

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Florida [Mr. MACK] is necessarily absent.

The yeas and nays resulted—yeas 51, nays 48, as follows:

[Rollcall Vote No. 274 Leg.]

YEAS—51

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

NAYS—48

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

NOT VOTING—1

Mack

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 48. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader.

PROVIDING FOR CONDITIONAL ADJOURNMENT OF BOTH HOUSES OF CONGRESS

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now turn to the adjournment resolution, House Concurrent Resolution 169; that the resolution be agreed to; and that the motion to reconsider be laid upon the table, all without intervening action or debate.

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

The concurrent resolution (H. Con. Res. 169) was agreed to, as follows:

H. CON. RES. 169

*Resolved by the House of Representatives (the Senate concurring) That when the House adjourns on the legislative day of Thursday, October 9, 1997, it stand adjourned until 10:30 a.m. on Tuesday, October 21, 1997, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Thursday, October 9, 1997, Friday, October 10, 1997, or Saturday, October 11, 1997, pursuant to a motion made by the Majority Leader, or his*

designee, in accordance with this concurrent resolution, it stand recessed or adjourned until noon on Monday, October 20, 1997, or such time on that day as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

ORDER OF PROCEDURE

Mr. LOTT. Mr. President, I don't have a complete schedule yet, but I believe we are ready to go to the HUD-VA appropriations conference report. We are trying to get clearance to go to Transportation appropriations conference report after that. We are still working with Senator DASCHLE so that we can outline the schedule for the remainder of the day. We are arranging for some debate time. We are also working on clearing some Executive Calendar nominations. Hopefully, within the next few minutes, we will be able to make some further specific announcement and try to get a UC on all of that. I yield the floor.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The Senate will come to order. The Senator from Arizona is recognized.

CAMPAIGN FINANCE REFORM

Mr. MCCAIN. Mr. President, a minority has prevailed for the moment in blocking campaign finance reform. They will not prevail forever. Sponsors of campaign finance reform knew from the outset that our legislation faced long odds. We knew that finding a supermajority of Senators to cut off debate would be very difficult. Not impossible, but difficult.

What we had hoped might occur is that as the amending process on the bill proceeded, Senators from both sides of the aisle would begin to find common ground on this subject, and the basis for a fair bipartisan compromise would be discovered. That was not to be the case, however, because the rules of this debate were structured to prevent anyone from offering any amendment. No vote on any single aspect of campaign finance reform was allowed, and that's unfortunate.

The chief opponent of our bill, the Senator from Kentucky, very forthrightly claimed that he would proudly cast a vote against any bill that sought to reduce the amount of money that currently soaks our Federal election system. I commend him for his candor and having the courage of his convictions.

Mr. President, I wish all opponents of campaign finance reform were so forthright. I wish all Members of the Senate could have had the opportunity to unambiguously register their support for or opposition to campaign finance reform in all its forms so that the American people would have a clear public record of where we all stood on the subject. I can only assume that the public was denied a clear record because some of us are apprehensive about how the public would react to our votes. I cannot find any other explanation for the elaborate lengths opponents of the bill went to in order to prevent a single vote on any amendment to this legislation.

I do not resent the use of the filibuster to obstruct reform. I regret it, but I do not resent it. It is a frequent roadblock to action in the Senate, and I and the other sponsors of the bill always understood that we must overcome it to prevail. Necessary to our efforts to overcome this institutional obstruction, however, is the amendment process. We believe that if Senators are obliged to vote yea or nay on various aspects of reform, the public's reaction to our votes might persuade 60 Senators to vote to limit debate. But as I have noted, we were precluded from offering and disposing of amendments.

As I made clear to everyone before debate on this bill began, if the supporters of McCain-Feingold were denied an up-or-down vote on the bill or on amendments to the bill, we would exercise our rights as Members of the Senate to offer amendments related to reform on legislation subsequently considered by the Senate. Now we are confronting a parliamentary tactic that is intended to deny us the opportunity to offer amendments to the highway funding bill. I don't think that it is fair, even if it is sanctioned by Senate rules. Nor do I think the tactic will permanently preclude us from offering reform amendments to other legislation.

Mr. President, no Member of this body can be permanently disenfranchised from the right to offer amendments. It is a practical impossibility. Unanimous consent is required for nearly all the work of the Senate, and Members who are denied their right to amend legislation are not likely to consent to moving that legislation forward. Every Senator knows that their colleagues who intend to offer campaign finance reform amendments will eventually succeed in doing so. At some point, the support or opposition of Senators will be a matter of public record. Therefore, I am at a loss to understand what purpose is served by attempting to temporarily prevent us from offering these amendments.

We cannot be disenfranchised permanently, Mr. President, because to do so would disenfranchise the American people. The people have a right to know where their elected representatives stand on the issue of campaign finance reform so that they may render an informed judgment at election time