

and Pensions. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from New York (Mr. MOYNIHAN) is absent due to surgery.

I further announce that, if present and voting, the Senator from New York (Mr. MOYNIHAN) would vote "no."

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

[Rollcall Vote No. 94 Leg.]

YEAS—55

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

NAYS—44

Akaka	Edwards	Levin
Baucus	Feingold	Lieberman
Bayh	Feinstein	Lincoln
Biden	Graham	Mikulski
Bingaman	Harkin	Murray
Boxer	Hollings	Reed
Breaux	Inouye	Reid
Bryan	Johnson	Robb
Byrd	Kennedy	Rockefeller
Cleland	Kerrey	Sarbanes
Conrad	Kerry	Schumer
Daschle	Kohl	Torricelli
Dodd	Landriau	Wellstone
Dorgan	Lautenberg	Wyden
Durbin	Leahy	

NOT VOTING—1

Moynihan

The motion was agreed to.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER (Mr. ASHCROFT). The majority leader.

MOTION TO RECOMMIT

Mr. LOTT. Mr. President, I move to recommit the bill with instructions to report back forthwith, and I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 294

(Purpose: To regulate interstate commerce by making provision for dealing with losses arising from the year 2000 problem, related failures that may disrupt communications, intermodal transportation, and other matters affecting interstate commerce)

Mr. LOTT. Mr. President, I send an amendment to the desk to the motion to recommit with instructions.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi (Mr. LOTT) proposes an amendment numbered 294 to the instructions of the Lott motion to recommit.

Mr. LOTT. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. LOTT. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 295 TO AMENDMENT NO. 294

Mr. LOTT. I send a second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi (Mr. LOTT) proposes an amendment numbered 295 to amendment No. 294.

Mr. LOTT. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. LOTT. Mr. President, in view of the latest action in trying to change the subject on this important Y2K bill, I had no alternative but to fill up the tree. I know there will be comments by Senator DASCHLE and Senator MCCAIN and Senator KENNEDY with the idea that we still hope to be able to bring these issues to a conclusion and get an agreement on Y2K, and, if that can be worked out in terms of available amendments, or final vote, we will work through that, hopefully, by tomorrow.

GUIDANCE FOR THE DESIGNATION OF EMERGENCIES AS A PART OF THE BUDGET PROCESS

Mr. LOTT. Mr. President, I call for regular order with respect to S. 557, and send a cloture motion to the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 557) to provide guidance for the designation of emergencies as a part of the budget process.

The Senate resumed consideration of the bill.

Pending:

Lott (for Abraham) amendment No. 254, to preserve and protect the surpluses of the social security trust funds by reaffirming the exclusion of receipts and disbursement from the budget, by setting a limit on the debt held by the public, and by amending the Congressional Budget Act of 1974 to provide a process to reduce the limit on the debt held by the public.

Abraham amendment No. 255 (to amendment No. 254), in the nature of a substitute.

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 provisions of rule XXII of the standing rules of the Senate, do hereby move to bring to a close debate on the pending amendment to Calendar No. 89, S. 577, a bill to provide guidance for the designation of emergencies as a part of the budget process.

Trent Lott, Pete Domenici, Ben Nighthorse Campbell, Jeff Sessions, Kay Bailey Hutchison, Craig Thomas, Slade Gorton, Chuck Hagel, Spence Abraham, Pat Roberts, Thad Cochran, Conrad Burns, Christopher Bond, John Ashcroft, Jon Kyl, and Mike DeWine.

Mr. LOTT. Mr. President, for the information of all Senators, this cloture vote will occur on Friday of this week. The time will be announced after consultation with the Democratic leader, unless it is vitiated because of intervening agreements or decisions that are made. All Senators will be notified of that exact time.

CALL OF THE ROLL

In the meantime, I ask consent that the mandatory call for the quorum under rule XXII be waived.

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

MOTION TO RECOMMIT

Mr. LOTT. I move to recommit the bill with instructions to report back forthwith, and 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.

AMENDMENT NO. 296

Mr. LOTT. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi (Mr. LOTT) proposes an amendment numbered 296 to the instructions of the LOTT motion to recommit.

Mr. LOTT. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. LOTT. Mr. President, 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.

AMENDMENT NO. 297 TO AMENDMENT NO. 296

Mr. LOTT. Mr. President, I send a second-degree amendment to the motion to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi (Mr. LOTT) proposes an amendment numbered 297 to amendment No. 296.

Mr. LOTT. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

#### ORDER OF BUSINESS AND THE Y2K ACT

Mr. LOTT. Mr. President, I regret that we have to use this procedure. But we are hoping that we can see an agreement reached with regard to Y2K. I know there is a bipartisan effort underway on this important issue. It is timely. I hope that Members will work together this afternoon and tonight, and that we can find a way to come to a conclusion on it.

The Social Security lockbox also is an issue that we think is very important which we need to be talking about and find a way to actually achieve that goal. This will give us an opportunity to discuss that some more.

I want to say to Senator DASCHLE publicly what I have been saying to him privately. It is not my intent, and I will not be used to prevent a discussion in a reasonable period of time—we talked about week after next—with regard to school violence, how you deal with that. I think it is appropriate after a reasonable period of time to have a debate and have votes on amendments. I suggest that we would do it on the Justice bill. If for some reason that bill is a problem, we will find some other vehicle, and I am sure there will be amendments with a lot of different ideas of how we try to deal with this problem.

I am not sure we can solve what has happened in Colorado here. But we will have a chance to have a discussion and have a debate and have amendments.

I said to Senator DASCHLE that we are going to do that, and he and I will work together to find a way to do it and to have amendments dealing with school violence.

I don't want this to become a laundry list of all kinds of other issues. But the Senate needs to be heard, and needs to have an opportunity to debate and vote on those issues dealing with school violence. How we try to address that—we will find a way to get that done.

I yield the floor.

Mr. DASCHLE. Mr. President, just for a question for the leader to clarify, yesterday I think the understanding was that it would be his intent to bring this bill to the Senate floor 2 weeks from yesterday.

Is that the current intention?

Mr. LOTT. That is my intention. To give you an example of what might happen, though, it is possible that the supplemental appropriations bill would be ready that day. It depends on when the House acts and when the Senate is

able to get to it. If we have to do it a day earlier, or a day later, I don't want the Democratic leader to think it would have to be something he and I agree on. Barring something that might happen, we will do it on that Tuesday.

Mr. DASCHLE. I thank the majority leader.

Mr. LOTT. I yield the floor.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER (Mr. SANTORUM). The minority leader is recognized.

Mr. DASCHLE. Mr. President, I want to comment on developments over the last couple of days in particular, and the vote that we just had specifically. There are two issues here. I want to touch on both of them.

The first issue has to do with our desire to reach some accommodation, some agreement on Y2K. I have said it publicly and privately, I think this is a serious issue. I believe there is a way with which to resolve this matter. But I don't think it does any of us any good, or the industry any good, or our country any good to pass a bill out of the Senate knowing it will be vetoed. I don't know why we would do that.

I have heard the argument, "Well, we can clean it up in conference." Mr. President, I don't know why we don't clean it up here. We have as clear a letter as any I have ever seen from this administration which says the current draft will be vetoed. I don't know how you get any more definitive than this.

If we were serious—and I really believe that there are a number of serious and well-intentioned Senators who want to see this resolved—I think this is the test of seriousness, because I believe that the Senators who truly want to see an accomplishment rather than an issue will take this letter seriously.

I am very hopeful that in the not too distant future we will see some final agreement that will allow us to vote on an overwhelming basis on this issue. I want to support it. Most of us will support it.

Mr. WYDEN. Mr. President, will the minority leader yield for a quick moment?

Mr. DASCHLE. I am happy to yield to the Senator from Oregon.

Mr. WYDEN. Mr. President, I thank the leader for yielding. I want to thank him for his patience in an effort to try to make this legislation responsible and fair to prevent damage to our economy.

I also want to tell him that we have made exceptional progress in the last couple of hours, particularly in dealing with the number of those issues that were raised in the administration's letter.

I really commend Senator DODD for all of his efforts. As you know, he is the senior Democrat on the Y2K Committee. He has done yeoman's work over the last couple of hours, particu-

larly on the issue of punitive damages, which is the issue raised by this administration, and also on evidence standards to make sure that you are fair to the consumer and to the plaintiff. Senator DODD has worked very closely with the chairman of the Commerce Committee and myself, Senator HATCH, Senator FEINSTEIN. It is a bipartisan group.

We are going to continue to work in the spirit that the leader has talked about. As a result of the progress in the last few hours, I think we have gone a considerable distance toward meeting the leader's objective.

I thank the leader for yielding me the time, and also for his patience in this effort.

Mr. DASCHLE. I thank the Senator from Oregon.

Mr. President, there are a number of people—Senator WYDEN, Senator MCCAIN, Senator HOLLINGS, Senator EDWARDS, Senator DODD, Senator KERRY, Senator ROBB—as the Senator has noted, who deserve great credit for moving this process along. There are a number of Senators who are actively engaged in an effort to bring this matter to closure. I am very hopeful we can do that.

Let me talk about the second matter, the procedural question. Senator KENNEDY offered an amendment, as is his right, through the recommittal motion simply because he has no other recourse. This is illustrative of an array of frustrations the Democratic Caucus has about the procedure used in each and every instance in which a bill has come to the floor this session of Congress. This is the 28th of April and we have yet to have one amendable vehicle on the Senate floor.

I have a great deal of affection for the majority leader, but I must say, I think he should have run for Speaker because I really believe he would be more comfortable as Speaker. I have said that to him, and I think he would acknowledge he would much rather have a Rules Committee in the Senate than the current rules. When I become majority leader, maybe I will have that same feeling.

However, in the Senate, we have always prided ourselves on open, free debate. We lay a bill down, offer amendments, have tabling motions, have second-degree amendments, and we have a debate. We call ourselves the most deliberative body in the United States, if not in the world, and I believe we have a right to that distinction. How can we be deliberative when every time we bring a bill to the floor, we fill the parliamentary tree, denying anybody a right to offer an amendment?

There is a pent-up frustration and a pent-up pressure to have the opportunity to vote, to have the opportunity to offer amendments on key questions. This happened to be the minimum wage. The distinguished senior Senator