

[Rollcall Vote No. 273 Leg.]

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YEAS—75

Akaka	Feingold	Moseley-Braun
Baucus	Feinstein	Moynihan
Bennett	Ford	Murray
Biden	Frist	Nunn
Bingaman	Glenn	Pell
Bond	Graham	Pressler
Boxer	Grassley	Pryor
Bradley	Harkin	Reid
Breaux	Heflin	Robb
Bryan	Hollings	Rockefeller
Bumpers	Hutchison	Roth
Burns	Inouye	Santorum
Byrd	Jeffords	Sarbanes
Chafee	Kassebaum	Shelby
Cochran	Kennedy	Simon
Cohen	Kerrey	Simpson
Conrad	Kerry	Snowe
Coverdell	Kohl	Specter
D'Amato	Lautenberg	Stevens
Daschle	Leahy	Thomas
DeWine	Levin	Thompson
Dodd	Lieberman	Thurmond
Domenici	Lugar	Warner
Dorgan	McConnell	Wellstone
Exon	Mikulski	Wyden

NAYS—22

Abraham	Gorton	Kyl
Ashcroft	Gramm	Lott
Brown	Grams	Mack
Campbell	Gregg	McCain
Coats	Helms	Nickles
Craig	Inhofe	Smith
Faircloth	Johnston	
Frahm	Kemphorne	

NOT VOTING—3

Hatch	Hatfield	Murkowski
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The motion to lay on the table the amendment (No. 5195) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote by which the motion to lay on the table was agreed to.

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

The motion to lay on the table was agreed to.

Mr. LOTT. Mr. President, for the information of all Members, we are working now on getting a UC typed up that would lay out how the time will be used for the next hour. We are in the process now of typing up an agreement that would lay out the debate, and the votes over the next hour and a half. I think that would allow us to make good progress and be able to get to the conclusion of the VA-HUD bill, and either go to final passage after that, or, depending on a couple of other things, we are working on final passage and could have stacked votes Tuesday morning. But we will have that worked out momentarily.

The next thing we will do is to go to the next pending amendment for a vote. Senator GRAMM I believe has a second-degree amendment.

THE DEFENSE OF MARRIAGE ACT

Mr. LOTT. In the meantime, I ask unanimous consent that the Senate now turn to consideration of Calendar No. 499, H.R. 3396, the Defense of Marriage Act.

Mr. DASCHLE. I object.

The PRESIDING OFFICER. Objection is heard.

CLOTURE MOTION

Mr. LOTT. I move that the Senate proceed to the H.R. 3396, 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 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, hereby move to bring to a close debate on the motion to proceed to H.R. 3396, the Defense of Marriage Act:

Senators Trent Lott, Bob Smith, Conrad Burns, Rod Grams, Larry E. Craig, Judd Gregg, Jim Inhofe, Hank Brown, Don Nickles, Dan Coats, Chuck Grassley, Craig Thomas, Frank H. Murkowski, Lauch Faircloth, Richard Shelby, Slade Gorton, Phil Gramm.

Mr. LOTT. Mr. President, I want our colleagues to know that I have been discussing this back and forth with the Democratic leader. He was aware that I was going to do this. We are working on a number of other issues that are not directly related necessarily to this. We also have an understanding that we are working out on exactly what time this vote might occur.

But I have just filed a cloture motion on the motion to proceed to H.R. 3396. Under rule XXII, the cloture vote will occur—we will either have this occur on Monday or agree to a time on Tuesday. I believe we are going to agree to a time on Tuesday when this vote will occur. So I think we are getting cooperation on that.

If we continue to work toward an agreement on the VA-HUD appropriations bill, and go ahead and get started next on the Interior appropriations bill, then we would probably have this vote on Tuesday morning around 10 o'clock. But we will make that official later on.

I now withdraw the motion to proceed.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The motion is withdrawn.

The Democratic leader.

Mr. DASCHLE. I just wanted to take a moment to explain that it is not our desire necessarily to hold up this piece of legislation. There is support on our side as well. Unfortunately, the majority leader has not been able to work out an agreement with us to accommodate a number of Senators on our side who wish to offer amendments. It was for that reason that I objected tonight.

Obviously, we will have a good debate about the bill. It will be my hope we could offer amendments, but at least at this time it does not appear to be likely. We will continue to work together and try to find a way to resolve these issues, but at least tonight that has not been resolved.

I yield the floor.

Mr. LOTT. I yield the floor, Mr. President.

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

The Senate continued with the consideration of the bill.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, while the distinguished majority leader is here, I would just like to state I think Senator GRAMM is going to offer an amendment which I will accept, and then we will vote on the Domenici-Wellstone amendment as amended by the Gramm amendment.

AMENDMENT NO. 5196 TO AMENDMENT NO. 5194

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows.

The Senator from Texas [Mr. GRAMM] proposes an amendment numbered 5196 to amendment No. 5194.

Mr. DOMENICI. Could we have order, Mr. President.

The PRESIDING OFFICER. The Senator will suspend.

The Senate is not in order. Senators will take their conversations to the cloakroom, please, so the Senator from Texas can be heard.

The Senator from Texas.

Mr. GRAMM. Mr. President, it is a very short amendment. It will minimize the debate if we just have it read.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

At the appropriate place in the amendment, insert the following: Notwithstanding the provisions of this title, if the provisions of this title result in a one percent or greater increase in the cost of a group health plan's premiums, the purchaser is exempt from the provisions of this title.

Mr. GRAMM. Mr. President, this amendment says that if Senator DOMENICI is wrong, and there are more than de minimis costs in expanding this coverage, and those costs exceed 1 percent, then the purchaser of that policy would be exempt.

I think this is a good stopgap measure. If the Senator is right and this coverage can be provided for one-sixth of 1 percent, then it will be provided. If it raises the cost of the policy more than 1 percent, the purchaser of the policy would be exempt.

I think it does improve the underlying amendment, and I am grateful the Senator has accepted it.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, consistent with everything I knew when I brought the amendment to the floor,