

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that, with respect to the Lautenberg amendment numbered 199, there be 40 minutes of debate prior to the motion to table, to be divided in the usual form; and that, upon the expiration or yielding back of time, the majority manager or his designee be recognized to make a motion to table. I also ask unanimous consent that there be no second degree amendments in order to the Lautenberg amendment prior to the motion to table the Lautenberg amendment.

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

Mr. KEMPTHORNE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THOMAS). Without objection, it is so ordered.

AMENDMENT NO. 207, AS FURTHER MODIFIED

Mr. GRASSLEY. Mr. President, we have been able to arrive at some language that satisfies myself and satisfies the Democratic side of the aisle. Pursuant to that, I will have to ask unanimous consent that my amendment be modified as written on this paper.

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

The amendment, as further modified, is as follows:

On page 32, between lines 5 and 6, insert the following:

SEC. . COST OF REGULATIONS.

(a) SENSE OF THE CONGRESS.—It is the sense of the Congress that Federal agencies should review and evaluate planned regulations to ensure that cost estimates provided by the Congressional Budget Office will be carefully considered as regulations are promulgated.

(b) STATEMENT OF COST.—At the written request of any Senator, the Director shall, to the extent practicable, prepare—

(1) an estimate of the costs of regulations implementing an Act containing a Federal mandate covered by section 408 of the Congressional Budget and Impoundment Control Act of 1974, as added by section 101(a) of this Act; and

(2) a comparison of the costs of such regulations with the cost estimate provided for such Act by the Congressional Budget Office.

(c) COOPERATION OF OFFICE OF MANAGEMENT AND BUDGET.—At the request of the Director of the Congressional Budget Office, the Director of the Office of Management and Budget shall provide data and cost estimates for regulations implementing an Act containing a Federal mandate covered by section 408 of the Congressional Budget and Impoundment Control Act of 1974, as added by section 101(a) of this Act.

Mr. GRASSLEY. Mr. President, I will yield back my remaining time, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

VOTE ON AMENDMENT NO. 207, AS FURTHER MODIFIED

The PRESIDING OFFICER. The vote now occurs on the amendment No. 207, as further modified, offered by the Senator from Iowa [Mr. GRASSLEY].

The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. LOTT. I announce that the Senator from Wyoming [Mr. SIMPSON] is absent due to a death in the family.

I further announce that, if present and voting, the Senator from Wyoming [Mr. SIMPSON] would vote "yea."

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

The result was announced—yeas 99, nays 0, as follows:

(Rollcall Vote No. 45 Leg.) YEAS—99

Abraham	Feingold	Lott
Akaka	Feinstein	Lugar
Ashcroft	Ford	Mack
Baucus	Frist	McCain
Bennett	Glenn	McConnell
Biden	Gorton	Mikulski
Bingaman	Graham	Moseley-Braun
Bond	Gramm	Moynihan
Boxer	Grams	Murkowski
Bradley	Grassley	Murray
Breaux	Gregg	Nickles
Brown	Harkin	Nunn
Bryan	Hatch	Packwood
Bumpers	Hatfield	Pell
Burns	Heflin	Pressler
Byrd	Helms	Pryor
Campbell	Hollings	Reid
Chafee	Hutchison	Robb
Coats	Inhofe	Rockefeller
Cochran	Inouye	Roth
Cohen	Jeffords	Santorum
Conrad	Johnston	Sarbanes
Coverdell	Kassebaum	Shelby
Craig	Kempthorne	Simon
D'Amato	Kennedy	Smith
Daschle	Kerry	Snowe
DeWine	Kerry	Specter
Dodd	Kohl	Stevens
Dole	Kyl	Thomas
Domenici	Lautenberg	Thompson
Dorgan	Leahy	Thurmond
Exon	Levin	Warner
Faircloth	Lieberman	Wellstone

NOT VOTING—1

Simpson

So the amendment (No. 207), as further modified, was agreed to.

Mr. KEMPTHORNE. Mr. President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

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

EXPRESSION OF SUPPORT FOR THE PEOPLE OF JAPAN

The PRESIDING OFFICER. Under the previous order the Senate will proceed to consider Senate Resolution 72, which the clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 72) expressing support for the nation and people of Japan and deepest condolences for the losses suffered as the result of the earthquake of January 17, 1995.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the resolution (S. Res. 72). The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Missouri [Mr. BOND] is necessarily absent.

I also announce that the Senator from Wyoming [Mr. SIMPSON] is absent due to a death in the family.

I further announce that, if present and voting, the Senator from Wyoming [Mr. SIMPSON] would vote "yea."

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

The result was announced—yeas 98, nays 0, as follows:

(Rollcall Vote No. 46 Leg.)

YEAS—98

Abraham	Feinstein	Lugar
Akaka	Ford	Mack
Ashcroft	Frist	McCain
Baucus	Glenn	McConnell
Bennett	Gorton	Mikulski
Biden	Graham	Moseley-Braun
Bingaman	Gramm	Moynihan
Boxer	Grams	Murkowski
Bradley	Grassley	Murray
Breaux	Gregg	Nickles
Brown	Harkin	Nunn
Bryan	Hatch	Packwood
Bumpers	Hatfield	Pell
Burns	Heflin	Pressler
Byrd	Helms	Pryor
Campbell	Hollings	Reid
Chafee	Hutchison	Robb
Coats	Inhofe	Rockefeller
Cochran	Inouye	Roth
Cohen	Jeffords	Santorum
Conrad	Johnston	Sarbanes
Coverdell	Kassebaum	Shelby
Craig	Kempthorne	Simon
D'Amato	Kennedy	Smith
Daschle	Kerry	Snowe
DeWine	Kerry	Specter
Dodd	Kohl	Stevens
Dole	Kyl	Thomas
Domenici	Lautenberg	Thompson
Dorgan	Leahy	Thurmond
Exon	Levin	Warner
Faircloth	Lieberman	Wellstone
Feingold	Lott	

NOT VOTING—2

Bond
Simpson

So the resolution was agreed to.

The preamble was agreed to.

The resolution (S. Res. 72) and its preamble are as follows:

S. RES. 72

Whereas on the morning of January 17, 1995, a devastating and deadly earthquake shook the cities of Kobe and Osaka, Japan killing more than 5,000 people, injuring more than 25,000 and leaving more than 300,000 temporary homeless;

Whereas the earthquake of January 17, 1995, has left more than 46,440 buildings in ruin, destroyed highways, train lines and other infrastructure and has caused losses of as much as \$80 billion in Kobe alone;

Whereas the tradition of strength, courage, determination, and community of the people of Japan has been displayed time again by the citizens of Kobe and Osaka and, indeed,

all of Japan since the earthquake and has served as an inspiration to all of the world;

Whereas the nation's and people of the United States and Japan share a strong, decades old history of friendship and mutual interests and respect; and

Whereas the people of the United States, having suffered a similar tragedy almost a year ago to the day of the Kobe and Osaka earthquake, share in the pain and hope of the people of Japan: Now, therefore, be it

Resolved by the Senate that—

(1) The Senate expresses its deepest sympathies to the Nation of Japan and the citizens of Kobe and Osaka for the tragic losses suffered as a result of the earthquake of January 17, 1995.

(2) The Senate expresses its support to the people of Japan as they continue their noble efforts to rebuild their cities and their lives.

(3) The Senate expresses its friendship to the people of Kobe and Osaka and pledges its support for their efforts in the face of this disaster.

Mr. KEMPTHORNE. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. LOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UNFUNDED MANDATE REFORM ACT

The Senate continued with the consideration of the bill.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. Will the Senator yield to the majority leader?

Mr. LAUTENBERG. Absolutely.

Mr. DOLE. Mr. President, there is not a "no more vote" sign out there because I did say—and I am reminded by the Senator from Kentucky—that we would be here until 11 o'clock tonight, tomorrow night, whatever it took.

I assume now we will debate this amendment and two additional amendments. We will probably be here until about 9:30. The question is whether we want to have a vote at that time, or have the vote tomorrow morning. I am prepared to do it either way. There are a number of our colleagues at a press dinner. Some would not be displeased if they were called back about 9 o'clock. Others who are on the program would be; but whatever the wishes of the Senator from Kentucky.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. FORD. Mr. President, I did not know it was all left up to me.

Mr. DOLE. No. I said we have not said that there would be no more votes. I am prepared to do it either way.

Mr. FORD. Mr. President, I say to the majority leader that I understand the problem that he got into, and he probably will not get in this deep again for awhile. The Senator from New Jersey has an amendment. I am willing to debate him tonight and stack the votes until tomorrow. I would prefer that we have 40 minutes tomorrow in the morn-

ing, that we debate it tomorrow, and then have the motion as proposed by the distinguished Senator from Idaho. That is my preference. In order to accommodate the leader, I am perfectly willing to debate it tonight. However, we can vote on it tomorrow, and the votes apparently are going to be stacked. Two or three votes will be stacked, and I will be part of that. I am willing to acquiesce to that.

Mr. DOLE. Or we give you 5 minutes each before the vote tomorrow.

Mr. FORD. That would suit me fine, but I am trying to be—like my daddy told me, "When you sell it and they ask you when do you want to be paid for it, say right now is fine." I have tried to accommodate the leader. Now you are trying to stick me over to tomorrow and divide me up. Let us debate it tonight and put the vote off until tomorrow. But do not have it too early. Those fellows over at the press dinner probably are going to have such a good time they will want to sleep in the morning.

Mr. DOLE. I am still sleepy from last night. In any event, that press dinner does last a while. It is live on C-SPAN. If you are not able to go, but you would like to watch it—which I prefer—it will be on about from 9:45 until 10:30.

So if that is agreeable, I appreciate the consideration by my friend from Kentucky. There will be the debate on the Lautenberg amendment, which is 40 minutes, I understand, equally divided. Two Levin amendments will be offered. I do not know of any time on that. If there are any rollcall votes ordered on any of the amendments, they will be postponed until tomorrow morning.

At 9 o'clock there will be an immigration amendment, we hope. I guess the point is that none of the votes will occur until disposition of the immigration amendment, and we will try to stack the votes, probably after 10, maybe later than that.

Mr. FORD. Mr. President, may I ask the distinguished majority leader, are we coming in at 9?

Mr. DOLE. We will come in at 9.

Mr. FORD. Then morning business?

Mr. DOLE. We are not going to have morning business. We will get right on the bill.

Mr. FORD. But you will go to the immigration amendment?

Mr. DOLE. There is an hour agreement on that. So that will be at least 10 o'clock. That vote will occur at 10, followed by a vote on Lautenberg, or any other votes ordered.

Mr. FORD. At 10 o'clock, or a minute or two after that. After the prayer and so forth, there will be an hour, which will take us to a few minutes after 10, when the first vote will occur.

Mr. DOLE. There will be no votes before 10, if that is all right with the Democratic leader. If that is agreeable to everybody, there will be no more votes this evening.

Mr. GLENN. The majority leader mentioned immigration. We are trying

to work on differences on both sides on immigration. Did you not have that as part of any agreement?

Mr. DOLE. I did not make a request. But we can put it in writing if it works out. We still will not have any votes before 10, I can assure the Senator from Kentucky.

Mr. GLENN. Is that when we go back on the bill?

Mr. DOLE. That will be at 9.

AMENDMENT NO. 199

Mr. LAUTENBERG. Mr. President, I would like to turn to the consideration of my amendment No. 199 at this time.

The PRESIDING OFFICER. Amendment No. 199 is the pending business.

Mr. LAUTENBERG. Mr. President, I felt like a spectator as I was watching this debate occur. The majority leader knew that he had my good will as part of his dialog here. Since I was not asked, I just kind of shook my head. I was glad to be here. Obviously, those of us without a sense of humor are here because tonight is the funny night down there. It may be funnier here.

Mr. President, I thank my colleagues, the managers of the bill, the distinguished Senator from Ohio and the distinguished Senator from Idaho, for their interest in moving this legislation. I marvel at their patience and their good temperament, because it has not been easy, especially when there are those of us who think that the legislation is appropriate, but at the same time want to amend it to make it as good as we can in our own views and our own perspectives.

So I rise to speak for the fourth time on the subject of unfunded mandates. I understand I have 20 minutes, and I do not know whether I will use it all—probably not. But I will use sufficient time to discuss the subject now.

I offer this amendment which is as simple as it is compelling. I offer it because I believe that some laws are so important to the well-being of our citizens that regardless of whether the Federal Government fully pays for them, State and local governments should be required to implement them.

The authors of this bill recognized this fundamental truth, and that is why they created exclusions to S. 1. Federal legislation designed to enforce the constitutional rights of individuals are exempt from the strictures of the unfunded mandate law. So is legislation designed to protect statutory rights when they are threatened by discrimination. So is legislation deemed to be necessary to protect our national security.

Mr. President, my amendment would expand the list of exemptions to S. 1 to include limits of or on exposure to known human carcinogens. The Environmental Protection Agency has a list of substances which are believed to be causally connected to cancer in human beings. Evidence from human studies confirms a relationship between exposure to these substances and cancer.