could be taken up and passed immediately. Regardless of the outcome of this cloture vote, the FAA reauthorization is virtually certain to be enacted before this Congress adjourns sine die, as it must be.

It is now amply clear that issue involved in the provision added in conference is a significant one. It can and should be the subject of hearings and full consideration by the appropriate committees of jurisdiction. It can and should be considered early in the 105th Congress.

For these reasons, I will oppose the motion to invoke cloture. I will vote in favor of final passage of the FAA reauthorization bill which I strongly support.

CLOTURE VOTE ON FEDERAL AVIATION ADMINISTRATION REAUTHORIZATION

Mr. PELL. Mr. President, on the cloture vote, which was one of the last votes—if not the last—I cast in this body, I departed from my customary practice of supporting cloture. I have cast some 350 votes for cloture during my 36 years in the Senate, often at variance with my own party and usually irrespective of the issues, except in extraordinary circumstances.

The vote today was one of those extraordinary cases. At issue was a provision that would grant an exclusive benefit to the management of one corporate entity, at the expense of long established principles of fair labor relations. Moreover, the provision was added in circumstances that were at variance with customary legislative practice and rules. So, in my view, the only proper course was to oppose the cloture motion in order to allow for consideration of alternative action.

As I leave the Senate, I continue to believe that cloture is a valuable tool

to prevent legislative deadlock. I recognize that in its more recent usage, it has become simply a test of supermajority strength on the one hand, and on the other, a defensive weapon for a minority. But in overall terms, the Senate does need a mechanism that will assure reasonable continuity of action and I am proud of my record of cloture votes in that regard.

Mr. KENNEDY. How much time remains on each side?

The PRESIDING OFFICER. On the side of the Senator from Massachusetts, there is 7 minutes, and 8 minutes on the opposing side.

Mr. KENNEDY. Mr. President, I yield myself 3 minutes.

Mr. President, we all know what is going on here. Make no mistake about it. We all know what is going on here. This provision that is being put in is not a technical amendment, meant to correct an inadvertent drafting change. The Congressional Research Service, the President, and the House Members who spoke on the floor explained that this is not a technical correction. Any fair evaluation of history would demonstrate that.

This rider is being added to the FAA bill for Federal Express, now and for the future. Federal Express is expanding its trucking operations. Where UPS is concerned, the air carriers are under the Railway Act and the truck drivers are under the National Labor Relations Act. Initially, all of UPS was under the National Labor Relations Act because they used only trucks. When they added aircraft, the decision was made that UPS air carriers would be considered under the Railway Labor Act.

That is the same situation we have here. Federal Express started out just as an air carrier and now it wants to go into trucks. This is a preemptive strike to make sure that workers at the local level will not be able to have the same kind of justification for National Labor Relations Act coverage as they have at UPS or other companies. They are trying to manipulate the whole process and fix the game.

The fact is, Mr. President, they are moving now, as their principal officers point out, they are now expanding. In the future, according to Federal Express, only overnight packages traveling more than 400 miles will be flown; all others will travel on the road. The question is, are all of these trucks on the road going to be considered air carriers? That is the logic. That is the logic that is being presented here.

All we are trying to say is, let the National Labor Relations Board decide whether Federal Express's truck drivers should be under the National Labor Relations Act. If the workers can convince other workers to form a union, let them vote for a union. If they cannot, then they will vote against a union. But why have a legislative interruption that strips them of their right to vote?

I come back to the fact, Mr. President, with all respect to my colleague

and friend from South Carolina, this was attempted five times by the Republican leadership over in the House of Representatives. I do not question that there will be some Democrats here who will support it. But there was virtually unanimous rejection by Democrats in the House of Representatives of this rider because it is special-interest legislation to undermine the rights of working families, and a majority of Democrats in the Senate this morning will vote likewise.

I reserve the remainder of my time.

Mr. McCAIN. I yield 2 minutes to the Senator from South Carolina.

Mr. HOLLINGS. Mr. President, once again my distinguished friend from Massachusetts has misquoted the matter of truck drivers' rights. We have been saying this for 3 days. They say a man convinced against his will is of the same opinion still, but all I can do is put in the entire decision. It is that all of the truck drivers—and they are not under the NLRA, the National Labor Relations Act. They are under the Railway Labor Act and have been, and decision after decision after decision we put in, all the decisions found them under the Labor Railway Act; none of the decisions have found them under the NLRA.

That is how they organized. Mr. President, 90 percent of their carrier is by air; 90 percent of UPS is on the surface, on the ground. That is the difference. We even had the lawyer of the Teamsters Union in a hearing here earlier this year use the expression, the difference between these companies is night and day, but here you get a political jambalaya to fit into this silly filibuster.

How can you get the truth out of everybody? Isn't their any pride and conscience in this body? A mistake was made. Everybody knows it was a mistake. We are trying to correct the mistake. We are not changing the rights of any parties whatever. But they are trying to make a Federal case out of workers' rights, slashing opportunities, and everything else that they have put on the billboards. I would be ashamed to put that thing up behind me.

I yield the floor.

Mr. McCAIN. Mr. President, I yield one minute to the Senator from Arkansas.

The PRESIDING OFFICER (Mr. WARNER). The Senator from Arkansas.

Mr. PRYOR. Mr. President, I am not going to discuss whether there was a mistake or not. I think that has been bandied around quite a bit. I would like to discuss the company itself.

I have heard many of our colleagues, or heard about many of my colleagues, talking about this being an antiworker company, or this being an antiworker cause that we are debating on the floor of the U.S. Senate. Mr. President, I would challenge any colleague of ours in the U.S. Senate to go out around this town, or around this country, and when they see a Federal Express worker I would challenge my colleagues to

ask that person, that employee of Federal Express, what they think of that company. I say that because it is not only one of the hundred best companies in our country, but they have a scholarship program, and they are going to say this works wonderfully for our families. They have a reimbursement program for tuition. They have extended health care. And they have many other programs that makes the morale of this company I think second to none.

Mr. McCAIN. Mr. President, I hope that the Senator from Massachusetts would extend the courtesy to me as sponsor of the bill to make a final statement.

Mr. KENNEDY. I would be glad to. I had Senator MURRAY who is coming to the floor. I was trying to permit her 3 minutes.

Mr. LOTT. Mr. President, I want to note, if I could, that I intend to use leader time after all of the statements have been completed at approximately 10 o'clock.

Mr. KENNEDY. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Massachusetts has 4 minutes, and the Senator from Arizona has 4 minutes and 49 seconds.

Mr. KENNEDY. I yield myself 3 minutes.

Mr. President, I would just say really in conclusion to my friend from Arkansas and others that we had a series of workers that came yesterday and commented. They have worked for Federal Express over a long period of time. Every one of those workers has a deep sense of pride in their company. But every one of them wonders why we are changing the rules of the game because they believe that they ought to be able to have a vote on whether they should be able to organize or not organize.

The fact remains that, if the situation is as described by the Senator from South Carolina, these truck drivers are all working under the Railway Act, and there really is no necessity. If this decision has already been made, there is no necessity to pursue this particular legislation. But the facts belie that, and the facts belie it independent of the Senator from Massachusetts and the Congressional Research Service; independent of the Senator from South Carolina or myself; and, Mr. President, the administration has made that same finding independent of the Senator from South Carolina or myself.

This is more than a technical change. He can say it and repeat it. I can say it and say that it isn't. But let us take the independent evaluation.

Mr. President, this special interest provision is going to be of enormous value and gain to one company—Federal Express—and to the disadvantage of working families.

The point that I am making and have repeated is that attitude with regard to working families has been exemplified here on the floor of the U.S. Senate by

Republican leadership, the same Republican leadership that advanced this in the House of Representatives. Five different times that were rejected. That is the same leadership that fought the minimum wage and fought working people on the earned income tax credit; who fought working families with regard to the Davis-Bacon; have fought working families' interests with regard to education, and Mr. President, pension reform. Those interests have cut back on the life blood of working families in order to have tax breaks for the wealthiest individuals and corporations.

That is the record of this attempt by the Republican leadership in the House and the Senate. It is a similar kind of attitude that we are seeing now reflected toward those workers who have legitimate grievances and are entitled to have that worked out by the National Labor Relations Board.

Mr. President, I withhold the remainder of my time.

Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator from Massachusetts has 1 minute and 30 seconds.

Mr. KENNEDY. I withhold that.

Mr. McCAIN. I take it then the Senator from Massachusetts does not intend to allow me to make a final statement.

Mr. KENNEDY. I see my colleague and friend, as I indicated before, the Senator from Washington, and I would like to be able to yield to her for a minute and a half. I will do that at this time, if the Senator would indulge. I always intended to let the Senator make it. I wanted to also extend the courtesy to my colleague from Washington.

Mr. McCAIN. I thank the Senator.

Mr. KENNEDY. The Senator from Washington has 1½ minutes.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Thank you, Mr. President, and I thank the Senator from Massachusetts.

Mr. President, I rise today to support the efforts by the Senator from Massachusetts, Senator KENNEDY, and others, in telling us to slow down and take a look at what we are doing in our rush to get out of town.

To me this is an issue of fairness. I have listened carefully to the debate over the last 4 days. It is an issue of fairness for thousands of working families across this country, whether or not they will have the right to make sure that they can pay for their families' food on the table, send their children to college, to have working conditions that are fair and reached in fair agreement.

I know we all want to leave town. We want to leave quickly. Everyone wants to get home. But let us not leave a legacy of giving special treatment to one company and leaving thousands of workers for many years to come without fair treatment in their employment.

I thank the President.

I thank my colleague from Massachusetts for yielding the time.

Mr. MCCAIN. Mr. President, I will use my remaining time.

Mr. President, I hope we will invoke cloture and pass this important legislation.

This conference report is the product of 2 long years of hard work and negotiations. All was done in the open. And over that period, Chairman PRESSLER, ranking member HOLLINGS, Senator FORD, Senator STEVENS, and I have heard from countless interests. We all worked hard to balance the competing views. I believe this bill represents a thoughtful, balanced approach to this subject.

I will not repeat all that this bill would do. The conference report was not only read. But we have now debated it for over 3 days.

Mr. President, soon the Senate will vote on whether or not to invoke cloture on the FAA Reauthorization Act. I want to emphasize the importance of this vote.

A vote for cloture is a vote for airport and airline safety, for airport security, for airport construction, and for jobs. Make no mistake. This is much, much more than a vote about one provision in the bill. We must invoke cloture on this bill. It must be passed.

Mr. President, I know that some of my colleagues, especially those on the other side of the aisle, have already left town and don't want to return. While I sympathize with their plight, I want the RECORD to note that not voting on this very important legislation because of vacation plans, or campaign activities, is not a valid excuse. Vacations and campaigns can wait. They cannot and should not take precedence over the safety of the flying public.

We have all missed votes. But this is not just any vote. This is the last issue this Congress will deal with. This is an issue involving the safety of air travel in this country. This is an issue of job creation. This is an issue of helping the families who have lost loved ones in air disasters. This is an issue of improving our airports.

Simply, this is an issue that cannot be delayed until next year.

Mr. President, according to experts at the Finance Committee, the Joint Committee on Taxation, and the Congressional Budget Office, money cannot be spent on these needs unless this bill is enacted into law. We cannot wait until next year. Such a wait may result in months upon months of delay.

For the safety of the flying public, I appeal to my colleagues to support cloture and to support this bill.

I want to note that this debate should be a debate about aviation issues. It is not a partisan debate. It is certainly not a debate about one company. Those charges that this bill contains a special interest provision is simply spurious.

Yesterday, and today, the senior Senator from Massachusetts displayed a

poster on the floor of this Senate entitled "Republican Attacks on the Middle Class." Mr. President, this is not a partisan debate. Democrats and Republicans are all equally responsible for this bill.

Mr. President, the Senate will soon vote on whether or not to invoke cloture on the FAA reauthorization bill. I want to emphasize to my colleagues the importance of this vote. A vote for cloture is not, as the Senator from Massachusetts would have you believe, a vote against labor. A vote for cloture on this bill is an affirmative vote. It is a vote for airplane safety, for airport security, and for much-needed airport construction. It is a vote for jobs—many thousands of jobs.

The Senator from Massachusetts would like to use this bill in yet another attempt to turn the upcoming election into class warfare—using one small provision in this bill to accuse Republicans who support this critically important legislation of abandoning working men and women. Yet, as we all know, the provision which the Senator finds so objectionable was sponsored by a Democrat Member of the Senate, and enjoys the support of a number of other Senators from the other side of the aisle.

Mr. President, the election will be here soon enough.

Mr. President, I ask unanimous consent for 3 minutes of leader time.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, the election will be here soon enough. I think the American people have heard all of our political arguments already. Little is to be gained by using the last piece of legislation in the 104th Congress to underscore campaign slogans one more time at the cost of the security of the American people; at the cost, Mr. President, of the safety of the air travel in the United States; at the cost, Mr. President, of thousands and thousands of jobs. Is this really necessary so the Senator from Massachusetts can make one last attack on Republicans before we adjourn?

Is one last bit of disingenuous, transparent politicking really worth risking public safety? Is it really worth the cost of jobs and costs to our communities?

Mr. President, the FAA Reauthorization Act had, up until the last few days, represented what works in Washington. It is a completely bipartisan bill drafted with the close cooperation of the administration. Republicans and Democrats worked constructively in both Houses of Congress without any partisan rancor or gamesmanship to do what is in the best interests of public safety and to do what is in the best interests of our communities. We have done what the American people so obviously want us to do and what they believe we too seldom do—put their interests before our own.

Why must we now, at this late date, turn this sound, bipartisan, necessary,

urgent and well-intended legislation into one last occasion to score points off each other? The people are profoundly disappointed, if not surprised, that we have done so.

The time has come, now that we have all had our fun, to interrupt our political posturing for just a moment and free the FAA bill from the 1996 election campaign. Let us at last do what the people expected us to do when they sent us to Washington—to take care of their welfare, look after their interests, protect them when they travel, and help provide their communities with the infrastructure necessary for their communities to grow.

This should not be a hard vote for any Member of the Senate. A vote for cloture should be an easy vote for us all. It is an easy vote because it is the right vote even if we must relinquish some small political advantage that might be gained in casting the wrong vote. Whatever that advantage be, its value cannot compare to the value this bill holds for all our States and for all our constituents. Let us act in the best interests of all Americans, for that is in our own best interests as well.

I urge my colleagues, all my colleagues on both sides of the aisle, to join with Senator FORD and I, with Senator HOLLINGS and Senator PRESSLER, with all the Democrats and Republicans in both Houses of Congress, with administration officials and the leadership of Congress, with all of us who abandoned partisanship for the sake of the public and vote for cloture. Let us finish the work of the 104th Congress and go home with pride, Republican and Democrat alike, in working together to improve our country in that we have made Washington work for the people.

The PRESIDING OFFICER. The time has expired.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. LOTT. I yield myself as much leader time as I may consume.

The PRESIDING OFFICER. The majority leader is recognized under leader time.

Mr. LOTT. First I want to emphasize, Mr. President, this has been a bipartisan effort. I did not know the distinguished Senator from South Carolina was in the Republican leadership yet, but he has been accused of that, I guess, this morning because, in fact, it was his amendment that included this provision in the bill, and Senator PRYOR from Arkansas is supportive of this legislation and Senator MOYNIHAN, Senators MCCAIN and STEVENS. It has truly been bipartisan. There is no question about that. I think we should proceed from that standpoint.

This morning, I am thinking about the families of victims of airline incidents and accidents that have to be still horrified at what they have been through and horrified at what we have been doing for the last 3 days. We have been delaying this very important FAA

reauthorization conference report, and as a result of that delay we have threats to radar, air traffic control equipment, navigation equipment, landing systems equipment that remedies air traffic control outages, Doppler radar for wind shear, research and development, advancement of explosive detection systems, human factor research, aging aircraft.

This is big. This is important legislation, and it is, over 2 years, \$19 billion for infrastructure security and safety.

This would be a senseless roll of the dice, if we did not invoke cloture this morning, bring this filibuster to a conclusion and move this legislation on through.

I remind my colleagues the House has already acted responsibly, overwhelmingly moved this legislation, and they are gone. What would be the situation if we did not bring this filibuster to a conclusion this morning? We would not have any legislation, or if we had legislation that made changes it would go back to the House and there is great concern about when or if they would be able to get action on this legislation. We should act together this morning and end this filibuster and pass this legislation.

Now, one other point. I do not understand the attacks on Federal Express. This is an outstanding company headed by an outstanding individual. They are providing services that 30 years ago we could not even comprehend. They are doing a great job, and yet they are being attacked as if they are some sort of villain. It is absolutely wrong, the rhetoric we have had to listen to over the past 3 days on a technical point.

Mr. President, I ask unanimous consent that a list of what is involved in this legislation be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

HIGHLIGHTS OF FAA REAUTHORIZATION CONFERENCE REPORT (H.R. 3539)

Reauthorization of FAA—FY 1997, \$9.7 billion; FY 1998, \$9.9 billion.

(In billions of dollars)

	Fiscal year—	
	1997	1998
Airport grants	\$2.3	\$2.4
Radar, air traffic control equipment, navigation equipment, landing systems (ILS) equipment that remedies air traffic control outages doppler radar for wind shear	2.1	2.2
Operations	5.2	5.4
Research and development, advancement of explosive detection systems, human factor research, aging aircraft, air traffic control safety issues	(¹)	(²)

¹ \$20.8 million.

² No authorization.

Note: Research and Development levels include an additional \$31 million for security programs consistent with the Administration's emergency request for funds.

CONSTRUCTION: PRO-WORKER BILL

Kenai Municipal Airport, AK—Alaska Regional Aircraft Firefighting Training Center (\$8 million).

Anchorage Airport, AK—Rehabilitate runway and lighting (\$2.1 million).

Allakaket Airport, AK—Rehabilitate runway and lighting (\$5.5 million).

Deadhorse Airport, AK—Construct aircraft rescue and firefighting building (\$3.5 million).

Yuma Intl. Airport, AZ—Cargo apron expansion, cargo security, new terminal, enhanced security for new terminal.

Scottsdale Airport, AZ—Aircraft rescue and firefighting vehicle and fire station (\$1.2 million).

Phoenix Sky Harbor Intl. Airport, AZ—Construction of 3rd runway and residential soundproofing.

San Bernardino County-Chino Airport, CA—New runway construction (\$10 million).

Buchanan Airport, CA—Taxi-ways and aprons near total failure (\$5 million).

Oxnard Airport, CA—Replace aircraft rescue and firefighting vehicles (\$247,000).

Greely-Weld County Airport, CO—Construction of new runway (\$32 million).

Boulder Municipal Airport, CO—Security lighting.

Mr. LOTT. I also ask unanimous consent that an explanation of the fact that this is a technical point be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FACT SHEET—CONFERENCE REPORT TO ACCOMPANY H.R. 3539, THE FEDERAL AVIATION AUTHORIZATION OF 1996

A provision is contained in the Conference Report to accompany H.R. 3539 which makes a technical correction to a drafting error which was contained in the Interstate Commerce Commission Termination Act of 1995.

The following outlines the problem, the facts and the solution:

PROBLEM

A drafting error in the Interstate Commerce Commission Termination Act of 1995 (P.L. 104-88) created an ambiguity affecting the status of express carriers under the Railway Labor Act.

One provision (Sec. 10501) states the intent of Congress: "the enactment of the ICC Termination Act of 1995 shall neither expand or contract coverage of the employees and employers by the Railway Labor Act. . ."

However, a second provision drops "express carriers" under the Railway Labor Act. This was clearly inadvertent and in contradiction to the stated intent of Congress.

FACTS

Since the inception of the Railway Labor Act, "express carriers" have come under the law's jurisdiction.

The Railway Labor Act is designed to protect the interests of employees covered by that Act and is not an "anti-labor" law.

For 62 years, employers and employees have been successfully governed by the provisions of the Railway Labor Act.

SOLUTION

A provision in the Conference Report to accompany H.R. 3539, the Federal Aviation Authorization Act of 1995, states that if an express company was under the Railway Labor Act prior to the enactment of the ICC Termination Act, then that express company shall remain under the purview of the Railway Labor Act.

Mr. LOTT. It is a small point. It reaffirms what has been the law for 62 years. This is not a grab. This is not an effort to stomp somebody. This is an effort to be fair, to correct a clear oversight; a mistake was made. We are trying to correct that. That is all.

This is so important. We should this morning act together to stop the filibuster, pass this legislation and go home for the sake of the American people. I urge my colleagues, let us vote together. Let us invoke cloture and

pass the legislation in an expeditious manner.

I yield the floor, Mr. President. I ask for the yeas and nays.

The PRESIDING OFFICER. The Chair wishes to advise the distinguish leader that under rule XXII the yeas and nays are automatic.

Mr. LOTT. I thank the Chair.

CLOTURE MOTION

The PRESIDING OFFICER. The clerk, under the previous order, will report the motion to invoke cloture.

The assistant legislative clerk read as follows.

CLOTURE MOTION

We, the undersigned Senators, in accordance with rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the conference report to accompany H.R. 3539, the Federal Aviation Reauthorization bill:

Trent Lott, Don Nickles, Strom Thurmond, Jon Kyl, Judd Gregg, Slade Gorton, Paul D. Coverdell, Frank H. Murkowski, Craig Thomas, Harry Reid, Wendell Ford, Conrad Burns, Kay Bailey Hutchison, John Breaux, Tom Daschle, Arlen Specter.

CALL OF THE ROLL

The PRESIDING OFFICER. By unanimous consent, the quorum has been waived.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the conference report accompanying H.R. 3539, an act to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration shall be brought to a close? The yeas and nays are automatic under rule XXII. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Indiana [Mr. COATS], is necessarily absent.

I also announce that the Senator from Colorado [Mr. CAMPBELL], is absent due to illness.

Mr. FORD. I announce that the Senator from Vermont [Mr. LEAHY], is absent on official business.

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

The yeas and nays resulted—yeas 66, nays 31, as follows:

[Rollcall Vote No. 304 Leg.]

YEAS—66

Abraham	D'Amato	Hatch
Ashcroft	Daschle	Hatfield
Baucus	DeWine	Heflin
Bennett	Domenici	Helms
Bond	Dorgan	Hollings
Breaux	Faircloth	Hutchison
Brown	Feinstein	Inhofe
Bryan	Ford	Inouye
Bumpers	Frahm	Jeffords
Burns	Frist	Johnston
Chafee	Gorton	Kassebaum
Cochran	Graham	Kempthorne
Cohen	Gramm	Kyl
Conrad	Grams	Lott
Coverdell	Grassley	Lugar
Craig	Gregg	Mack