

such a way that a recorded vote is not necessary, but we are not to that point yet.

The business at hand is the FAA reauthorization bill. We cannot leave without getting that reauthorization done.

On Saturday, I had a unanimous consent request that we were prepared to propound, which we thought was going to be accepted, that the Senate turn to the consideration of the conference report to accompany the FAA reauthorization bill and that we would have a cloture vote on Monday, today, at 5 o'clock.

Because of the desire to notify the Members that we would not have further recorded votes on Saturday, I made that announcement so everybody would know, and that made it possible for this cloture effort to be blocked, in effect. The indications were that, "Well, we're going to have a scorched Earth effort and we might require all kinds of procedural votes," and we couldn't get to forcing this to a head after that particular move over the weekend.

So we are finding ourselves where we are now.

#### FEDERAL AVIATION ADMINISTRATION REAUTHORIZATION—CONFERENCE REPORT

##### MOTION TO PROCEED

Mr. LOTT. Mr. President, I am going to move to proceed to the FAA conference report, and I 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 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. 3539, the F.A.A. bill:

Larry Pressler, Fritz Hollings, John McCain, Kay Bailey Hutchison, John Ashcroft, Ted Stevens, Slade Gorton, Bill Frist, Trent Lott, Fred Thompson, Al Simpson, Craig Thomas, Conrad Burns, Frank H. Murkowski, Olympia Snowe, Wendell Ford.

Mr. LOTT. Mr. President, I ask unanimous consent to read or present a statement as to what I am doing so everybody will understand exactly what is going on.

The PRESIDING OFFICER. The Senate will please be in order. Without objection, it is so ordered.

Mr. LOTT. Mr. President, there is broad bipartisan support for this legislation in its present form. So the purpose of this action just taken is to produce a cloture vote with respect to the FAA conference report.

Since Senator KENNEDY and others have blocked consideration of that conference report and are insisting on the report being read by the clerk, this cloture vote is only on the motion to proceed to the conference report. As all Senators know, the motion to proceed to a conference report is not debatable. Therefore, under the Senate rules, a cloture vote to limit debate is not necessary.

However, this vote, if invoked, would represent to the Senate that the votes are, in fact, there to adopt the conference report, and I believe it would be an overwhelming vote, probably well over 65, maybe 70 votes. I hope that the objectors will see their way clear to allow this vote to occur yet tonight.

That was one important point I wanted to make so that everybody would be on notice we could have a vote tonight, and if the prerequisite 60 votes are obtained, they realize this bill is going to go forward, the Senate intends to adopt the conference report immediately following the cloture vote or after a brief period of debate.

So I urge all colleagues to consider this request, and I will be visiting with the Democratic leader, who has been working with me trying to find a way to move this legislation through to conclusion.

I remind our colleagues that if we did change it, even, and send it back to the House, there is no guarantee that it would get through the House. In fact, I have been led to believe the House will not accept it if there is a change, putting us basically in the same position we are in.

What we need to do is to pass this legislation in the form that it presently exists, and it is my intent to move it forward one way or the other until we can get an agreement as to how we can come to a conclusion, where there is an overwhelming majority, a supermajority of the Senate who wants to do this.

I thank the Chair.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I appreciate the comments of the majority leader. For those of us who have observed that there was an inclusion in the FAA legislation that was targeted to one special interest, one special company that would have affected their labor relations, and added, and has virtually nothing to do with the FAA—

Mr. MCCAIN. Mr. President, this is not a debatable motion.

Mr. KENNEDY. Mr. President, I believe I have the floor. Mr. President, I believe I have the floor. I asked for recognition.

The PRESIDING OFFICER. The motion to proceed to a conference report is not a debatable motion.

Mr. KENNEDY. I asked for recognition. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll to ascertain the presence of a quorum.

The 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. Mr. President, I believe it is not debatable, but I rise just to say we have not been able to work out anything. The opponents of this legislation are insisting on going forward with procedural votes, and I think maybe that is the best way to go. So if the Senator from Massachusetts wants to make a motion now on a procedural vote which goes to the substance of the issue, we should go ahead and have that vote, and it could be followed by other votes.

##### MOTION TO POSTPONE THE MOTION TO PROCEED

Mr. KENNEDY. Mr. President, I send a motion to postpone to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Massachusetts [Mr. KENNEDY] moves to postpone the motion to proceed to the consideration of the conference report to accompany H.R. 3539 to October 3, 1996.

Mr. KENNEDY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. LOTT. I move to table.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

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

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

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

Mr. FORD. I announce that the Senator from Louisiana [Mr. JOHNSTON] and the Senator from Maryland [Ms. MIKULSKI] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote.

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 303 Leg.]

##### YEAS—97

Abraham	Burns	Dorgan
Akaka	Byrd	Exon
Ashcroft	Chafee	Faircloth
Baucus	Coats	Feingold
Bennett	Cochran	Feinstein
Biden	Cohen	Ford
Bingaman	Conrad	Frahm
Bond	Coverdell	Frist
Boxer	Craig	Glenn
Bradley	D'Amato	Gorton
Breaux	Daschle	Graham
Brown	DeWine	Gramm
Bryan	Dodd	Grams
Bumpers	Domenici	Grassley