

resolution of conflicts. This is supposed to be a debating society, a debating body. I think it will be for 2 years to come. We are going to be doing our business right here on the floor, to a great extent. With the help of the Senate, we will finish this bill.

Does the Senator wish any more time?

Mr. BYRD. Mr. President, if the Senator will yield.

Mr. STEVENS. Yes.

Mr. BYRD. I think we are all aware of the monstrous hoax that has been pulled upon the American people, the hoax that this year was the opening year of the 21st century. This year is the closing year of the 20th century. That is according to the old math as well as the new math. I hope it won't be said that the Senate dabbled and dabbled and waited until the 21st century, which begins on January 1, to complete the appropriations bills of the 20th century. Let's be about our work.

Mr. STEVENS. Mr. President, the Senator makes a good point. I will not argue with the Senator about which century it is. I do believe that next year is the first year of the next century. I join him in that.

Mr. President, I yield back the remainder of any time I may have.

The PRESIDING OFFICER. All time has expired. The question is on the third reading of the joint resolution.

The joint resolution was ordered to a third reading and was read the third time.

Mr. STEVENS. 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 question is, Shall the joint resolution pass? The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Vermont (Mr. LEAHY) is necessarily absent.

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

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 295 Leg.]

YEAS—99

Abraham	Chafee L.	Frist
Akaka	Cleland	Gorton
Allard	Cochran	Graham
Ashcroft	Collins	Gramm
Baucus	Conrad	Grams
Bayh	Craig	Grassley
Bennett	Crapo	Gregg
Biden	Daschle	Hagel
Bingaman	DeWine	Harkin
Bond	Dodd	Hatch
Boxer	Domenici	Helms
Breaux	Dorgan	Hollings
Brownback	Durbin	Hutchinson
Bryan	Edwards	Hutchinson
Bunning	Enzi	Inhofe
Burns	Feingold	Inouye
Byrd	Feinstein	Jeffords
Campbell	Fitzgerald	Johnson

Kennedy	Mikulski	Sessions
Kerrey	Miller	Shelby
Kerry	Moynihan	Smith (NH)
Kohl	Murkowski	Smith (OR)
Kyl	Murray	Snowe
Landrieu	Nickles	Specter
Lautenberg	Reed	Stevens
Levin	Reid	Thomas
Lieberman	Robb	Thompson
Lincoln	Roberts	Thurmond
Lott	Rockefeller	Torricelli
Lugar	Roth	Voinovich
Mack	Santorum	Warner
McCain	Sarbanes	Wellstone
McConnell	Schumer	Wyden

NOT VOTING—1

Leahy

The joint resolution (H.J. Res. 126) was passed.

#### BANKRUPTCY REFORM ACT OF 2000—CONFERENCE REPORT—Resumed

The PRESIDING OFFICER. There are now 7 minutes equally divided before the next vote.

The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, I yield 3 minutes of the 5 minutes on our side to Senator BIDEN.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I will be reading from these charts some of the provisions of current law for women and children. We developed these child support provisions with Senators TORRICELLI, DURBIN, and DODD on the Democrat side. We have worked very hard to accommodate both sides.

For women and children, we give child support first priority status—up from seventh in line—meaning they will be paid ahead of the lawyers.

We make staying current on child support a condition of discharge.

We make debt discharge in bankruptcy conditional upon full payment of past due child support and alimony.

We make domestic support obligations automatically nondischargeable, without the costs of litigation.

We prevent bankruptcy from holding up child custody, visitation, and domestic violence cases.

We help avoid administrative roadblocks to get kids the support they need.

Those are some of the things we are doing for women and children in this bankruptcy bill.

There are more improvements over current law for women and children.

We make payment of child support arrears a condition of plan confirmation.

We provide better notice and more information for easier child support collection.

We provide help in tracking down deadbeats.

We allow for claims against deadbeat parents' property.

We allow for payment of child support with interest by those with means.

We facilitate wage withholding to collect child support from deadbeat parents.

We make great strides against deadbeats.

Pro-consumer provisions:

New disclosures by creditors and more judicial oversight of reaffirmation agreements, to protect them from being pressured into onerous agreements;

A debtor's bill of rights, to prevent bankruptcy mills from preying upon those who are uninformed of their rights;

New consumer protections under the Truth in Lending Act, such as required disclosures regarding minimum monthly payments and introductory rates for credit cards.

We provide penalties on creditors who refuse to renegotiate reasonable payment schedules outside of bankruptcy.

We have penalties on creditors who fail to properly credit plan payments in bankruptcy.

We have credit counseling programs, to help avoid the cycle of indebtedness.

We provide protection for educational savings accounts.

We give equal protection for retirement savings in bankruptcy.

This is a very good bankruptcy bill. We have worked hard to bring both sides together. It is something that is absolutely needed in this country.

I hope our colleagues will support us today in this motion to reconsider.

I reserve the remainder of the time in favor of Senator GRASSLEY.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. BIDEN. Mr. President, I understand that I have possibly up to 2 minutes.

The PRESIDING OFFICER. The Senator has 2 minutes.

Mr. BIDEN. Mr. President, I will not use all of the time.

We will hear from our friend from Massachusetts and others on this floor about how this has harmed women and children in support payments. That is simply, flat out not true. We have improved the position of women. We have improved the position of children. We have improved the position of people who do not have much money.

We have included a safe harbor provision, saying that unless you meet a certain minimum income level, you don't even get considered in this process.

This is a good bill subject to a lot of exaggeration.

My good friend from New York had a very good provision which I supported relating to abortion clinics and bombs. There can't be any intimidation of any kind.

You cannot declare bankruptcy in this country under present bankruptcy law if you engage in activities which under the FACE Act are prohibited.

There is no court in the Nation that has said that. People are trying to get out of bankruptcy. They are trying to

be discharged. But the courts have not discharged them and will not discharge them.

I would like to see the Schumer amendment become law. But, in fact, it is not necessary to protect the very people we want to protect and to hold responsible those who engage in that kind of activity under the FACE Act.

I hope reason will overcome passion. I hope the truth will overcome exaggeration. But I have been in this institution 28 years and who knows?

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota has 5 minutes.

Mr. WELLSTONE. Mr. President, being able to file chapter 7 bankruptcy is a major safety net for middle-class, low-income families.

I have heard my colleagues on the other side speak, but the truth is that every single civil rights organization, labor organization, consumer organization, and women's organization opposes this piece of legislation. It goes too far. It is too harsh. It is significantly worse from a bill that we once passed that indeed was much better.

I have a letter signed by 116 law professors who have said this bill is too harsh and should be defeated.

Finally, colleagues, this bill came to the Senate in a State Department embassy conference report which was gutted. This whole process is absolutely outrageous, and Senators who care about this legislative process and this institution should vote against cloture.

I yield 1½ minutes to my colleague from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, it is fair in a time such as this to ask who the beneficiaries of this legislation are going to be and who is going to lose.

As the Senator from Minnesota pointed out, there is not one single organization that advocates for children that supports this legislation. There isn't a single organization that advocates for women that supports this piece of legislation. There is not one organization that represents working men and women that supports this legislation. There is not one group representing consumers that supports this legislation.

It fails the basic and fundamental test of fairness.

There are over 116 bankruptcy experts from around the country, representing all different views on this, legislation who have basically underscored what I have said. This is written in their letter. They say:

We write yet again to bring the same message:

The problems with the bankruptcy bill have not been resolved, particularly those provisions that adversely affect women and children.

Then it continues on page 2.

Granting women and children a first priority for bankruptcy distribution permits them to stand first in line to collect nothing.

That is what this is really all about.

I hope that at this period in our election process we are not going to be out there trying to shortchange hard-working families, the children and women in our society, and the consumers of this Nation.

Mr. WELLSTONE. Mr. President, I yield 1 minute to Senator SCHUMER and 1 minute to Senator DURBIN.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, let me make it clear that without the Schumer amendment this bill does not help women. It would be the leading dagger in keeping a woman's right to choose.

If women support this, why do 16 of the leading women's groups sign a letter saying vote against the bill without the Schumer amendment. Why would we allow those who committed such crimes as posting the Nuremberg files and virtually urging people to harm doctors to escape under the cloak of bankruptcy?

We will go back to the days when 80 percent of the clinics are closed in America and a woman's right to choose is gone.

Whatever you feel about the particulars of the bankruptcy bill—and I agree with the Senator from Massachusetts about that—whether you are pro-choice or pro-life, people ought not take the law into their own hands and then hide behind the cloak of bankruptcy.

Members must vote no on this bill until the Schumer amendment is added back. It passed 80–20 originally on this floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. This bankruptcy bill has been a mangy stray dog that won't get off the back porch.

Let me tell you what is wrong with the bill. Does it improve the position of women and children? Sure, but it also improves the position of credit card companies, competing with the women and children for limited funds.

Does it close the homestead loophole? A little bit, but it allows those who are wealthy to find their way around their legal obligation in bankruptcy.

I have coauthored, cosponsored, and voted for bankruptcy reform when it was bipartisan and balanced. This bill is not. This bill was written by a conference committee dominated by one party. It is being shoved down our throats. It is time to shove that old dog off the back porch.

The PRESIDING OFFICER. Under the previous order, the clerk will report the motion to invoke cloture on the conference report to H.R. 2415.

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 conference report to accompany H.R. 2415, a bill to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes:

Trent Lott, Chuck Grassley, Jeff Sessions, Richard Shelby, Fred Thompson, Mike Crapo, Phil Gramm, Jon Kyl, Jim Bunning, Wayne Allard, Thad Cochran, Craig Thomas, Connie Mack, Bill Frist, Bob Smith of New Hampshire, and Frank Murkowski.

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the conference report accompanying H.R. 2415 shall be brought to a close?

The yeas and nays are required under this rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. FITZGERALD (when his name was called). Present

Mr. REID. I announce that the Senator from Vermont (Mr. LEAHY), is necessarily absent.

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

The yeas and nays resulted—yeas 67, nays 31, as follows:

[Rollcall Vote No. 296 Leg.]

#### YEAS—67

Abraham	Enzi	McConnell
Allard	Frist	Miller
Ashcroft	Gorton	Murkowski
Bayh	Graham	Nickles
Bennett	Gramm	Robb
Biden	Grams	Roberts
Bingaman	Grassley	Roth
Bond	Gregg	Santorum
Breaux	Hagel	Sessions
Brownback	Hatch	Shelby
Bunning	Helms	Smith (NH)
Burns	Hutchinson	Smith (OR)
Byrd	Hutchison	Snowe
Campbell	Inhofe	Specter
Chafee, L.	Jeffords	Stevens
Cleland	Johnson	Thomas
Cochran	Kerrey	Thompson
Collins	Kyl	Thurmond
Craig	Lincoln	Torricelli
Crapo	Lott	Voinovich
Daschle	Lugar	Warner
DeWine	Mack	
Domenici	McCain	

#### NAYS—31

Akaka	Harkin	Moynihan
Baucus	Hollings	Murray
Boxer	Inouye	Reed
Bryan	Kennedy	Reid
Conrad	Kerry	Rockefeller
Dodd	Kohl	Sarbanes
Dorgan	Landrieu	Schumer
Durbin	Lautenberg	Wellstone
Edwards	Levin	Wyden
Feingold	Lieberman	
Feinstein	Mikulski	

#### ANSWERED "PRESENT"—1

Fitzgerald

#### NOT VOTING—1

Leahy

The PRESIDING OFFICER. On this vote, the yeas are 67, the nays are 31, and 1 Senator responded present. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### HEALTH AND EDUCATION APPROPRIATIONS

Mr. HARKIN. Mr. President, I rise to continue to address the key pending piece of legislation that has not been enacted this year. It has been passed by both the House and Senate. In the conference committee, we finished our work. But it is sort of hanging in limbo. That is the funding bill for Education, Health and Human Services, other important programs such as the National Institutes of Health, and, of course, the low-income heating energy assistance program which is so vital to many of our low-income and elderly citizens who live in the northeastern part of the United States and in a lot of the other northern parts of America.

That bill right now is in limbo. We passed the appropriations bill in the Senate; the House passed the bill. Then ensued about 4 months of very tough negotiations between the House and the Senate, culminating in a marathon session that took place one weekend before we left, a couple weeks before the election, in which we agreed. When I say "we," I mean Chairman STEVENS of the Appropriations Committee; Senator BYRD, our ranking member on the full Appropriations Committee; Senator SPECTER, who is the chairman of the education appropriations subcommittee; and me. I am the ranking member on the subcommittee. On the House side, we had Chairman YOUNG of Florida, the chairman of the full Appropriations Committee; we had Congressman PORTER, who is chairman of the subcommittee on that side; Congressman OBEY, ranking member on the subcommittee, and also ranking member of the full Appropriations Committee. We all agreed.

It was a Sunday, and we were there until 2 a.m. on Monday morning. We finally agreed. The negotiations were heated. Many times we were hung up on certain things, but in the end we came up with a good compromise.

That was Monday morning. That was right before we left for the election. Less than 12 hours later, a faction within the House Republican leadership, led by Congressman DELAY and Congressman ARMEY, decided to renege on that bipartisan compromise. We were all baffled by this sudden decision. We spent many late hours compromising, negotiating, giving and taking.

I think we came to an honorable, mutually satisfactory agreement. Again,

no one was 100-percent happy with it. For example, I was extremely displeased that an important regulation protecting workers from workplace injuries such as carpal tunnel syndrome was delayed yet again, for the third year in a row, despite the fact that last year's conference report contained explicit language stating it would not be delayed any further. Well, Republicans insisted we try to delay this yet again.

Each year, over 600,000 American workers suffer disabling, work-related, musculoskeletal disorders. This costs employers \$15 billion to \$20 billion a year in compensation. It may cost our economy upwards of \$60 billion annually. I was especially disappointed because this so-called ergonomics provision was a nonpartisan proposal initiated under Labor Secretary Elizabeth Dole, a Republican, in the Bush administration 9 years ago.

Yet while I was displeased with this particular aspect of the bill, I was satisfied that the bill contained important provisions to improve education for our kids, improve health care for women and the elderly, fund needed research at the NIH, and safeguard Social Security and Medicare—provisions that are far too important to be destroyed by last-minute partisan politics.

In this bill, we had the highest increase ever in funding for education, with 35 percent more funding for class size reduction. It meant 12,000 new teachers would be hired across America. That is what was in the bill. There was school modernization funding that would generate about \$9 billion in needed school repairs to some of our older schools; \$250 million to increase accountability to turn around failing schools; a 40-percent increase in grants to States for the education of kids with disabilities and special needs; the largest increase we ever gave for IDEA, from \$4.9 billion to \$6.9 billion; the largest increase ever for Pell grants, to make college more affordable to working families. That is what was in this bill—the largest increase ever for Pell grants; the biggest increase for grants to States for educating kids with disabilities; school modernization, the first time ever, which would have funded about \$9 billion in needed school repairs; 35-percent funding for class size reduction, the most ever. That is just in education.

In child care, again, was a record amount of money, an additional \$817 million that would have covered 220,000 more children in America to have child care; afterschool care, \$546 million in this bill, so that 850,000 children in America could have some form of afterschool care.

Health care. We added money so that 1.5 million more patient visits could take place at our community health centers around America. We put in an additional \$18 million for breast and cervical cancer treatment and screen-

ing, an additional \$1.7 million for NIH research—the highest level we have ever given, the biggest increase ever for funding at the NIH.

I mentioned earlier a record amount for LIHEAP, the Low Income Home Energy Assistance Program, so that the elderly and low income in the northeastern parts of our country can get the heat they need this winter.

That is what is in the bill. It addresses the educational needs of our country, child care, health care, medical research, and, as I said, things such as home heating for the elderly and low income.

Well, each side won some battles; each side lost some. Isn't that what compromise is about? Isn't that what bipartisanship is about, where I don't get my way all the time and you don't get your way all the time? Maybe I will get some of what I want and maybe you will get some of what you want. That is what bipartisanship is about. We hear all this talk about bipartisanship. It looks as if next year the Senate is going to be right down the middle, 50-50, for the first time ever. If there is ever a time that we need bipartisanship, where we have to mentally understand that we Democrats don't get our way all the time and you Republicans don't get your way all the time but we work these things out, it is now. That is what we did on this appropriations bill.

As I said, it took us almost 5 months of tough negotiations, with strong feelings about this. Finally, we shook hands and we all signed our names to it and we walked out of the room. Then, two Republicans on the House side, Mr. DELAY and Mr. ARMEY, turned thumbs down on it after we had done our work to reach a bipartisan agreement.

Well, if we are going to set the stage for working closer together next year, I suggest we start here and now with the appropriations bill for education. We have a bipartisan bill. Republicans and Democrats who worked on it for 5 months know all the line items that are in it. We all agree that some are progressive, some are conservative, and there are moderates—almost the entire spectrum of the political ideology was involved in this bill. Yet we all agree, except Mr. DELAY and Mr. ARMEY on the House side.

Why should two people in a position of power be able to tell the entire Congress and, in fact, the entire country that we are not going to have this bipartisan agreement that we reached, on which we worked so hard? Two people say that we are not going to have it.

Congressman YOUNG, with whom I served in the House, has been a distinguished House Member for a long time. He and I don't agree philosophically on a lot of things, but we worked it out. Along with Congressman OBEY, Senator STEVENS, and Senator BYRD, we worked these things out.