

RECESS

The PRESIDING OFFICER. The hour of 12:30 having arrived, the Senate will stand in recess until 2:15 p.m.

Thereupon, the Senate, at 12:32 p.m., recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. COATS).

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1996—CONFERENCE REPORT

The Senate continued with consideration of the bill.

CLOTURE MOTION

The PRESIDING OFFICER. The clerk will report the motion to invoke cloture.

The assistant legislative 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 conference report to accompany H.R. 2546, the D.C. appropriations bill.

Bob Dole, James M. Jeffords, Richard G. Lugar, Conrad Burns, Strom Thurmond, Slade Gorton, Chuck Grassley, R.F. Bennett, Kit Bond, Nancy Kassebaum, Mark Hatfield, Arlen Specter, Mitch McConnell, Ted Stevens, Connie Mack, and Pete V. Domenici.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate be brought to a close? The yeas and nays are ordered under rule XXII.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Indiana [Mr. LUGAR] is necessarily absent.

Mr. FORD. I announce that the Senator from New Jersey [Mr. BRADLEY] is necessarily absent.

The yeas and nays resulted—yeas 54, nays 44, as follows:

[Rollcall Vote No. 20 Leg.]

YEAS—54

Abraham	Faircloth	Lott
Ashcroft	Frist	Mack
Bennett	Gorton	McCain
Bond	Gramm	McConnell
Breaux	Grams	Murkowski
Brown	Grassley	Nickles
Burns	Gregg	Pressler
Byrd	Hatch	Roth
Campbell	Hatfield	Santorum
Coats	Helms	Shelby
Cochran	Hutchison	Simpson
Cohen	Inhofe	Smith
Coverdell	Jeffords	Snowe
Craig	Johnston	Stevens
D'Amato	Kassebaum	Thomas
DeWine	Kempthorne	Thompson
Dole	Kyl	Thurmond
Domenici	Lieberman	Warner

NAYS—44

Akaka	Bryan	Dodd
Baucus	Bumpers	Dorgan
Biden	Chafee	Exon
Bingaman	Conrad	Feingold
Boxer	Daschle	Feinstein

Ford	Kohl	Pryor
Glenn	Lautenberg	Reid
Graham	Leahy	Robb
Harkin	Levin	Rockefeller
Heflin	Mikulski	Sarbanes
Hollings	Moseley-Braun	Simon
Inouye	Moynihan	Specter
Kennedy	Murray	Wellstone
Kerrey	Nunn	Wyden
Kerry	Pell	

NOT VOTING—2

Bradley Lugar

The PRESIDING OFFICER. On this vote, the yeas are 54, the nays are 44. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion to invoke cloture is not agreed to.

The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. JEFFORDS. Mr. President, may we have order, please.

The PRESIDING OFFICER. The Senate will be in order.

Mr. JEFFORDS. Mr. President, I understand the will of the Senate. The Senate has spoken. They did not desire to pass the bill in its present form. I want to make all of my colleagues aware of the serious situation that we are facing with respect to our Capital City, a city for which we have taken responsibility.

As I mentioned earlier to my colleagues, we have been for some 90 days or more trying to reach a resolution of this problem. We have two areas of different concerns. One is the fiscal health of the city. That is in a precarious position right now. I want to make sure all of my colleagues are aware of that. If we do not pass an appropriations bill for the city of Washington in the next few days, they will be essentially bankrupt. That bankruptcy will be on our heads because we have not passed the appropriations bill, which was scheduled to be passed by October 1 of last year. I want to assure my colleagues that I am going to take every legislative opportunity to make sure that the city receives the remaining \$254 million in Federal funds that were contained in the conference agreement as soon as it is possible.

At the same time, I also believe that it is imperative that we maintain as much of the school reform that is contained in this conference report as we can. I will be immediately reaching out to the House Members to see what we can agree to and also be talking, probably more importantly, to the other side of the aisle here who have seen that it was important to them to prevent the passage of this bill at this time in the form that it is in. I want to make sure that we do what we can to help the kids here in Washington.

By encouraging individual assessments in the other matters in this bill, which I will go through again briefly, we provide a way of helping both students and teachers make sure that no

child falls through the cracks. We have a responsibility to see that that happens. We have thousands of young people in this city, because of the problems we have with the school system, that are in danger of either dropping out or graduating—if they do graduate—in a situation where they will not be ready to enter the work force. We must do all we can to make sure that we take care of these kids.

We should also insist upon the independent charter schools as a way of providing competition, which certainly a majority of this body believes is necessary, for the public schools and to give them an incentive to change. This approach provides the chance to improve the education of all D.C. students.

The requirement of a long-term plan and the Consensus Commission to ensure its implementation would, for the first time, bring rational criteria to the District's educational policy and goals. The criteria will give the community a measure for the success of these and other initiatives.

Greater coordination and cooperation between business and educators is essential as provided for in our conference agreement. We will bring forth more technology with resources to the public school classrooms. This is imperative if we are to prepare our students for competition in the workplace for the next century.

Mr. President, I will discuss with the distinguished chairman of the Appropriations Committee our next move, but I want to, again, ensure you I will do everything I can to make sure we pass it in a timely manner and we do provide what is necessary to make sure that the young people of this city have every opportunity—and we have accepted that responsibility—to be able to enter life with an education that they deserve and they need. Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DOLE. I say to the distinguished Senator from Vermont that we might file cloture again today and have another cloture vote on Thursday to indicate we are serious and we would like to get the bill passed. So we will discuss that.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I just wanted to respond very briefly to the comments of the Senator from Vermont. I think all of us who followed the conference closely understood that it was the sense really of not only Democrats but also Republicans in that conference that it would be extremely unwise to add these three conditions onto the appropriations conference report. It was ultimately, after a number of weeks of discussion and meetings, the insistence of the House that they move ahead and add those various provisions which have been effectively rejected here this afternoon.

I think it has been very clearly stated that if this legislation was free from those three additional kinds of riders that really are not directly germane to the appropriations bill, that the legislation and the funding would go ahead on a voice vote.

So I am hopeful that we will be able to address a clean bill. After what I think is a very decisive vote in the Senate, it ought to be a very clear message about what the impediments are toward reaching a final, positive conclusion. If it is the desire of the leadership in the House and the Senate to really respond to the very critical needs of the District, which have been outlined in great detail by the Senator from Vermont, we would take the opportunity to remove those various provisions and see this appropriations bill move ahead.

Clearly, if that is not the case, we will have a responsibility—and I will join with the Senator from Vermont; I know I speak with Senator COATS, Senator MURRAY, and others who spoke and voted against the cloture motion—to make sure that we move this appropriation along with the other unfinished business and the other appropriations as well.

That is our commitment, and it has always been our commitment, in expressing our reservations about the policy decisions. It remains our commitment.

We look forward to working with the chairman of the committee, the Senator from Vermont, in ways that can be helpful to him and, most important, be helpful to the citizens of the District of Columbia.

CUBA POLICY

Mr. DOLE. Mr. President, the entire world is now aware of Fidel Castro's attack on unarmed American civilian aircraft in international airspace. The U.S. Coast Guard has now called off its search for survivors. Four American citizens have been murdered by Fidel Castro's fighter jets. Brothers to the Rescue is a Florida-based humanitarian group which flies the straits of Florida searching for the desperate product of Fidel Castro's Communist system: refugees in makeshift boats seeking to escape repression. For these efforts, four Americans gave their lives. It is time to honor their memory with real action against Fidel Castro's tyranny.

The apologists for Fidel Castro have already come up with excuses—Brothers to the Rescue had penetrated Cuban airspace in the past, Cuban flight control personnel gave warnings, and on and on. It now appears that Castro even has a planted double agent who will perform a theater of absurd for the world.

But these diversions cannot obscure the basic reality. The reality is there can be no excuse for this act of aggression. The reality is that Castro's crimes now include an illegal inter-

national air assault against American citizens. The reality is that the time is long overdue for serious action against Castro's Cuba. It should not take the murder of four American citizens for the Clinton administration to understand that warming up to Fidel Castro is wrong.

The Clinton administration has been strong in its rhetoric. Yesterday, President Clinton said, the shoot down was a "flagrant violation of international laws * * * and the United States will not tolerate it." But the strong words were not, unfortunately, followed with strong action.

Yes, President Clinton is taking a case to the United Nations to seek international sanctions. I hope the Clinton administration has the same success that the Reagan administration had in 1983 in building an international coalition against the brutal Soviet attack on Korean Airlines flight 007—under the able leadership of U.N. Ambassador Jeane Kirkpatrick. The Clinton administration has had no success to date in internationalizing the embargo on Cuba. The Clinton administration has spent little time and effort in such efforts, focusing instead on isolating and invading Haiti—the poorest country in the hemisphere.

Yes, President Clinton suspended charter flights to Cuba. But for months, the Clinton administration has looked the other way as the travel ban to Cuba has been regularly violated.

Yes, President Clinton has said there will be further restrictions on Cuban officials in the United States. But these officials are already supposed to be under strict control. And the Clinton administration allowed Fidel Castro to enter the United States last year—to the great satisfaction of the liberal elite who wined and dined the hemisphere's last dictator in New York.

Yes, President Clinton said he wanted to work with Congress to "promptly reach agreement" on legislation to enhance the embargo on Cuba. But the Clinton administration led the charge against such legislation for more than a year—for more than a year—orchestrating a Senate filibuster and issuing veto threats.

I hope the President might now join us. There will be a conference tomorrow morning on the Dole-Helms-Burton bill. We certainly appreciate the President's support.

The Congress is waiting for the Clinton administration to follow through on President Clinton's promise.

Yes, President Clinton said he would support more funding for Radio Marti to break Castro's information stranglehold on the Cuban people. But he was silent about TV Marti, and the Clinton administration has dragged its feet in making the technical improvements to TV Marti which would allow it to be seen by more Cubans.

President Clinton did not even restore the status quo to include sanc-

tions which he eased last year. On October 6, 1995, President Clinton announced a series of steps easing the embargo on Castro's Cuba. At the time, I said the Clinton administration gave Castro a propaganda victory and may have prolonged the Castro dictatorship.

There are many unilateral steps President Clinton could have and should have taken yesterday: Announcing serious enforcement of the travel ban, opening a Treasury Department office in Miami, denying visas for Cuban Government and party officials, and increased Federal Bureau of Investigation actions against Cuban agents in the United States.

But the most important step was not taken—an unequivocal endorsement of the Helms-Dole-Burton Cuban Liberty and Democratic Solidarity Act. This legislation was passed by the Senate on October 19, 1995, by a vote of 74 to 24 and passed by the House 294 to 130 on September 21, 1995. The conference committee will meet tomorrow morning to reconcile differences between the two versions, and I expect Senate action before the end of the week.

The Libertad bill strengthens the embargo on Cuba, offers real incentives for democratic change and takes real action to deter foreign investment in Cuba. The conference legislation will enable American citizens to use American courts to pursue claims against those who use confiscated property in Cuba. The conference legislation will also deny visas to officials who confiscate American property. Finally, the conference report will codify the existing embargo on Cuba, conditioning the end of the embargo on democratic change in Cuba. I also expect the conference report to include a strong condemnation of Castro's terror in the skies.

I know the conferees are receptive to one proposal by President Clinton—authorizing the use of frozen Cuban assets to compensate the families of the latest victims of Castro's regime. That is a good idea. In fact, the conference may look at other uses for the frozen assets—financing Radio and TV Marti, for example, or supporting the democratic opposition in Cuba.

As I indicated earlier, we stand ready to hear from the Clinton administration on the Libertad legislation. I hope President Clinton will finally endorse the tough sanctions that Castro really fears. Then the administration's actions will match their rhetoric.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SANTORUM). Without objection, it is so ordered.