

what great things might happen once we start moving things forward?

Mr. FORD. Don't bet on that.

Mr. LOTT. Don't bet on that? The Senator from Kentucky will make sure that doesn't happen. I yield the floor so Senator DASCHLE can comment on his own time, and then I will move to stand in recess after that.

Mr. DASCHLE. Mr. President, I thank the distinguished majority leader for his comments and applaud him for making the effort that he has over the last several days in working with us to see if we can't find a way with which to resolve this impasse.

I want to clarify a couple of matters that I think ought to be understood as we work our way through the impasse. The first is that a cloture vote, a victory on cloture on the Chafee amendment may move the ball ahead slightly, but there are scores of Chafee amendments, all of which will be subject to the same cloture vote process, each taking 30 hours. So if you multiply 30 hours times 30 amendments, that is a lot of time, and we don't have a lot of time.

It is not only the amendments, but it is the titles themselves, the banking, the finance, the commerce titles that have to be added to the trunk of the bill. They, too, will be subject to cloture and will require a substantial amount of time.

So unless we get an agreement, even if the caucus, even if our Democratic caucus would vote for cloture, there are Senators who would oppose moving the ISTEA bill forward without an agreement, which brings us to the need to vote for cloture in any case.

So it is with unanimity the Democrats are hoping that we can work with our friends in the majority to see if we can't reach that agreement.

As to the agreement, the clarification I wish to make goes along the lines of what the distinguished Senator from Massachusetts has just noted, and others. What do we want? Well, we want a date certain. We would like the assurance that the so-called parliamentary tree is not filled; that we have an opportunity, as Senator McCAIN noted, to offer amendments. We would like to take the bills in sequence—the McCain-Feingold and then perhaps the Lott bill having to do with the labor unions. That would be the desirable approach, a sequence of consideration, first of McCain-Feingold and then of the Lott bill.

We recognize that every amendment and the bill itself would be subject to the rules of the Senate which means you have to have 60 votes. It would seem to me that if you don't get 60 votes, you pull the amendment and would move on to another one. If we filed cloture on an amendment or required a 60-vote threshold, you could get through these amendments pretty quickly. If you don't get it, it falls, and we just keep going. Ultimately, if we don't get 60 votes on McCain-Feingold, it falls; it is over.

I do not think it would take that long. I think we could work through a procedure that would bring us to some closure on this bill. That is all we can ask. We cannot do anything more than make our best effort to persuade and come up with a parliamentary process that will allow us the right to protect Senators as Members of the minority, whatever the minority may be, on a given issue. And I believe a process like that would work.

Senator LOTT has been, I think, fair in his willingness to consider almost anything. We have Senators who are unable to agree at this point. But like others before me, I am hopeful that we can get an agreement, that cloture votes will not be necessary, that we can then finish ISTEA, that we can then move on to nominations and another array of issues next week. That is within our grasp, but it will take an agreement.

I think it is fair to say that it will not matter how many cloture votes we take, I do not think the votes will be different. A majority of the Senate voted against cloture this morning—a majority. Forty-five Democrats and seven Republicans voted against cloture. A majority, it seems to me, now want to resolve this matter.

So I am hopeful, Mr. President, we can do that. I think we can do it. I will stand ready to meet with anybody to come to some conclusion on how we might proceed. But I hope we do not give up.

Under the rules, as I understand them, we will go into a recess until 3 o'clock?

#### RECESS

Mr. LOTT. Mr. President, I move now that the Senate stand in recess until 3 p.m. today.

The motion was agreed to, and at 12:16 p.m., the Senate recessed until 3 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. KEMPTHORNE).

#### APPOINTMENT OF CONFEREES—S. 830

The PRESIDING OFFICER. Pursuant to the order of October 9, 1997, the Chair appoints the following conferees on Senate bill 830.

The Presiding Officer appointed Mr. JEFFORDS, Mr. COATS, Mr. GREGG, Mr. FRIST, Mr. DEWINE, Mr. KENNEDY, Mr. DODD, Mr. HARKIN, and Ms. MIKULSKI conferees on the part of the Senate.

The PRESIDING OFFICER. The Chair, in his capacity as a Senator from Idaho, suggests the absence of a quorum.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the clerk will report the motion to invoke cloture.

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 modified committee amendment to S. 1173, the Intermodal Surface Transportation Efficiency Act:

Trent Lott, John Chafee, Paul Coverdell, Christopher Bond, Jesse Helms, Mike Enzi, John Ashcroft, Don Nickles, Craig Thomas, Mike DeWine, Richard Lugar, Pat Roberts, Ted Stevens, Wayne Allard, Dirk Kempthorne, and Larry Craig.

#### CALL OF THE ROLL

The PRESIDING OFFICER. By unanimous consent, the quorum call has been waived.

#### VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the modified committee amendment to Senate bill 1173, a bill to authorize funds for construction of highways, for highway safety programs, and for mass transit programs, shall be brought to a close?

The yeas and nays are required under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

The yeas and nays resulted—yeas 48, nays 50, as follows:

[Rollcall Vote No. 277 Leg.]

#### YEAS—48

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

#### NAYS—50

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

#### NOT VOTING—2

Mikulski Sarbanes

The PRESIDING OFFICER. On this vote the yeas are 48, the nays are 50.