FOOTNOTES

[1] Manual of Obstetrics: Diagnosis and Therapy, ed. Kenneth Niswander and Arthur Evans, University of California, Davis, School of Medicine.

[2] Clinical Manual of Obstetrics, ed. David Shaver and Frank Ling (University of Tennessee College of Medicine), Sharon Phelan (University of Alabama Department of Obstetrics and Gynecology), and Charles Beckmann (University of Wisconsin Department of Obstetrics and Gynecology)

Mr. DASCHLE. Mr. President, second, let me just say that the distinguished Senator from Pennsylvania said that only his bill allows a judge and jury to decide. I beg to differ. We have virtually the same standard with regard to the determination of illegality. They don't ''self-certify'' any more than we ''self-certify,'' and vice versa.

It ultimately comes down to whether or not someone believes a physician has broken the law. And we have very specific guidelines by which a person, a doctor, can be prosecuted if indeed he or she has violated the law.

The third question is simply this. If indeed we want to stop abortion, then we really have a choice. We can stop one procedure, which is what H.R. 1122 does. It only stops one procedure. It allows all the other alternatives to continue. Or we can stop them all.

There is only one bill pending—one piece of legislation pending—that allows the complete elimination of all methods of abortion.

Finally, Mr. President, let me just say, as much as one might like to get around the parameters required by the Supreme Court and the Constitution, that when it comes to health, there can be no doubt. A woman's health, as well as her life, needs to be protected.

That is exactly what this legislation does. It outlaws every one of the procedures. It doesn't allow doctors just to shift to another procedures as the colleagues on the other side who support this particular procedure will continue to allow.

It does not allow that, but it does say we are going to stay within the Constitution in prohibiting all these procedures but saving a mother's life and health. We can do no less. We need to support this legislation. I hope on a bipartisan basis we will do that now.

Mr. SANTORUM. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 36, nays 64, as follows:

[Rollcall Vote No. 70 Leg.]

YEAS—36

Akaka	Bryan	Collins
Baucus	Bumpers	Daschle
Biden	Byrd	Dodd
Bingaman	Cleland	Durbin
Feingold	Kohl	Reed
Graham	Landrieu	Robb
Harkin	Leahy	Rockefeller
Inouye	Levin	Sarbanes
Johnson	Lieberman	Snowe
Kennedy	Mikulski	Torricelli
Kerrey	Moseley-Braun	Wellstone
Kerry	Murray	Wyden

NAYS—64

Abraham	Feinstein	Mack
Allard	Ford	McCain
Ashcroft	Frist	McConnell
Bennett	Glenn	Moynihan
Bond	Gorton	Murkowski
Boxer	Gramm	Nickles
Breaux	Grams	Reid
Brownback	Grassley	Roberts
Burns	Gregg	Roth
Campbell	Hagel	Santorum
Chafee	Hatch	Sessions
Coats	Helms	Shelby
Cochran	Hollings	Smith (NH)
Conrad	Hutchinson	Smith (OR)
Coverdell	Hutchison	Specter
Craig	Inhofe	Stevens
D'Amato	Jeffords	Thomas
DeWine	Kempthorne	Thompson
Domenici	Kyl	Thurmond
Dorgan	Lautenberg	Warner
Enzi	Lott	
Faircloth	Lugar	

The amendment (No. 289) was rejected.

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

Mr. THURMOND. 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 majority leader.

Mr. LOTT. Mr. President, just to confirm, again, this is the last vote for tonight. The next recorded vote will not occur before 5 o'clock on Monday. However, we are now working with the leadership on both sides of the Capitol and the Budget Committees, with the idea of having the Budget Committees markup the budget resolution, and we hope to get to the budget resolution early next week. We will continue to work to get the budget resolution out of the committee either tomorrow or Monday, and we will bring it to the floor as soon as we can get it completed and get an agreement as to how that will proceed, knowing what the rules require, but, also, wanting to work in good faith in a bipartisan way, which we think we are going to be able to do.

For the information of all Senators, as I said, there will be no further votes this evening. The Senate will next consider S. 476, relative to the Boys and Girls Clubs of America, for debate only, and a rollcall has not been requested on passage. There will not be a rollcall on that passage. We are going to take that up tomorrow, and we will be able to pass it without rollcall vote.

The Senate will be in session tomorrow for morning business to accommodate Senators' requests, although there will be no votes tomorrow.

Again, I think we have reached a final agreement on the package that will go to the Budget Committee.

MORNING BUSINESS

Mr. LOTT. I ask unanimous consent there now be a period for the transaction of routine morning business, 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 Colorado.

THE RIM ROCK RUN

Mr. ALLARD. Mr. President, the Mesa Monument Striders have held a road race inside the beautiful landscape of Colorado National Monument since 1993. Over the past 4 years, participation in the race has soared. This year, 250 Rim Rock Run participants will be shut out of the park in an effort by the National Park Service to snuff out a Colorado legacy.

Yesterday, Deputy Regional Director, Robert Reynolds, upheld the ruling of the park's superintendent to prohibit the race—all in the name of traffic congestion. But this is a 2 hour race held on an early Sunday morning in November. This is a slap in the face to the State of Colorado and the spirit of recreation which national parks were established for. I have watched the culmination of this dispute evolve from an irrational rejection of a race permit to a national dispute over the unjustified actions of a bureaucracy that refuses to listen to the voice of the people.

The people of western Colorado have bent over backwards to reach a compromise with the park's superintendent. Countless meetings have been held offering rescheduled times and dates or proposals to scale down the size of the race. The sheriff's department has committed their entire force to the security and coordination of the run. The local paper has arranged for a shuttle service to alleviate traffic inconveniences. It is clear to me that no amount of effort to compromise will sway the park service's decision to forbid the race.

Well, I will not stand for this decision. I am requesting to meet with the acting director of the Park Service to demand a justification for this ludicrous ruling. Next month, this same Park Service is sponsoring the closure of a 13 mile stretch of George Washington Parkway for a road race right here in our Nation's Capital. This might inconvenience a few thousand drivers, but I don't see any Park Service officials challenging the legitimacy of this popular race. If this is the precedent we want to set for holding an event in a national park, then let's just call off the hundreds of events already planned this year in all national parks.

This controversy is only the latest example of public land managers consistently trying to restrict public access to lands which were set aside for the public to use and enjoy. It is not an isolated case. I am convinced that this fight in Colorado is only symptomatic of a much larger problem.

This is not finished. I will continue to fight this outrageous ruling until