

Mr. LOTT. Mr. President, again, I would like to indicate that this is a bipartisan package. The Finance Committee reported it out by a substantial vote. We have already included three major Democrat proposals in this package. In fact, there are only four components to it. Three of them were principally sponsored by Democrats. In fact, I think probably the cause of the bill is probably well over two-thirds—80 percent—based on the Democratic amendments. But it didn't make any difference. They were Democrat, or Republican, if they made sense. If they will help with education in the elementary, secondary, or higher education level, they deserve serious consideration. And if they are meritorious, the committee added them. We considered other issues, I might add, in the Finance Committee. Point No. 1.

No. 2, with regard to not wanting to delay things, I should note that the discussion on this package began with a filibuster on the motion to proceed. I had to file a cloture on the motion to proceed—and not getting to the substance of even proceeding to consider the bill. It took us, I guess, 3 days to get that, although when we got to the vote, to the credit of both sides, it passed overwhelmingly. Seventy-five Senators said, Yes; we should cut off the filibuster on the motion to proceed.

With regard to the other issues, I did not want to spend 5 days on the Reagan Airport; 5 hours or 5 minutes would have been fine. But I thought that it was something we ought to think about. Some Senators had reservations, you know. It looked like we were having a filibuster on that. It shouldn't have taken 5 days. It should not have taken 4 days on cloning. I think that is an issue that has consequences serious enough that we ought to think about it carefully. It didn't have the votes. We pulled it back. We will see what the committee comes up with. But a doctor, BILL FRIST, the Senator from Tennessee, is working with others to come up with a package on this very important cloning issue. I thought that deserved some thought and some concerns, especially when you have a doctor saying we will start cloning human beings. I don't know whether I am all that excited about that prospect.

But, at any rate, I understand Senator DASCHLE's position. He has to be responsive to his Members, and I have to be responsive to mine. We have to work together to try to find a way to get to a conclusion on the education savings account bill, with the additions, and also to begin to continue to have debate on the NATO enlargement.

A lot of Senators want to talk about that. We understand maybe a Senator has a key amendment that he would be willing to offer this afternoon. I am not sure that that is true, but I think maybe Senator WARNER would be willing to go ahead and offer his amendment, which is one that is a critical amendment, on the NATO enlargement. So this time will not be wasted.

This is good time. And I invite Senators to come forward to talk about and think about in a public forum with the American people this very important question of enlarging NATO.

And by the way, with regard to double-tracking these issues, this is something that is done all the time. I used to watch Senator BYRD do it, Senator Mitchell do it, Senator Dole do it. So the idea is, while we are letting the procedures go forward, we can take up another very important subject.

So as a reminder to all Senators, under the provisions of rule XXII, all first-degree amendments must be filed at the desk by 1 p.m. on Thursday and all second-degree amendments must be filed 1 hour prior to the cloture vote.

EXECUTIVE SESSION

PROTOCOLS TO THE NORTH ATLANTIC TREATY OF 1949 ON ACCESSION OF POLAND, HUNGARY, AND THE CZECH REPUBLIC

MOTION TO PROCEED

Mr. LOTT. Mr. President, I now ask unanimous consent that the Senate proceed to executive session to consider the NATO treaty.

Mr. WELLSTONE. I object.

Mr. DASCHLE. Mr. President, reserving the right to object, let me, if I could, respond briefly to a couple of points made by the majority leader.

First of all, I have no reservations about his desire to double-track this legislation. Obviously, I think double-tracking makes sense. But he should not live under any misconception that somehow that is going to accelerate consideration of the education debate. We will have our day. We will have our opportunity to offer these amendments. Those amendments only have to be filed if cloture is invoked. And I hope my Democratic colleagues and many Republican colleagues understand the importance of having a good debate. Whether it is this week or next week or some other week, we are going to have that debate. We will have these amendments offered. We will have them considered. We are going to have it out. We will have a good discussion, as we should, in the Senate.

This is not the House of Representatives. We are not working under closed rules and all of the constraints under which the House has continued to perform its duties. That is the beauty of this body. And we are going to see that respect for the rules of the institution is upheld.

It is certainly the majority leader's right in that regard. I wasn't suggesting, in an earlier point I made about the number of days we spent on cloning, that we should not spend them. I of days we spent on cloning, that we should not spend them. I just felt that it might be a little more productive to spend them in committee, where this belonged, rather than to rush to the floor with a solution before

we had an opportunity to think through what the solution might be. So I thought it really was wasted time. I may be the only one in that regard. But eventually we will come back with something that makes sense. This didn't make sense. And I am hopeful that ultimately we will come to a solution.

But we did spend 4 days. That was the point. We spent 4 days on something thrown together to respond, in my view, very haphazardly to a very serious problem. If we can spend 4 days on that, it would seem to me we can spend a good while talking very constructively about one of the most important issues facing this country and our agenda in the Senate.

So I have no objection. I appreciate very much the opportunity to express myself.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. Is there objection to the pending request?

Mr. WELLSTONE. I object.

The PRESIDING OFFICER. Objection is heard. The majority leader.

Mr. LOTT. Mr. President, just two final observations with regard to Senator DASCHLE's comments. I feel very strongly about this Coverdell A+ bill. I think it is going to be helpful for children in America. My mother was a schoolteacher. I went to public schools all my life. I worked in placement and financial aid. I think it is high time we give parents and grandparents and people who care about kids in elementary and secondary education an opportunity to save for those kids and help them get an education. That is one of the reasons why I think education is not as good as it ought to be in elementary and secondary.

So I am determined we are going to get this bill up. We are going to consider it without a lot of extraneous matters. And I do want to observe that, as majority leader, I do still think the majority sets the agenda. I get to call up the bills, not somebody else. It has been developed over a period of many years that majority leaders call bills up, and I am not going to be dictated to by others who have a different agenda.

You can say you are going to do this and you are going to do that. If you want to have a fight over it, we will meet and fight on this one, because I am standing with children in elementary and secondary education in America. And I might also just say now I am willing to do what is right for our country. I have stood at this point and taken some tough stands when I thought it was important that it be bipartisan, nonpartisan, for our country. And I won't even repeat them, because I received a lot of flak. But right now I have Senators saying, don't go to NATO enlargement, delay it, delay it until after the Easter recess, delay it until June; do it never.

I do not think that is right. I am willing to cooperate and work on some

of these issues that must be bipartisan. But in return, from this administration and from my colleagues on both sides of the aisle, I am going to look for a little help and a little cooperation on issues that I think are important also.

So I hope that we can find a way to do that, and I believe we will. But it does take cooperation as we get through these difficult shoals on education, on NATO enlargement, on the budget for the year, on the emergency funding, the supplemental appropriations bill for Bosnia, the Persian Gulf, for disasters, and maybe even for IMF. Some of these issues I don't even agree with, but I feel an obligation to call them up.

So since there has been an objection, I now move that the Senate—

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

The PRESIDING OFFICER. The majority leader has the floor.

Mr. LOTT. Mr. President, I move that the Senate proceed to executive session to consider the NATO treaty.

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

The PRESIDING OFFICER. Do I hear an objection?

Mr. LOTT. Mr. President, I believe—

Mr. WELLSTONE. I object.

Mr. LOTT. We made a motion to proceed to executive session to consider the NATO treaty. I believe the question will be on the motion, Mr. President.

The PRESIDING OFFICER. The absence of a quorum has been suggested at this time. The clerk will call the roll.

The legislative 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. Without objection, it is so ordered.

Mr. DASCHLE. Mr. President, we will not object to the rollcall vote as proposed in the motion offered by the majority leader. Let me just say, after consultation with a number of my colleagues, I think it is clear that many of us yesterday voted on the motion to proceed with an expectation we would be able to go to the bill. I voted that way and encouraged my Democratic colleagues to vote that way, even though, as the leader indicated, because of unrelated questions, not related to education, more related to judicial nominations, some of our colleagues understandably voted in frustration about their inability to move through the judicial process and the confirmation of judges as was expressed by my colleagues yesterday.

Our desire, our hope, is that we can move ahead with this bill. Our hope is that we can offer amendments. As I have noted, we would be willing to take time agreements on most, if not all, of them. I would be willing to work into an agreement with the leader on that matter on these amendments. Unfortunately, we will not have that opportunity if we go to the NATO resolution.

So while we will certainly comply with the vote and have the vote at this moment, it is not my desire to support it and I would hope my Democratic colleagues would not either.

I yield the floor, and I thank the majority leader for his consideration.

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

The PRESIDING OFFICER. The question is now on agreeing to the motion put forth by the majority leader.

Mr. DASCHLE. Mr. President, we ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays are requested.

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 motion to proceed. The yeas and nays have been ordered. The clerk will call the roll.

Mr. FORD. I announce that the Senator from Hawaii (Mr. INOUE) is necessarily absent.

The result was announced—yeas 55, nays 44, as follows:

[Rollcall Vote No. 36 Leg.]

YEAS—55

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

NAYS—44

Akaka	Feingold	Levin
Baucus	Feinstein	Lieberman
Biden	Ford	Mikulski
Bingaman	Glenn	Moseley-Braun
Boxer	Graham	Moynihan
Breaux	Harkin	Murray
Bryan	Hollings	Reed
Bumpers	Johnson	Reid
Byrd	Kennedy	Robb
Cleland	Kerrey	Rockefeller
Conrad	Kerry	Sarbanes
Daschle	Kohl	Torricelli
Dodd	Landrieu	Wellstone
Dorgan	Lautenberg	Wyden
Durbin	Leahy	

NOT VOTING—1

Inouye Inouye

The motion was agreed to.

EXECUTIVE SESSION

PROTOCOLS TO THE NORTH ATLANTIC TREATY OF 1949 ON ACCESSION OF POLAND, HUNGARY AND THE CZECH REPUBLIC

The PRESIDING OFFICER (Mr. COATS). The clerk will now report the treaty.

The assistant legislative clerk read as follows:

Treaty document 105-36. Protocols to the North Atlantic Treaty of 1949 on Accession of Poland, Hungary, and the Czech Republic.

The Senate resumed consideration of the treaty.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, first of all, I ask for order.

The PRESIDING OFFICER. The Senate will be in order.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that I have 10 minutes to speak as in morning business.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The Senator from Minnesota is recognized for 10 minutes.

Mr. WELLSTONE. I thank the Chair for his courtesy.

EDUCATION SAVINGS ACT FOR PUBLIC AND PRIVATE SCHOOLS

Mr. WELLSTONE. Mr. President, I want to briefly speak about this vote.

What has just happened on the floor—and I do take exception to this, especially with the majority leader—is we had the Coverdell bill—I said to Senator COVERDELL yesterday that I do not necessarily agree with the bill, but I said to him, “PAUL, I look forward to the debate. I am really ready for this debate. I have a lot of amendments; other Senators have prepared amendments. I think this is probably the most important thing we can do in the U.S. Senate is to have a really substantive debate about education.”

What has now happened is the majority leader filed cloture and said we are not going to have an opportunity over the next 2 days to offer any amendments. The proposal, as I understand it, was that if we would accept some kind of an arrangement where we could offer germane amendments, that would be acceptable, but not necessarily relevant amendments. It is just an outrageous proposition, because the test of germaneness is, if you offer an amendment on the education bill that expands education, expands educational opportunities for children, it is relevant.

The Presiding Officer has had some very interesting hearings—I have been at those—dealing with early childhood development. If we want to come out with amendments and make the connection between early childhood development and education for children, that would not be viewed as germane.

I have said to people in Minnesota, based on meetings with community college students and people in my State, “Yes, I will come out here and try to make sure this Hope tax credit will be refundable,” because right now if you come from a family with an income under \$27,000 or \$28,000 a year, it doesn't help you at all. The very students who need the help in being able to afford higher education—the Coverdell bill was about how to afford either