MR. HART: Mr. President, as a new Member of the U. S. Senate, I have followed with extreme interest the debate on the right of the Senate to adopt its rules and the need in the Senate for an effective cloture rule.

The debate has given me a new perspective into the history of the Senate and certainly great awareness of the body of tradition which lies with the U. S. Senate.

My vote on the adoption of Senate Resolution 5 will be "nay." My vote will not be an easy one for me to cast. I feel that my position on the resolution submitted and so vigorously advocated by our majority leader and cosponsored by the minority leader, should be made clear in the record.

If I could believe that the passage of Senate Resolution 5 and the subsequent change in the rules of the Senate of the 86th Congress would make it really more likely that cloture could be invoked in a debate over civil rights legislation, I would support the resolution.

Or if I felt that the adoption of Senate Resolution 5 would make it less difficult for future Senates to change the rules so as to provide for majority cloture, then I would support Senate Resolution 5.

As a matter of fact, it is my belief that neither of these criteria has been met.

As the father of eight small children, I have seen some trading engaged in at home. Sometimes the trade is an apple for a plum or a baseball for a book. Once in a while - usually when the older children are negotiating with the youngsters - it is a trade of a marble for a wrist watch. To me Senate Resolution 5 looks very much like a marble for the advocates of effective civil rights legislation and a wrist watch for those who oppose it.

For these reasons, Mr. President, I shall vote "nay."