

So when the American public asks the questions, "Why don't we have more flexibility at the local level? Why do we get stuck with all these Federal regulations?" the answer is very simple. Look to the Democratic membership of this Congress. They are the ones who are slowing up a bill which would give the communities flexibility.

The PRESIDING OFFICER. Who yields time?

Mr. REID. Mr. President, would the chairman of the committee, the manager of the bill, yield for a question?

Mr. JEFFORDS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

Mr. LOTT. Before the Senate conducts the cloture vote and then adjourns for the day, it is my intention to file another cloture motion with respect to amendment No. 37, as modified, the Lott IDEA, special education/choice amendment.

I still hold out hope that during the session tomorrow Senators will be able to agree to a small, limited number of amendments remaining to the pending education flexibility bill and that our Democratic colleagues will then allow the Senate to conduct a passage vote on this very important bill, which has broad support, which would give the rest of the country, along with 12 other States, this flexibility to allow the paperwork, bureaucracy, to be waived so we could get the education money to the schools, to the children, where it really belongs. I hate to see this delay taking place on this broad bipartisan bill. In the event that such an agreement cannot be reached, I feel the need to file another cloture motion.

CLOTURE MOTION

Mr. LOTT. Mr. President, 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 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 amendment No. 37 to Calendar No. 12, S. 280, the Education Flexibility Partnership Bill:

Trent Lott, Judd Gregg, Sam Brownback, Jeff Sessions, Paul Coverdell, Bill Frist, Kay Bailey Hutchison, Chuck Hagel, James M. Jeffords, Michael B. Enzi, Mike DeWine, Tim Hutchinson, John H. Chafee, James M. Inhofe, Larry E. Craig, and Don Nickles.

Mr. LOTT. Mr. President, for the information of all Senators, this cloture vote, if necessary, will occur on Thursday of this week.

CALL OF THE ROLL

Mr. LOTT. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

Mr. LOTT. I believe, Mr. President, we are ready for the vote.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The 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 amendment No. 31 to Calendar No. 12, S. 280, the education flexibility partnership bill:

Trent Lott, Jim Jeffords, John H. Chafee, Bob Smith, Thad Cochran, Arlen Specter, Slade Gorton, Mitch McConnell, Richard Shelby, Bill Frist, Larry E. Craig, Jon Kyl, Paul Coverdell, Gordon Smith, Peter G. Fitzgerald, Judd Gregg

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the substitute amendment No. 31 to S. 280, a bill to provide for education flexibility partnerships, shall be brought to a close?

The yeas and nays are required under the rule. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Florida (Mr. GRAHAM), the Senator from West Virginia (Mr. ROCKEFELLER), and the Senator from New Jersey (Mr. TORRICELLI) are necessarily absent.

I further announce that the Senator from Washington (Mrs. MURRAY) is absent due to a death in the family.

I also announce that the Senator from Minnesota (Mr. WELLSTONE) is absent attending a funeral.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yes 55, nays 39, as follows:

[Rollcall Vote No. 35 Leg.]

YEAS—55

| | | |
|------------|------------|------------|
| Abraham | Frist | Murkowski |
| Allard | Gorton | Nickles |
| Ashcroft | Gramm | Roberts |
| Bennett | Grams | Roth |
| Bond | Grassley | Santorum |
| Brownback | Gregg | Sessions |
| Bunning | Hagel | Shelby |
| Burns | Hatch | Smith (NH) |
| Campbell | Helms | Smith (OR) |
| Chafee | Hutchinson | Snowe |
| Cochran | Hutchison | Specter |
| Collins | Inhofe | Stevens |
| Coverdell | Jeffords | Thomas |
| Craig | Kyl | Thompson |
| Crapo | Lott | Thurmond |
| DeWine | Lugar | Voinovich |
| Domenici | Mack | Warner |
| Enzi | McCain | |
| Fitzgerald | McConnell | |

NAYS—39

| | | |
|----------|-----------|------------|
| Akaka | Durbin | Lautenberg |
| Baucus | Edwards | Leahy |
| Bayh | Feingold | Levin |
| Bingaman | Feinstein | Lieberman |
| Boxer | Harkin | Lincoln |
| Breaux | Hollings | Mikulski |
| Bryan | Inouye | Moynihan |
| Byrd | Johnson | Reed |
| Cleland | Kennedy | Reid |
| Conrad | Kerrey | Robb |
| Daschle | Kerry | Sarbanes |
| Dodd | Kohl | Schumer |
| Dorgan | Landrieu | Wyden |

NOT VOTING—6

| | | |
|--------|-------------|------------|
| Biden | Murray | Torricelli |
| Graham | Rockefeller | Wellstone |

The PRESIDING OFFICER. On this vote, the yeas are 55, the nays are 39. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

ADJOURNMENT

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until noon on Wednesday.

Thereupon, the Senate, at 3:14 p.m., adjourned until Wednesday, March 10, 1999, at 12 noon.