

to Senate bill 1873, the missile defense bill, 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.

The yeas and nays resulted—yeas 59, nays 41, as follows:

[Rollcall Vote No. 262 Leg.]

YEAS—59

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

NAYS—41

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

The PRESIDING OFFICER. On this vote, the yeas are 59, the nays are 41. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. GORTON. I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. ROBERTS). The distinguished Senator from Washington is recognized.

Mr. GORTON. Mr. President, the distinguished President pro tempore has asked for 5 or 10 minutes to speak as in morning business. I ask unanimous consent that you recognize him for that purpose.

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

The distinguished Senator from South Carolina is recognized.

CONSUMER BANKRUPTCY REFORM ACT

Mr. THURMOND. Mr. President, I rise today in support of cloture on the motion to proceed to S.1301, the Consumer Bankruptcy Reform Act, which will be voted on later today. This legislation is urgently needed to address abuses of our bankruptcy laws and help make sure bankruptcy is reserved for those who truly need it.

We have had Federal bankruptcy laws for 100 years, and no one disputes

that some people must file for bankruptcy. Some people fall on hard times and have financial problems that dwarf their financial means. They need to have the debts that they cannot pay forgiven under chapter 7.

However, other people who file for bankruptcy have assets or have the ability to repay their debts over time. These people should reorganize their debts under chapter 13. Bankruptcy should not be an avenue for someone to avoid paying their debts when they have the ability to do so. People should pay what they can.

Unfortunately, too many people today who file for bankruptcy choose to discharge their debts rather than reorganize them and pay what they can. The reason may be because filing for bankruptcy does not have the moral stigma it once had. It may be because the person needs to be educated on how to better manage their money. Maybe attorneys do not encourage enough people to reorganize their debts. Whatever the reason, it is a big problem today.

The problem is becoming more serious because more and more people are filing for bankruptcy every year. In fact, more Americans filed for bankruptcy last year than ever before, about 1.35 million people.

S.1301 addresses the issue by making it easier for judges to transfer cases from chapter 7 discharge to chapter 13 reorganization, based on the income of the debtor and other factors. The bill permits creditors to be involved if they believe the debtor has the ability to repay. However, if a creditor abuses that power and brings such motions without substantial justification, the creditor is penalized. Also, the legislation places more responsibility on attorneys to steer individuals toward paying what they can.

The bill makes reforms without jeopardizing the truly needy. For example, the bill has special provisions to protect mothers who depend on child support by making these payments the top priority for payment in bankruptcy.

Mr. President, it is too easy to file for bankruptcy. It is too easy to get the slate wiped clean. We recognize that some people need a fresh start. But a fresh start should not mean a free ride. We must stop this type of abuse.

It is important to note that we are only attempting to proceed to the bill. It is only appropriate that we consider this legislation on the merits this year.

Under the outstanding leadership of Senator GRASSLEY, we held numerous hearings during this Congress in the Judiciary Committee on bankruptcy and on this bill in particular. We have considered and debated this legislation at the subcommittee and full committee, where it was reported out on a bipartisan vote of 16 to 2. Much work has been invested in this complex issue, and it would be a mistake not to act on this important reform proposal this year. It deserves our consideration and our support.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. AKAKA. Mr. President, I rise to speak during morning business for 5 minutes.

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

NEW WORLD ALTITUDE RECORD
BREAKING FLIGHT

Mr. AKAKA. Mr. President, I rise today to recognize and celebrate the world record breaking achievements of the National Aeronautics and Space Administration's (NASA) Unmanned Aerial Vehicle (UAV) program conducted at the Pacific Missile Range Facility (PMRF) on Kauai. This exemplary program is part of NASA's Environmental Research Aircraft and Sensor Technology (ERAST) program, which first gained national recognition for record breaking Pathfinder flights last year.

Mr. President, on December 10, 1997, I was proud to participate in a ceremony dedicating the previous record breaking flight that reached an altitude of 71,500 feet in memory of Hawaii's beloved hero, Colonel Ellison Onizuka. This was a most fitting tribute to honor Colonel Onizuka and inspire our youth to excellence.

Since that time, the Pathfinder solar electric powered remotely piloted aircraft has undergone design upgrades which have allowed the ERAST Team to once again set a new world altitude record for unmanned solar-powered aircraft. This landmark was accomplished when the solarplane climbed to 80,200 feet above PMRF on August 6, 1998. I am particularly proud of the students and faculty of Kauai Community College and the talented personnel at PMRF who assisted NASA's ERAST Team in attaining this monumental achievement.

The success of Pathfinder and Pathfinder Plus has opened new doors to possible educational, scientific, and technological applications that were not imaginable a few years ago. There are countless implications for advances in the fields of aviation, satellite deployment, solar energy technology, oceanic and atmospheric research and monitoring, and environmental protection.

Mr. President, I commend NASA's ERAST Team, the students and faculty of Kauai Community College and the personnel at PMRF for demonstrating that through our imagination, we can reach unimagined realms in space and near space.

PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. Mr. President, I ask unanimous consent that Deanna Caldwell and Jennifer Gaib be allowed to be on the floor during the debate on campaign finance reform.

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

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The distinguished Senator from Washington.