

we eliminate the most egregious abuse. That is, debtors who shield their assets in luxury homes in states like Florida and Texas, while their legitimate creditors—children, ex-spouses owed alimony, governments, retailers and banks—get left out in the cold. If we really want to restore the stigma to bankruptcy, all of us know this is the best place to start. By capping the homestead exemption at \$100,000, the Senate bill would have stopped this abuse.

But the Conference Report won't put an end to this practice. Indeed, it only addresses part of the problem—by making it harder to move to Florida or Texas solely to take advantage of their liberal homestead laws. Now that is a step forward. But it is just a small step; it does nothing to stop debtors who already own lavish homes—or second homes—in those states from continuing to live like kings. That's an injustice to legitimate creditors and an outrage to anyone who believes—like I do—that deadbeats who go into bankruptcy shouldn't be able to shield their assets in luxurious homes.

Just take a look at what Burt Reynolds did earlier this week. The measure wouldn't apply to him, because he lives in Florida and that state has no homestead cap. As part of his bankruptcy settlement, he managed to hold onto his \$2.5 million estate called "Valhalla." Now, I like Burt Reynolds' movies. I liked "Deliverance," "Daisy Miller," and "The Longest Yard"—though I didn't see "Boogie Nights." Burt Reynolds is a fine actor. But it seems like he's making out much like his title role in "Smokey and the Bandit." While he lives in luxury, his legitimate creditors lose millions. The Conference Report allows this to happen; the Senate bill would have put an end to this travesty.

Of course, the dramatic rise in bankruptcies is very troubling, regardless of whether the blame lies with credit card companies, a culture that disparages personal responsibility, the bankruptcy code or, most probably, with all of the above. While none of us wants to return to the era of "debtors' prison," we need to do something to reverse this trend, reduce the number of bankruptcy filings and make sure bankruptcy remains a tool of last resort. This bill does some of that. For example, it discourages repeat filings and it encourages debtors who can repay some of their debts to do so. But Mr. President, ultimately this Conference Report falls short. Instead of proceeding to this measure, we should proceed to a better bill. And hopefully next Congress we will. Thank you.

The PRESIDING OFFICER. The hour of 6 o'clock having arrived, the question is on the motion to proceed to the conference report on H.R. 3150.

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

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Missouri (Mr. BOND) is necessarily absent.

Mr. FORD. I announce that the Senator from Ohio (Mr. GLENN), the Senator from South Carolina (Mr. HOLLINGS), and the Senator from Minnesota (Mr. WELLSTONE) are necessarily absent.

I further announce that, if present and voting, the Senator from Minnesota (Mr. WELLSTONE) would vote "aye."

The result was announced—yeas 94, nays 2, as follows:

[Rollcall Vote No. 313 Leg.]

YEAS—94

Abraham	Faircloth	Mack
Akaka	Feingold	McCain
Allard	Feinstein	McConnell
Ashcroft	Ford	Mikulski
Baucus	Frist	Moseley-Braun
Bennett	Gorton	Moynihan
Biden	Graham	Murkowski
Bingaman	Gramm	Murray
Boxer	Grams	Nickles
Breaux	Grassley	Reed
Brownback	Gregg	Reid
Bryan	Hagel	Robb
Bumpers	Hatch	Roberts
Burns	Helms	Rockefeller
Byrd	Hutchinson	Roth
Campbell	Hutchison	Santorum
Chafee	Inhofe	Sarbanes
Cleland	Inouye	Sessions
Coats	Jeffords	Shelby
Cochran	Johnson	Smith (NH)
Collins	Kempthorne	Smith (OR)
Conrad	Kennedy	Snowe
Coverdell	Kerrey	Specter
Craig	Kerry	Stevens
D'Amato	Kyl	Thomas
Daschle	Landrieu	Thompson
DeWine	Lautenberg	Thurmond
Dodd	Leahy	Torricelli
Domenici	Levin	Warner
Dorgan	Lieberman	Wyden
Durbin	Lott	
Enzi	Lugar	

NAYS—2

Harkin

Kohl

NOT VOTING—4

Bond  
Glenn

Hollings  
Wellstone

The motion was agreed to.

#### BANKRUPTCY REFORM ACT OF 1998—CONFERENCE REPORT

The PRESIDING OFFICER. The report will be stated.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3150), have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The Senate proceeded to consider the conference report.

(The conference report is printed in the House proceedings of the RECORD of October 7, 1998.)

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Texas.

Mrs. HUTCHISON. I am happy to yield to the Senator from Indiana.

The PRESIDING OFFICER. The Chair recognizes the Senator from Indiana.

Mr. COATS. I thank the Senator from Texas.

#### MORNING BUSINESS

Mr. COATS. Mr. President, I ask unanimous consent that there now be a period of morning business with Senators permitted to speak for up to 5 minutes each.

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

Mr. COATS. Mr. President, I ask unanimous consent that I be permitted to speak for up to—and I do not think it will take that long—15 minutes.

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

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that I be allowed to follow the Senator from Indiana for 5 minutes.

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

#### PRIVILEGE OF THE FLOOR

Mr. COATS. Mr. President, I also ask unanimous consent that members of my staff be granted floor privileges during the presentation of my statement. And I also ask unanimous consent that a list of their names be printed in the RECORD.

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

The list is as follows:

Mike Boisvenue, Joy Borkholder, David Crane, Mike Farley, Carol Feddeler, Frank Finelli, Tim Goeglein, John Hatter, Debra Jarrett, Vivian Jones, Holly Kuzmich, Bruce Landis, Sue Lee, Robin McDonald, Christine McEachin, Townsend Lange McNitt, Stephanie Monroe, Michael O'Brien, Karen Parker, Ryan Reger, Marc Scheessele, Pam Sellars, Mary Smith, Matt Smith, Sharon Soderstrom, Russ Vought, Emily Wall, and Paul Yanosy.

Mr. DASCHLE. Parliamentary inquiry; could the Chair inform our colleagues as to the order that has been agreed to as a result of the unanimous consent request.

The PRESIDING OFFICER. The Senator from Indiana has up to 15 minutes, as agreed to by unanimous consent, to be followed by the Senator from Texas for up to 5 minutes.

Mr. DASCHLE. I ask unanimous consent I be recognized for the purpose of morning business following the two Senators who have already been identified through the unanimous consent.

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

Mr. COATS. Mr. President, let me state that it is not my intention to hold anybody here that needs to leave. It is my understanding that all normal business for the day has been finished, and that is why I asked for the permission to speak in morning business. If that is not the case, I am certainly willing to defer.

Since I hear no objection, I will proceed.

#### REFLECTIONS

Mr. COATS. Mr. President, the end of the 105th Congress marks the beginning of my transition from Senator to

citizen. This ends 24 years for me of public service: Two in the U.S. Army, four as a legislative assistant and district director for then-Congressman Dan Quayle, and 18 in the Congress. While I look forward to life after politics, I know how much I will miss this place and its people, and so I want to acknowledge some debts.

I want to acknowledge the privilege of serving under two remarkable Republican leaders and one Democrat majority leader, all of whom I hold a great deal of respect. Senator Mitchell was majority leader when I arrived. He gave me nothing but the utmost courtesy, fairness and respect. I have a great deal of respect for him in the way he conducted this Senate. Senator Dole became my friend and mentor. His life is a tribute to a true patriot and to someone whose commitment to public service, I think, is nearly unequal. Our current leader, Senator LOTT, is someone who is a dear friend, someone who I greatly respect, and I think certainly has a great future as majority leader.

There are many others that have made a deep impression on me and provided friendship and support in ways that I will never be able to adequately acknowledge: The senior Senator from Indiana, whose lifetime of public service serves as a model to many; my staff, who have faithfully and tirelessly served. I have always said good staff makes for good Senators. I don't know if I fit the quality of a good Senator, but I know I had a good staff. Any failings on my part are not due to my staff, they are due to me. They have been exceptional. I think they are the best Senate staff assembled. I say that for the very few who are left that have not secured employment. Some of you are passing up great opportunities if you don't grab them.

I have had three very, very able administrative assistants, chiefs of staff: David Hoppe, who now serves as the floor's chief of staff and served with me for my first 4 years; David Gribbin, who many of you know, assistant secretary of staff for Dick Cheney for many, many years in the House; and now Sharon Soderstrom. All have been exceptional chiefs of staff. They have assembled a wonderful staff.

The Senate support team: All those who man the desks and work the cloakroom and make sure we vote on time; the guards who protect us and make sure we are safe in our jobs; the staff who serve us, and the people who make this place work, they are a family. They have treated me like part of the family. I have tried to treat them as part of the family. They make it possible for us to do so many things and they certainly deserve our acknowledgment.

Our Chaplain, who has meant so much to me from a spiritual perspective, and my colleagues, my friends, who I can't begin to thank; those who share my ideals and have voted with me and those who don't but who have engaged in respectful, meaningful dia-

log in debate, and who, at the end of the debate, we have been able to meet at the center aisle, shake hands, acknowledge, "Well done, we will get you next time," or "See you at the next debate?"—all of those mean a great deal to me. I come from here with many, many memories.

I want to thank my wife for her love and support and sacrifice. She is the best mother that any three children could ever have had. She has been a father many times when I haven't been there to do the job as a father. My children have been patient and had stolen moments which I will never be able to recover. I thank my colleagues, as I said, those who have shared ideals and those who we had honorable and honest disagreement. Finally, the people of Indiana who have seen fit to elect me many times to the Congress and twice to the Senate, thank you for giving me a privilege beyond my ability to earn the privilege of their trust, the honor of their votes.

In times of change you become reflective, and it is nice to think about your accomplishments. It is also a time to reflect on unfinished business, business that I hope will help shape the direction of this Congress that some have indicated an interest in, and hopefully others will pick up that interest.

By constitutional design, the measure of success in the Senate, I think, is different from other parts of government. We are employed to take a longer view, insulated from the rush of hours to see the needs of future years. This is the theory. In practice, the pace of politics makes this very different, very difficult. This has been the greatest source of personal frustration during my years in this institution, that we have not spent nearly enough time dealing with the larger issues that face us, things that will matter down the road, topics that will be chapters in American history, not footnotes in the CONGRESSIONAL RECORD.

If you allow me the privilege, I will briefly mention three of those matters that I trust will remain central to the questions of our time.

All of you know of my interest in the issue of life. I believe there is no higher call of government than to protect the most defenseless among us. There is no greater honor in this Senate than to use our voice to speak for those who cannot speak for themselves. Perhaps uniquely among our deliberations, the cause of life is informed and ennobled by a simple truth: Humanity is not an achievement. It is an endowment, and that that endowment is made by a Creator who gives inalienable rights, first among them the right to life. This is a founding principle of our political tradition. It is the teaching of our moral heritage. And it is the demand of our conscience.

Abraham Lincoln wrote of our Founders:

This was their majestic interpretation of the economy of the universe. This was their lofty, and wise, and noble understanding of

the justice of the Creator to his creatures. . . . In their enlightened belief, nothing stamped with the divine image and likeness was sent into the world to be trodden on. . . . They grasped not only the whole race of man then living, but they reached forward and seized upon the farthest posterity. They erected a beacon to guide their children, and their children's children, and the countless myriads who should inhabit the Earth in other ages.

My question is, Will that beacon shine for all our children, those born and yet to be born? Or will we, in the name of personal liberty, stamp out the divine image and likeness of the most defenseless of all? I believe it is one of the central questions of our time.

I know we are divided on that issue. I hope, though, that we would all put aside some of the harsh rhetoric and continue to engage in the discussion about the meaning and the value of life and what our duties and responsibilities are to protect that life, to expand the ever-widening circle of inclusion that our great democracy is known for: bringing women, the defenseless, the handicapped, African-Americans and minorities within this circle of protection in our democracy. And I believe—my personal view, and I hope one we would certainly debate and discuss—that extends to the unborn.

Secondly, another great issue that I believe demands our continued attention is the long-term strength of our Nation, the resource and planning that we devote to the defense of liberty. Here we are, not weak as a nation, but I fear that we are on a trajectory toward weakness—that our power and authority are being spent and not accumulated.

It has been one of the highest callings and privileges for this Senator to serve on the Senate Armed Services Committee and to use that position to advance the cause of our men and women in uniform. I deeply respect and honor those who have served our Nation in war and peace as watchmen on the wall of freedom, but the test of our appreciation is measurable by the firmness of our determination that their lives will not be needlessly sacrificed because we have allowed the deterrent power of America's military to decay. The history of this country is a history of military victories, but it is also a history of how our Nation often invited future conflict and unnecessary loss of American life by too swiftly disarming after our victories and squandering the opportunities of peace.

In 1939, Army Chief of Staff, Malin Craig said:

What transpires on prospective battlefields is influenced vitally years before in the councils of the staff and in the legislative halls of Congress. Time is the only thing that may be irrevocably lost, and it is the first thing lost sight of in the seductive false security of peaceful times.

Mr. President, I believe we have been living in peaceful times. We have enjoyed prosperity and peace that is almost unprecedented in America these

past several years. I fear that storm clouds are gathering, however, on America's horizon, that the "seductive false security of our peaceful times" is fast fading. We see a frightening proliferation of weapons of mass destruction. We see worldwide terrorism, much of it directed at Americans and American interests. We see political instability and human suffering, social disorder resulting from ethnic hatred, power-hungry dictators, and the very real prospect of global financial distress with all of its attendant consequences. All of this, I believe, calls for eternal vigilance, a national defense second to none, a military equal to the threats of a new century.

We have a unique opportunity, I believe, and a strategic pause that is fast fading to build a new military equal to the new challenges and the new threats of the future. Closer to home, it is my hope that the Senate, in every future debate on social policy, will focus on the role of families, churches and community institutions in meeting human needs and touching human souls. This is a world of heroic commitment and high standards and true compassion that must be respected and fostered and protected, not harassed or undermined by Government or Hollywood. It is a world of promise that I urge all of you to take the time to discover.

I believe our Nation needs a bold, new definition of compassion. We need compassion that shows good outcomes, not just good intentions. We need to get rid of the destructive welfare culture. We have taken a great step in that direction, but we still need to fulfill our responsibilities to the less fortunate and disadvantaged, the children and the helpless. We need to abandon our illusions about Government bureaucracies, but we still need to keep our human decency.

How is this possible? I am convinced there is a way—a hopeful new direction for change, because there are people and institutions in our society that can reach and change these things. Families and neighborhoods, churches, charities, and volunteer associations have the tools to transform people's lives. They can demand individual responsibility. They can practice tough love. They can offer moral values and spiritual renewal—things that Government can't do, and we should not want Government to do.

I believe a bold, new definition of compassion will adopt this bold dream: to break the monopoly of Government as a provider of compassion and return its resources to individuals, churches, synagogues, charities, volunteer associations, community organizations and others. This, I believe, is the next step of the welfare debate and the next stage of reform, the next frontier of compassion in America.

Before I close, let me add a personal note, and it is difficult for me to say this. I have deliberated long on whether I should say this. But I believe, since I am not going to be here next year,

this is something I would want to have said. So allow me to briefly do that.

I resolved when I came here, like many of you, from the moment I took the oath, that I would do my best not to do anything to bring this body into disrepute, that I would try not to tarnish it by word or action, that whatever I did in public policy, I would try my best not to contribute to public cynicism or a diminishing of the office. I think all of us feel this burden. It is one of the reasons that I believe this impeachment process, which we are contemplating, which looms large on the horizon of this Senate, has to be taken seriously. I don't presume that any of us should draw a conclusion at this point. But I believe it is a serious thing to consider. I don't believe that moral deregulation of public office is ratified by public apathy. It will be a terrible thing if the ethical expectations of public office are allowed to wither. The Nation could double its wealth, but we could have a shrunken legacy. I believe each of you who will be here have a high duty and moral responsibility to address this with the utmost seriousness and the absolute smallest amount of partisanship that is possible, and I speak to my colleagues on the Republican side, as well as the Democrat side.

It is my hope that when the time comes, the Senate will give evidence to the ideals that I have seen displayed so many times in this body. I believe these things strongly, but I don't want to end on this point. I make the points because I have learned from so many here in the Senate and from so many great Americans who served before me how honorable public service can be. I am not leaving the Senate disillusioned in any way. I leave having seen how important and how sometimes noble elective office can be, after nearly two decades of service. I believe in this job and in its goals, and I am confident that the country is well served by my many friends and colleagues who will continue to serve and lead this institution.

Again, I thank my great State of Indiana and the people and friends who made it possible for me to serve here. I thank my God for the privilege of service in this place, and I thank each of you for being my friends and my colleagues and leaving me with memories that I will never, ever forget. I will leave here extolling this institution as the greatest deliberative body in the world, and I have been privileged to be a part of it. Thank you very much.

[Applause.]

#### SENATOR DAN COATS

Mr. LOTT. Mr. President, while our colleagues express their appreciation to our good friend from Indiana, I would like to just say a few words about him and spread those on the RECORD of the U.S. Senate.

We are all losing some good friends in the Senate Chamber this year on both

sides of the aisle, and we will have a chance over the next few hours to talk about each one of them. I want to say a few special words about my good friend, DAN COATS.

Senator DAN COATS succeeded Senator Dan Quayle in the Senate. He was a Member of the House, and he worked as a staff member before that. I have actually known this distinguished Senator from Indiana going back about 20 years now, as a staff member, which I was, as a Congressman, and as a Senator. I have to say that I truly believe that no man or woman who serves in the Senate today has had a greater influence on my own life and on my own career than DAN COATS from Indiana. He was always there for me when I sought advice in the House. And every time I have sought elective office in the Senate, he was one of the nominators. I referred to him as my "rabbit's foot" because he always said just the right things. Whenever the going is the toughest, I know I can go to DAN and seek good advice, and it will come from him. He is a man that has his priorities in order—honesty, integrity, family, and also those special things a lot of people don't know about, such as his involvement in the Big Brothers Program. One of the things he enjoyed the most, which he didn't mention today, is that he served in the House for quite some time as the ranking member on the Select Committee on Children, Youth and Families. He enjoyed that assignment. I always wanted to eliminate all of the select committees. But for DAN and that committee, they did a great service for the families and the children of this country.

DAN is the kind of guy also who will run late to a meeting with the archbishop and will stop and visit with a homeless man on the street to try to talk to him about his needs, and try to help him, try to get him to go to a shelter. He is really a good human being.

He has been a valuable asset to the Senate when it came to our services, when it came to working with any of us who have problems here in the Senate.

So I am going to dearly miss him as a personal friend, as a great Senator, a great family man. He and Marcia are great people. In fact, I was sitting on my patio a couple of weeks ago on Saturday, and I got to thinking about DAN COATS. I got melancholy, and I got tears in my eyes. I called him on a Saturday afternoon and said, "You can't leave. I can't go forward in the Senate without you." I found out that he and Marcia had been playing tennis on a nice clay tennis court instead of being out campaigning in the backwoods somewhere. And, somehow or other, it seemed okay.

He is leaving the Senate, but he is not leaving us. I have a feeling that he is going to have a real influence in many ways for the rest of his life, and he is going to stay close to all of us.