

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. LOTT. Mr. President, I ask unanimous consent that I be able to proceed for 5 minutes notwithstanding rule XXII.

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

ORDER OF PROCEDURE

Mr. LOTT. I do this, Mr. President, just so that Senator DASCHLE and I can explain what is transpiring.

As you know, we are prepared now to go to the cloture vote on the DOD authorization conference report. However, the interested parties on both sides of the aisle and on both sides of the issue involved, regarding the depots, wanted a few minutes to talk about what would be the situation beyond this, and so there are a lot of conversations going on now in the back of the Chamber. I would like to give them a few more minutes to discuss the various options. As soon as we then call off the quorum call, we would proceed to a cloture vote.

It is my thinking that we would probably go to this cloture vote, but it is going to be a few more minutes before we can actually proceed to that vote. But we will not let it languish very long. The interested parties asked for a few minutes to talk. That is what we are doing. I realize Members have other commitments. But we will, probably within the next 15 or 20 minutes, have some final decision, and then we will know whether we will have a vote on cloture at that point or not.

Mr. THURMOND. Mr. President, in a few moments, the Senate will vote to invoke cloture on the Defense authorization bill for fiscal year 1998. As all of you know, we have had a difficult time getting to this point. After months of negotiating on the depot maintenance issue, we finally achieved a breakthrough when those Members of Congress who have depots agreed to a compromise heretofore believed to be unachievable.

Those Members who have depots gave up on issues extremely important to them substantively and politically. At that time, those of us who had worked over many months to achieve such a compromise believed that we could finally put this very divisive issue behind us. It was simply unthinkable to us that after those with depots had come so far toward the other side's position that the Senators from Texas and California would oppose this compromise. They have always said they only wanted the opportunity to compete. This compromise gives them that

opportunity on what the Armed Services Committee believes is clearly a level playing field.

All 18 members of the Armed Services Committee have signed this conference report indicating their support of the compromise. The ranking member of the committee, Senator LEVIN, supported the Senators from Texas and California up to the point when this compromise was negotiated. He and his staff were totally involved in drafting and negotiating the compromise. Senator LEVIN and I join in total support of this compromise which is fair and equitable to all parties.

This bill is important to the young men and women who serve in our military forces. The bill includes pay raises and increases to special incentive pay including vital aviator bonuses. Provisions in this bill affect every aspect of our national defense including quality of life initiatives, modernization, and readiness. I remind all Senators that all military construction projects require an authorization as well as an appropriation and cannot be executed without this bill.

All members of the committee support this bill. The House has already passed it by a veto-proof majority of 286 to 123. The leaders of the Defense Department have indicated that they can make this compromise work and that they need this bill passed. It is hard for me to believe that any Senator would oppose and delay the entire Defense authorization bill at a time when American troops are deployed in Bosnia and trouble appears to be brewing again in the Middle East.

I strongly encourage all Senators to vote to invoke cloture on this bill. We must send a strong signal to the White House to demonstrate to the President that this bill which is so important to our national security should be passed now. I also ask the support of all Senators to defeat any further attempts to delay this bill. Show the young men and women in uniform serving our Nation around the world that we are strongly behind them.

I yield the floor. I observe the absence of a quorum, Mr. President.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BENNETT). Is there objection?

Without objection, it is so ordered.

Mr. DASCHLE. Mr. President, I move to waive rule XXII to use a couple minutes of my leader time.

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

EDUCATION SAVINGS ACT FOR PUBLIC AND PRIVATE SCHOOLS

Mr. DASCHLE. Mr. President, I thought I would just take a moment while we were negotiating here on the

next vote and our schedule, to comment briefly on the cloture vote that we have just taken. It is clear that within our caucus there are varying positions with regard to the Coverdell bill. Obviously, it is our desire to accommodate all of our colleagues as we attempt to work through those positions, for we recognize the importance of a good debate about the issue.

The bill, as we all know, was brought to the floor in an unusual set of circumstances. It passed the House and was not sent to the Finance Committee as most tax legislation is. It was sent directly to the desk and pulled from the desk for consideration. And a cloture motion was filed immediately, precluding Senators' rights to offer amendments, including relevant amendments. So it was on the basis of procedure, and our inability to offer amendments, that many of my colleagues have chosen to oppose cloture this morning.

It is my hope that we can work with our colleagues to come up with an agreement that will allow the consideration of amendments. Democrats need to protect their rights to offer amendments regardless of the legislation, but especially on matters relating to tax matters. And that is, in essence, the concern that we express in our opposition to cloture this morning. Let's have a good debate. Let's offer amendments. Let's have an opportunity to consider alternatives. But let's ensure that the normal process, the regular order, is adhered to as we take up matters of this import.

So that is, in essence, the situation we find ourselves in this morning. On the basis of procedure, given our inability to offer amendments to the bill, many of our colleagues found it necessary to oppose cloture. It is my hope that over the course of the next couple of days we can come to some resolution with regard to amendments and therefore have the kind of debate we should have—the opportunity to discuss this issue and consider the bill in more detail. I believe that ultimately we can resolve this impasse.

I thank Senators for giving me the opportunity to provide that explanation. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. LOTT. I think we are ready to go with the regular order.

CLOTURE MOTION

The PRESIDING OFFICER. By unanimous consent, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

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 motion to proceed to the conference report to accompany H.R. 1119, the National Defense Authorization Act:

Trent Lott, Strom Thurmond, Wayne Allard, Pat Roberts, Judd Gregg, Robert F. Bennett, Rod Grams, Spencer Abraham, Don Nickles, John Ashcroft, Rick Santorum, Tim Hutchinson, Paul Coverdell, Bob Smith, James Inhofe, Chuck Hagel, and John Warner.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the motion to proceed to the conference report to accompany H.R. 1119, the National Defense Authorization Act, shall be brought to a close?

The yeas and nays are required. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Florida [Mr. MACK] and the Senator from Arizona [Mr. MCCAIN] are necessarily absent.

Mr. FORD. I announce that the Senator from Montana [Mr. BAUCUS], the Senator from West Virginia [Mr. ROCKEFELLER], and the Senator from Minnesota [Mr. WELLSTONE] are necessarily absent.

I further announce that, if present and voting, the Senator from Minnesota [Mr. WELLSTONE] would vote "aye."

The PRESIDING OFFICER (Mr. BOND). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 93, nays 2, as follows:

[Rollcall Vote No. 289 Leg.]

YEAS—93

Abraham	Enzi	Levin
Akaka	Faircloth	Lieberman
Allard	Feingold	Lott
Ashcroft	Feinstein	Lugar
Bennett	Ford	McConnell
Biden	Frist	Mikulski
Bingaman	Glenn	Moseley-Braun
Bond	Gorton	Moynihan
Boxer	Graham	Murkowski
Breaux	Gramm	Murray
Brownback	Grams	Nickles
Bryan	Grassley	Reed
Bumpers	Gregg	Reid
Burns	Hagel	Robb
Byrd	Harkin	Roberts
Campbell	Hatch	Roth
Chafee	Helms	Santorum
Cleland	Hutchinson	Sarbanes
Coats	Hutchison	Sessions
Cochran	Inhofe	Shelby
Collins	Inouye	Smith (NH)
Conrad	Jeffords	Smith (OR)
Coverdell	Johnson	Snowe
Craig	Kempthorne	Specter
D'Amato	Kennedy	Stevens
Daschle	Kerry	Thomas
DeWine	Kerry	Thompson
Dodd	Kyl	Thurmond
Domenici	Landrieu	Torricelli
Dorgan	Lautenberg	Warner
Durbin	Leahy	Wyden

NAYS—2

Hollings

Kohl

NOT VOTING—5

Baucus
Mack

McCain
Rockefeller

Wellstone

The PRESIDING OFFICER. On this vote, the yeas are 93, the nays are 2. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1998—CONFERENCE REPORT

MOTION TO PROCEED

The Senate continued with the consideration of the motion to proceed.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion to proceed was agreed to.

Mr. LOTT. Mr. President, for the information of all Senators, the Senators involved in the depot issue with respect to the Department of Defense authorization conference report have reached an agreement for consideration and adoption of the conference report on Thursday, November 6.

Having said that, I thank all Senators for their cooperation. We did just then agree to a motion, and the conference report is before the Senate.

UNANIMOUS-CONSENT REQUEST—S. 1269

Mr. LOTT. I now ask unanimous consent the Senate turn to S. 1269, the fast-track legislation.

The PRESIDING OFFICER. Is there objection?

Mr. DORGAN. I object.

RECIPROCAL TRADE AGREEMENT OF 1997—MOTION TO PROCEED

Mr. LOTT. In light of the objection, I now move to proceed to S. 1269, and send a cloture motion to the desk.

CLOTURE MOTION

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provision 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 calendar No. 198, S. 1269, the so-called fast-track legislation.

TRENT LOTT, BILL ROTH, JON KYL, PETE DOMENICI, THAD COCHRAN, ROD GRAMS, SAM BROWNBACK, RICHARD SHELBY, JOHN WARNER, SLADE GORTON, CRAIG THOMAS, LARRY E. CRAIG, MITCH MCCONNELL, WAYNE ALLARD, PAUL COVERDELL, and ROBERT F. BENNETT.

Mr. LOTT. Mr. President, this cloture vote will occur on Tuesday, and I ask the mandatory quorum under rule XXII be waived.

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

Mr. LOTT. I now withdraw the motion.

The PRESIDING OFFICER. The motion is withdrawn.

MORNING BUSINESS

Mr. LOTT. I ask unanimous consent there now be a period for morning business until the hour of 2 p.m. with Senators permitted to speak for up to 5 minutes each.

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

Mr. LOTT. I yield the floor.

The PRESIDING OFFICER. The Senator from New York is recognized.

THE EDUCATION OF OUR CHILDREN

Mr. D'AMATO. Mr. President, I rise to speak again on an issue of, I think, paramount importance, and that is the education of our children. Mr. President, unless we bring about fundamental reform in education, we are just going to continue to nibble at the margins. We are going to have great intellectual discussions and not be able to help our children.

The needs in our schools are great. We need better textbooks. We need to update computer facilities. We need to insist on teachers teaching the basics. And we need merit pay for good teachers.

Our children deserve an oasis of calm in order to learn. We have to be able to get violent and disruptive juveniles out of the classroom, and "fast track" them out of the classroom. We hear about fast track for trade; what about fast tracking violent, disruptive students out of the classroom?

Most importantly, we need to listen to parents in the local communities. This afternoon, I am going to touch on a few examples, horrendous examples, that all too often are being repeated in the educational systems throughout this country. Time after time, we see the education system supporting administrators, school principals and teachers at the expense of our children. We have to encourage parental involvement in education. When parents speak out, they have a right to be heard. They have a right to be listened to.

One of the things that parents are clearly calling for is an end of a system of lifetime tenure, lifetime job protection regardless of whether the teacher or the school principals are doing the job. Eliminating tenure and reforming it is a desperately needed measure. The tenure system guarantees a lifetime job to teachers and school principals, regardless of their performance.

Let me give you examples of how children suffer. These are real cases, these are our children. In junior high school 275 in Brooklyn, reading school scores have plummeted 21.5 points in the past 5 years. Sadly, this is a school that is failing our children, and they are getting hurt.

So parents in the community, recognizing that problem, came together. The parents and the local school board