

the leader for his work in trying to put it together.

I ask unanimous consent that at 9:30 on Friday the Senate turn to the immediate consideration of a bill to be introduced tonight by Senator KENNEDY regarding employment discrimination, and the bill be placed on the calendar, the text of which will be submitted in the form of an amendment to Calendar No. 499, and there be a time limitation of 3 hours to be equally divided in the usual form with no amendments or motions to refer in order.

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

Mr. LOTT. I further ask that at 9:30 on Tuesday the Senate proceed to Calendar No. 499, the Defense of Marriage Act and it be considered under the same terms as outlined above, with 45 minutes under the control of Senator BYRD.

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

Mr. LOTT. I further ask that the vote regarding passage of Calendar No. 499 occur immediately following the vote with respect to the Department of Defense authorization conference report on Tuesday, September 10, and following that vote there be 30 minutes for debate on the Kennedy bill to be equally divided in the usual form with the vote to occur following the conclusion or yielding back of the time on Tuesday.

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

Mr. LOTT. I further ask that following the disposition of the employment discrimination bill on Tuesday, September 10, the Senate proceed to the Treasury-Postal Service appropriations bill.

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

Mr. LOTT. Finally, I ask unanimous consent that the cloture motion filed earlier this evening with respect to Calendar No. 499 be vitiated since it is no longer needed.

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

Mr. LOTT. For the information of all Senators, the Senate will proceed to four remaining back-to-back votes regarding the HUD-VA bill and the Iraqi resolution. There will be no further votes following passage.

On Friday the Senate will debate the employment discrimination bill introduced by Senator KENNEDY and also conduct a period for morning business. However, no votes will occur on Friday. On Monday, the Senate will debate the Department of Defense authorization conference report under previous consent. Also, the Senate will conduct a period for morning business. No votes will occur during Monday's session of the Senate. On Tuesday, the Senate will debate the defense of marriage bill, and at 2:15 a series of votes will occur beginning with the DOD authorization conference report. Following those stacked votes, the Senate will proceed to the Treasury-Postal Service appropriations bill.

I want to thank all Senators and the Democratic leader for their cooperation. Now it does make it possible for us not to have votes on Friday and Monday, but allows for us to accomplish a great deal of our work together, have debate, and then have stacked votes on Tuesday. We will be able to proceed with getting our work done with a minimum disruption of commitments that Senators must necessarily fulfill.

Mr. DASCHLE. If the majority leader will yield just for a clarification, I say at the outset that I support entirely the result of these negotiations, and I appreciate very much everyone's cooperation.

On the first page of the unanimous-consent agreement, in reference to the bill to be offered by Senator KENNEDY, on the bottom line it asks unanimous consent that the bill be equally divided in the usual form, with a vote to occur on Tuesday. It did not say a vote on final passage. I assume the majority leader meant a vote on final passage.

Mr. LOTT. That is correct. I amend that request to include that a vote on final passage occur following the conclusion or yielding back of the time. I ask unanimous consent that the agreement be modified to reflect that.

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

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, am I correct that when we are talking about the Defense of Marriage Act on Tuesday, that will be a vote on final passage as well?

Mr. LOTT. It would be, yes, immediately after the vote on the Department of Defense conference report at 2:15, between 2:30 and 2:45.

I yield the floor.

DEPARTMENT OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1997

The Senate continued with the consideration of the bill.

AMENDMENT NO. 5197

The PRESIDING OFFICER. The pending business is the Harkin amendment. There are 2 minutes equally divided. Who seeks recognition?

Mr. HARKIN. Mr. President, what this amendment does is it basically is a hold-harmless amendment. There is no contradiction between this amendment and the McCain amendment of last night. This amendment says that any increases can go to these States, but no State this year can get less than what it did last year. It is almost commonly held around here that when we make major changes in formulas, we always have a 1-year hold harmless as a bridge. That is what this amendment does; it makes that bridge.

What I am saying, basically, is that this vote on this amendment I have offered means that a lot of States will

not be severely cut in their veterans health benefits this year. It holds them harmless. But it says to those high-growth States, like Arizona, Florida, and others, they can go ahead and get the increase. But there will not be big cuts in a lot of other States.

I suggest that people might want to check to see what is going to happen to their States if the McCain amendment is adopted without this hold-harmless clause. I know people say we have to treat veterans equitably, and we do. But in a lot of the States, like Pennsylvania, New York, Iowa, and a lot of Northern States, our veterans are older, poorer, and sicker, and it costs more. That is not taken into account in the McCain amendment, and it is in mine.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BOND. Mr. President, the Veterans' Administration Undersecretary for Health is doing an outstanding job in bringing modern, efficient, effective, and compassionate health care to our Nation's veterans. He testified before my subcommittee earlier this year that one of the barriers about which he was most concerned in attempting to change and improve the way the Veterans' Administration operates is the Congress. The Harkin amendment is precisely what the Veterans' Administration feared, because it would prevent the Veterans' Administration from making changes to see that the older and sicker veterans, wherever they live, get the care that they need.

The Veterans' Administration opposes this amendment because it would prevent them from efficiently allocating resources to meet veterans' health needs in the most effective manner. I, therefore, move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question occurs on agreeing to the motion to table.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Oregon [Mr. HATFIELD] and the Senator from Alaska [Mr. MURKOWSKI] are necessarily absent.

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

Mr. FORD. I announce that the Senator from Hawaii [Mr. INOUE] is necessarily absent.

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

The result was announced—yeas 60, nays 37, as follows:

[Rollcall Vote No. 275 Leg.]

YEAS—60

Abraham	Ashcroft	Bingaman
Akaka	Bennett	Bond

Breaux	Frist	McCain
Brown	Gorton	McConnell
Bryan	Graham	Nickles
Bumpers	Gramm	Nunn
Burns	Grams	Pryor
Campbell	Gregg	Reid
Chafee	Hatch	Robb
Coats	Helms	Roth
Cochran	Hollings	Santorum
Cohen	Hutchison	Shelby
Coverdell	Inhofe	Simpson
Craig	Johnston	Smith
DeWine	Kassebaum	Stevens
Domenici	Kempthorne	Thomas
Faircloth	Kyl	Thompson
Feinstein	Lott	Thurmond
Ford	Lugar	Warner
Frahm	Mack	Wyden

NAYS—37

Baucus	Grassley	Moseley-Braun
Biden	Harkin	Moynihan
Boxer	Heflin	Murray
Bradley	Jeffords	Pell
Byrd	Kennedy	Pressler
Conrad	Kerrey	Rockefeller
D'Amato	Kerry	Sarbanes
Daschle	Kohl	Simon
Dodd	Lautenberg	Snowe
Dorgan	Leahy	Specter
Exon	Levin	Wellstone
Feingold	Lieberman	
Glenn	Mikulski	

NOT VOTING—3

Hatfield	Inouye	Murkowski
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The motion to lay on the table the amendment (No. 5197) was agreed to.

AMENDMENT NO. 5190

The PRESIDING OFFICER. The question now occurs on amendment No. 5190 by the Democratic leader, Mr. DASCHLE. Pursuant to rule XVI, paragraph 4, the Chair submits the question to the Senate; namely, Is the amendment germane subject matter of the bill? On this question, the yeas and nays have been ordered.

The PRESIDING OFFICER. There is 1 minute of debate.

The minority leader is recognized.

Mr. DASCHLE. Mr. President, as a requirement of the 1991 Agent Orange Act, after a thorough analysis of all relevant scientific evidence, the National Academy of Sciences announced in March a link between agent orange exposure and the presence of spina bifida in offspring.

My amendment would extend health care, vocational rehabilitation, and monetary benefits to Vietnam veterans' children born with spina bifida, a serious birth defect that requires life-long medical care. It is completely paid for with a non-controversial savings provision.

While this should be an honest vote on the proposal itself, some have chosen to cloak it in a procedural question. I ask my colleagues to vote against the germaneness point of order. Of all amendments we have debated and voted on today, this amendment is clearly a veterans' issue on this veterans' bill.

I yield the floor.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. This is a perfect example of why this country has a \$5 trillion debt. On the basis of one study, one study which the author testified before the House we should not rely on, the

minority leader wants to create on an appropriations bill a brand-new entitlement program which has not been heard in the authorizing committee, which is not based on sound science. If you believe sound science rather than emotion should be the basis of our action, then you could not support this proposal. But it is an effort to establish over the objections of the authorizing committee chairman an entitlement program on an appropriations bill, and it was for that reason I raised the point that this amendment is not germane.

I ask that the Members support the argument that this is not germane, and I ask they vote no.

The PRESIDING OFFICER. The Chair submits to the Senate the question, Is the amendment germane? The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Oregon [Mr. HATFIELD] and the Senator from Alaska [Mr. MURKOWSKI] are necessarily absent.

I further announce that, if present and voting, the Senator from Oregon [Mr. HATFIELD] would vote "nay."

Mr. FORD. I announce that the Senator from Hawaii [Mr. INOUE] is necessarily absent.

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

The yeas and nays resulted—yeas 62, nays 35, as follows:

[Rollcall Vote No. 276 Leg.]

YEAS—62

Abraham	Feingold	Mikulski
Akaka	Feinstein	Moseley-Braun
Baucus	Ford	Moynihan
Biden	Glenn	Murray
Bingaman	Graham	Nunn
Boxer	Grassley	Pell
Bradley	Harkin	Pressler
Breaux	Heflin	Pryor
Bryan	Helms	Reid
Bumpers	Hollings	Robb
Byrd	Jeffords	Rockefeller
Cochran	Johnston	Sarbanes
Conrad	Kennedy	Shelby
D'Amato	Kerrey	Simon
Daschle	Kerry	Snowe
DeWine	Kohl	Specter
Dodd	Lautenberg	Stevens
Domenici	Leahy	Warner
Dorgan	Levin	Wellstone
Exon	Lieberman	Wyden
Faircloth	McConnell	

NAYS—35

Ashcroft	Frist	Lugar
Bennett	Gorton	Mack
Bond	Gramm	McCain
Brown	Grams	Nickles
Burns	Gregg	Roth
Campbell	Hatch	Santorum
Chafee	Hutchison	Simpson
Coats	Inhofe	Smith
Cohen	Kassebaum	Thomas
Coverdell	Kempthorne	Thompson
Craig	Kyl	Thurmond
Frahm	Lott	

NOT VOTING—3

Hatfield	Inouye	Murkowski
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The PRESIDING OFFICER. On this vote, the yeas are 62, the nays are 35. The judgment of the Senate is that the amendment is germane.

The question now occurs on agreeing to the Daschle amendment, No. 5190.

The amendment (No. 5190) was agreed to.

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

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UNITED STATES RESPONSE TO IRAQI AGGRESSION

The Senate continued with the consideration of the resolution.

The PRESIDING OFFICER. The question before the Senate now is Senate Resolution 288, offered by the majority leader and minority leader regarding the United States response to Iraqi aggression. There are 2 minutes equally divided.

The minority leader is recognized.

Mr. DASCHLE. Mr. President, there are a number of Senators on both sides of the aisle who deserve our gratitude for the effort put forth in the last couple of days to bring us to this point. I will not name them now. I will name them later.

Let me simply read the resolving clause:

The Senate commends the military actions taken by and the performance of the United States Armed Forces, under the direction of the Commander in Chief, for carrying out this military mission in a highly professional, efficient and effective manner.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank the majority leader and the Democratic leader for framing a very difficult compromise which has, given the proximity to a Presidential election, a great deal of emotion associated with it.

I believe this resolution achieves the goal that we seek of expressing our appreciation and our gratitude for the outstanding men and women who serve in the military. It is obvious that those men and women serve under the Commander in Chief, and that is appropriate to be mentioned in this resolution.

Mr. President, I don't know how this whole situation is going to evolve, nor do we know exactly what has taken place. But I do know, as always, we can thank and be grateful and in our prayers be grateful that we have the finest men and women that this world has ever seen serving in our military who, again, responded to the call of the Commander in Chief in such an outstanding fashion.

Mr. President, I am pleased to join my colleagues in supporting this resolution. When the President, in his unique capacity as Commander in Chief, orders our Armed Forces into action, Congress has an obligation to both affirm our support for the men and women of the United States military who have been ordered to undertake the mission, and our respect for the President as the constitutional officer responsible for the conduct of our military and foreign policies. This is the purpose of the resolution before us,