

quarter of a century. I had the honor and privilege to serve alongside him for all that time since he came to the Senate. He and I were sworn in at about the same time, and for the first few years we were here, by the luck of the draw, we sat side by side in the Senate Chamber. That was back in the time period when we had many all-night sessions, and you got to know a person pretty well when you sat and shared views with them during some of those extended debates and lengthy all-night sessions.

WENDELL is certainly known for his wit and humor. I remember once we were sitting here about 3:30 or 4 o'clock in the morning and a debate was going on. WENDELL nudged me and said, "You know, John, the people back home think we are the ones that won." I got a kick out of that. We were going through some very troubled times in the U.S. Senate at that time.

The Senate class of 1974 was one that I think was remarkable not only because I happened to be one of those people but because it came in on the tail-end of Watergate. Watergate played an issue in that year's election. But the people we elected that year included a number of outstanding public officials who would continue illustrious public careers, including John Culver, Robert Morgan, Paul Laxalt, James Jake Garn, Gary Hart, and four Senators still serving—myself and Senators FORD, BUMPERS, and LEAHY. With the announced retirements that we have already, Senator LEAHY will be the only representative out of that class of 1974 still remaining at the end of this year.

The distinguished Senator from Kentucky, Senator FORD, has served on the Senate Rules Committee for many years, been chairman and ranking member. He became an expert on disputed elections quite early on in his service, because one of the first issues that that class of 1974 faced in the Senate was the disputed election in New Hampshire between John Durkin and Louis Wyman. In that case, the Senate determined that a new election was necessary. So WENDELL got tossed into that maelstrom of disputed elections very early on. I say that hasn't ended through all these years either, because even during this last year he worked toward a successful solution in the Louisiana election dispute.

I can say without any contradiction that Senator FORD is truly a Senator's Senator. He is rarely on the floor making long speeches and posturing before the camera. That is rare. In fact, he never does that. But his voice is heard. His influence is heard on almost all issues, because the Senate, his fellow Senators on the Democratic side, sought at this time to elect him as our whip, our No. 2 person in the hierarchy of leadership in the Senate.

I think Senator FORD would appreciate the fact, coming from Kentucky—and I have heard him make comments about the horses, and all of his atten-

tion to the horses in Kentucky, and the big business that is in Kentucky, and his attention to things like the Kentucky Derby and so on. But he would appreciate it that we know him as a "workhorse," not just as a show horse, here in the U.S. Senate. He is always working behind the scenes for whatever the interests are of the party or his interests for Kentucky. And he has provided strong leadership in his ability as a negotiator and his talents for finding compromise that have served both parties and the Nation extraordinarily well.

He has been in the forefront of many issues during his career in the Senate, including such more recent things in just the last few years as motor-voter legislation, trying to make sure that every person in this country has a maximum opportunity to exercise the right to vote. Lobbying reform and campaign finance reform have been of particular interest in recent years.

Of course, Kentucky is first. I just wish I could say that I have been as tireless an advocate for Ohio as he has been for Kentucky, because even when we have disagreed on things, we find a way to work them out. WENDELL represents Kentucky and the interests of the people of Kentucky first. That comes out all the time. He and I have worked together on matters of mutual interest, including the regional airport in Cincinnati and Department of Energy facilities that are both in Kentucky and in Ohio.

As I mentioned earlier today, Senator FORD's service in the Senate will surpass the length of surface of Alben Barkley, who had previously been the longest-serving Senator from Kentucky. Senator FORD will have served longer than any other Kentuckian in the Senate, including such statesmen as Henry Clay, John Breckenridge, Happy Chandler, and John Sherman Cooper.

I think WENDELL FORD adds an illustrious career that matches any of those other people the great State of Kentucky has sent to the Senate through the years. With WENDELL, you always know where you stand, but he also knows how to disagree without being disagreeable at the same time.

He is known for his wit, humor, and intense discussions. He knows how to break the tension with a little humor, a joke, or something that applies.

I would be remiss if I didn't mention one other thing, and that is his dedication to his family—Jean, his wife, and his children and grandchildren. I remember last August, when other Senators were talking about what trips they were planning, and I asked WENDELL if he was planning to travel, he said, "Yep; I'm going to travel to Kentucky to go fishing with the grandchildren." That is exactly what he did, and I'm sure the grandchildren were the better off for it.

So I'm pleased to join my colleagues in recognition of the long service of Senator WENDELL FORD. He has been a

very valued colleague and a personal friend to me in the Senate. His company will truly be one of the things I will miss next year, and I think, most of all, the people of Kentucky are going to miss the kind of leadership he has provided. We are here today not to talk about that, but to recognize that today marks the day when he becomes the longest-serving Senator to ever serve from the State of Kentucky. I want to recognize him for that.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### UNANIMOUS CONSENT REQUEST— H.R. 2646

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to Calendar No. 227, H.R. 2646, the education individual retirement accounts bill, and it be considered under the following agreement.

Before I make this request, I do want to say again how much I appreciate all the cooperation we had on the ISTEIA bill. I think it is an example of what we can do when we work together on important legislation in a bipartisan way, and also across the aisle, the bipartisan support we had on the China human rights resolution, and on the resolution naming Saddam Hussein as a war criminal.

This has been a very productive week. I hope we can find a way to do the same thing again next week. I would like for us to find a way to consider in the fairest possible procedure this very important education bill, the Coverdell A+ bill which does include, in addition to the Coverdell A+ provisions with regard to saving for your children's education, a special provision for a prepaid tuition deduction, and for a deduction of graduate education expenses. Those last two items were requested by a bipartisan group. We have other important matters that I believe will be bipartisan, including dealing with NATO enlargement. So I hope we can find a way to come to an agreement on how to proceed on these bills.

So I would like to now go through the agreement that I have been seeking. I understand that Senator DURBIN will have some reaction once I get to the end of this.

Mr. President, I ask unanimous consent that immediately following the reporting of the bill by the clerk, the chairman of the Finance Committee be recognized to send an amendment to the desk reflecting the Finance Committee action on the Coverdell bill. I further ask unanimous consent that following the ascertaining of this consent, Senator DASCHLE be recognized to

offer his alternative amendment—I understand he had been working on a substitute; and I thought it was a good way to start off the debate to have the minority offer their alternative amendment—and that no other amendments be in order prior to a vote on or in relation to the Daschle amendment.

I further ask unanimous consent that it be in order for me to send a cloture motion to the desk to the Finance Committee amendment and that the cloture vote occur on the committee amendment at a time to be determined by the majority leader, after notification and consultation with the minority leader, but not before the vote in relation to the Daschle amendment. So the cloture motion would not even be filed under this request until after the DASCHLE substitute had been considered and dealt with by a vote.

I further ask unanimous consent that the mandatory quorum under rule XXII be waived and that first-degree amendments be filed 1 hour after the cloture vote, with second-degree amendments to be filed within 24 hours of the cloture vote.

Before the Chair puts the question to the Senate, let me summarize this consent, which I believe is fair and provides for an orderly consideration of the education A+ bill.

The agreement, if agreed to, is that the Senate would now begin consideration of this bill. The chairman of the Finance Committee would immediately be recognized to offer the Finance Committee action. Then Senator DASCHLE would offer his substitute, whatever version that he would like to have, of the legislation. We would have an agreed-to period of debate. And then we would have a vote, without any encumbrance, on that amendment. Then following that vote, we would have a cloture vote, and then the time for that would be determined by mutual agreement. If cloture should be invoked, the remainder of the consideration of the bill would be governed under the provisions of Rule XXII. If cloture is not invoked, the bill would be open to further amendments, with no limitation as to time or subject matter.

If this agreement is agreed to by the Senate, I would, of course, give Members ample notification as to when the two votes would occur, those being a vote with respect to the Daschle amendment and the cloture vote.

So I will now yield the floor for the Chair to put the question on this. I urge all my colleagues to agree to this.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Reserving the right to object, I say to the majority leader I thank him for the conversation we had over the last several days about a matter of concern to me and I hope to the Senate.

My objection to your unanimous consent request is not based on the belief we should be doing less business but in the hope we will be able to do a little

more—specifically, that the two judges who are pending on the Executive Calendar since November of last year from the State of Illinois, judges I referred to earlier as coming from districts with extraordinary problems because of these vacancies, I hope these judges can be considered, and considered very soon.

I have tried to say to all of my colleagues, Democrats and Republicans, that I stand ready to work with you to move this calendar's agenda as quickly as possible. I hope they will empathize with the challenge that faces us in the Southern and Central Districts of Illinois and that we can call these judges for consideration as quickly as possible.

For that reason, for that reason alone, I do object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. I do want to say to the Senator from Illinois, I am very much aware of these two judicial nominations. As I promised I would do yesterday, I did talk to Senators from our side of the aisle that have some objections. It goes back to last year. The Senator knows all the details. I appreciate the fact that he did not object to judges that the administration sent here from Texas earlier this week, and I hope that we can continue to work to see if some agreement can be worked out as to how and when they might be considered.

And I know that the Senator, perhaps, has some objection to us proceeding with the ocean shipping legislation; we have worked out an agreement on how to proceed on that. This is a bill we have been working on for a couple of years, in a bipartisan way, again. Senator BREAU from Louisiana has been involved; Senator SLADE GORTON of Washington, who has some objections and has an amendment on it; and also, of course, Senator KAY BAILEY HUTCHISON, who is the chairman of the subcommittee.

You have a bill that you have a hold on. Am I clear that you are objecting to proceeding with this agreement because of the hold on the two Illinois judges? Or are you objecting on behalf of the minority leader or the minority? I don't think you want to leave the impression that you are objecting to this bill because of a couple of judicial nominations that have not yet been moved. Is that accurate?

Mr. DURBIN. If the majority leader will yield, I am asking that we schedule as quickly as possible the confirmation of these two judges. I am trying to call the attention of the Senate to the fact that they have been on the calendar since last November. There are extraordinary hardships back in the State of Illinois. I know of no other way, and I have tried every way, to avoid this objection. I do not speak for the minority leader but only as one Senator from the State of Illinois. And I do object.

Mr. LOTT. Mr. President, I regret the objection. I think this agreement is im-

mensely fair and provides for an orderly process, again, for this very important legislation.

American people care about education in this country. When I go around this country and back to my own State, other than being worried about crime and being safe in their schools, having safety in their neighborhood, safety in the schools and education are right at the top. People are saying, Why is elementary and secondary education not working in America? We are spending more and more money, and the grades are going down. Why is higher education in America the best in the world and elementary and secondary ranks something like 19th in the world? They want better quality education, they want more choice in education, they want safer schools, and they want zero tolerance for drugs in schools.

This is the first opportunity this year where we have a chance to really begin to move toward that by allowing people—parents, and grandparents, and people that want to provide for scholarships to deserving children—to give an opportunity to choose a different school or get a computer for an eighth grader or tutoring for a fourth grader. I know it will have bipartisan support. I have to admit that Senator TORRICELLI has been very helpful to the Senator from Georgia in moving this legislation forward.

So as a result of the objection, then, I have no option but to go ahead and move toward the calling of the bill and then filing a cloture motion. I want the American people to know that the objection is to the motion to proceed, not even on the bill, to even proceed with this very, very important education legislation.

I am not sure, really, that I understand why there is this objection. I do think it is unfortunate. But at this point we will start the process, and I will file the cloture motion at this time. I must also note, though, that it does tend to delay legislation. There are those that are going to say, Why doesn't the Congress do more? Well, this is exhibit A, because it has gotten to where in the Senate we have to file cloture to stop a filibuster on almost every bill.

This month, we need to complete this education bill, take up the NATO enlargement legislation, take up a budget resolution so we can get it done before April 15—which is what the law requires, I might add—deal with the supplemental appropriations request for natural disasters in this country, the cost for our defense, and for Bosnia and Iraq, how do we deal with IMF; we have to have, under the law, a vote on the Mexican decertification issue, again with relation to drugs; and we want to get IRS reform done before we leave to go home for the Easter recess. Every time something happens that delays another day, it shoves all of this down the line.

I must add, I am being asked by Senators like MOYNIHAN of New York and

SMITH of New Hampshire to delay the NATO enlargement until at least after the Easter recess or maybe even until June. Any time a Senator of either party makes that kind of request to the majority leader, you have to think about it, you have to take their request in consideration—have they had enough time? Will more time be helpful in the discourse? I personally think we should go forward with the debate. I will give the details why I think that later on, but this delay affects everything else down the line.

#### EDUCATION SAVINGS ACT FOR PUBLIC AND PRIVATE SCHOOLS

Mr. LOTT. I now move to proceed to H.R. 2646, the Coverdell education bill, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We the undersigned Senators, in accordance with the provision of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to H.R. 2646, the A+Education Act:

Trent Lott, Paul Coverdell, Craig Thomas, Rod Grams, Chuck Hagel, Tim Hutchinson, Kay Bailey Hutchison, Mike DeWine, Bob Bennett, John McCain, Don Nickles, Chuck Grassley, Mitch McConnell, Wayne Allard, Phil Gramm, John Ashcroft.

Mr. LOTT. I ask unanimous consent that this cloture vote occur at 12:15 on Tuesday, March 17, and the mandatory quorum under Rule XII be waived.

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

Mr. LOTT. I yield the floor for Members to begin the debate on a motion to proceed.

I thank Senator GLENN for allowing me to complete that action.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER (Mr. BENNETT). The Senator from Georgia is recognized.

Mr. COVERDELL. Mr. President, it is a bit unexpected that the other side is continuing to filibuster a very common sense educational proposal.

We began this odyssey on June 27, 1997, when the Senate passed an amendment offered by myself to create educational savings accounts, and it passed 59-41. Subsequent to that, the President of the United States indicated that he would veto the entire tax relief package of last year if this amendment remained in the bill. We will come to that a bit later. It was then introduced as freestanding legislation, and the other side debated it, filibustered it, and indicated that the filibuster was based entirely on the fact that it had not gone through the committee appropriately. It was a procedural filibuster. So they denied the op-

portunity to develop the educational savings account at that time. We were unable to break their filibuster, though we received 56 votes, needing 60 to do it. I remember the other side saying it is really not a bad idea; it's just the process.

Well, in this setting of the Congress, this legislation has now gone through the Finance Committee and has been reported to the floor 11-8 on a bipartisan basis. The legislation has been expanded considerably—which I will address in a moment—to meet the thoughts of the other side. Eighty percent of the financial impact of the legislation now, in terms of tax relief, is based on ideas from the other side.

We come today, after finalizing the highway matter, to bring an educational proposal before the Senate, to move on with the work of the Senate, remembering that the House has already passed this. We are confronted with a filibuster. The emperor has no clothes—we have now removed everything that was brought forward by the other side and we are still in a filibuster.

Now, the good Senator from Illinois says that this filibuster deals with two nominees for the judiciary from his State. I take the Senator at his word. But my suspicions are great. I recognize that the other side, despite what was said last year, despite what was done in the Finance Committee, is filibustering these ideas. They are defending the status quo. It's mind-boggling to me, looking at the data that we read almost on a weekly basis here about what is happening, particularly in grades kindergarten through high school, that we would be so ardently defending the status quo and standing in front of and blocking every idea coming forward—even their own ideas.

This filibuster, in a word, is outrageous. It is prolonged far beyond process. It is nothing more than a defense of the status quo. I leave it with that word, Mr. President, "outrageous"; it is an outrageous attempt to thwart and block these new ideas that are designed to help parents and children and people trying to improve their education as we come into the new century.

Now, Mr. President, let me talk about this idea that the other side can't seem to embrace—at least a good number of them. I must say before I proceed, Mr. President, that Senator TORRICELLI of New Jersey, my principal cosponsor, has been tireless in his work on the other side to promote this commonsense idea of creating education savings accounts for American families. He has been a great ally, fearless in his work of trying to take the case to his colleagues. I just can't praise his work enough. There have been others, such as Senator BREAUX, in the Finance Committee, and Senator LIEBERMAN of Connecticut, and Senator GRAHAM of Florida who have brought meaningful ideas to the proposal that we are trying to bring to the floor to

debate. If you listen to the unanimous consent proposal of the majority leader, it could not have been framed in a more balanced way to let the other side make its case and have its votes and then move on to the work of perfecting education savings accounts.

Filibuster is the only response we have gotten.

Filibuster.

Now, the threat of the idea, Mr. President, is last year in the tax bill passed by the Senate, passed by the House, signed by the President in a glorious celebration at the White House—they don't come with much more pomp than the celebration of signing the balanced budget agreement and the tax relief proposal—the first balanced budget in 30 years, the first tax relief in 16 years. Embraced in that tax relief was a proposal that said that a family can save \$500 per year and the interest buildup would be protected from taxation, so long as the proceeds in the account are used for higher education costs. It was means tested, which I don't generally subscribe to. It was means tested for taxpayers, as an individual making \$95,000 or less, or a couple making \$150,000 or less. This IRA of \$500 could be used by families that met that criteria.

So our proposal, which passed the Senate and the House and which the President could not accept and is now before us in this legislation, is quite simple. It took the \$500 that the family could save every year for college, and we said that we are going to make that larger, we are going to increase it from \$500 to \$2,000. And, Mr. President, we said we are going to make it applicable to all education needs—not just college, but beginning in kindergarten, first, second, third, right on through high school. The account is made larger so that more money can be saved and more dollars can be made available for college and/or any educational need, kindergarten through high school. That is it. That is what is being filibustered.

This savings account, by moving it to kindergarten through high school, allows vast new resources to be used where we are having the most difficulty. There is no higher education system in the world that competes with ours. It's true that costs are a problem, and these accounts address that. But when you look at kindergarten through high school, we don't stand up all that well to the rest of the world. So this is an attempt to make us, the parents, more able to deal with problems associated in grades kindergarten through high school or, if they want, through college or, if needed, for a disabled student even after that. So we have taken an idea that has been passed by the Senate, passed by the House, signed by the President, and expanded it to do more. And the other side is filibustering that.

There is no difference in the criteria, the means testing, the function of the account. It is just made larger and adds