

We have illustrated in the course of this debate the kinds of people who will be adversely impacted if the Senator's amendment is adopted.

The PRESIDING OFFICER. The Chair advises the Senator his 3 minutes have expired.

Mr. KENNEDY. Mr. President, therefore, it is my hope that the motion to invoke cloture would not pass, that the amendment itself would be withdrawn and that we would go back to further consideration of the very important underlying defense appropriations bill.

I thank the Chair.

The PRESIDING OFFICER. The Chair recognizes the majority leader.

Mr. DOLE. Mr. President, how much time is remaining?

The PRESIDING OFFICER. Just over 2 minutes.

Mr. DOLE. Mr. President, let me just lay it out cold. This is all about politics. It has nothing to do with workers or anybody else.

Last week, President Clinton kicked off his 1996 reelection campaign by signing an Executive order that would prohibit Federal contractors from hiring permanent replacement workers during economic strikes.

Despite all the talk about fostering fairness in the Federal workplace, the Executive order is a transparent effort on the President's part to shore up a political base that he believes is vital to his own reelection chances.

During the past several years, Congress has considered, and repeatedly rejected, the so-called striker-replacement bill. That is why the President is setting a dangerous precedent if he believes he can revive this defeated legislation simply by issuing an executive order.

It is the responsibility of Congress, not the administration, to write the laws governing labor-management relations in this country.

So, Mr. President, I urge my colleagues to support this motion to invoke cloture. The amendment offered by my friend and colleague from Kansas, Senator KASSEBAUM, will help restore the careful balance—that is what we want—a careful balance between labor and management that has been the hallmark of our system of collective bargaining for more than 60 years.

The President's misguided directive is a politically inspired attempt to do an end run around the legislative process. I do not believe it should go unchallenged.

I yield the floor.

CLOTURE MOTION

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 amend-

ment No. 331 to the committee amendment to H.R. 889, the supplemental appropriations bill:

Hank Brown, Nancy Landon Kassebaum, John Ashcroft, Joh Kyl, Lauch Faircloth, Don Nickles, Strom Thurmond, Dan Coats, Judd Gregg, Slade Gorton, Bob Dole, Chuck Grassley, Craig Thomas, Conrad Burns, Trent Lott, Mike DeWine, Pete Domenici.

CALL OF THE ROLL

The PRESIDING OFFICER. By unanimous consent the quorum call has been waived.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the Kassebaum amendment No. 331 shall be brought to a close?

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

The legislative clerk called the roll.

Mr. PELL. Mr. President, on this vote, I have a pair with the distinguished Senator from Washington [Mrs. MURRAY]. If she were present and voting, she would vote "nay." If I were at liberty to vote, I would vote "aye." Therefore, I withhold my vote.

Mr. LOTT. I announce that the Senator from Vermont [Mr. JEFFORDS] is necessarily absent.

Mr. FORD. I announce that the Senator from Washington [Mrs. MURRAY] is necessarily absent.

On this vote, the Senator from Rhode Island [Mr. PELL] is paired with the Senator from Washington [Mrs. MURRAY].

If present and voting, the Senator from Washington would vote "nay" and the Senator from Rhode Island would vote "aye."

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

The yeas and nays resulted—yeas 58, nays 39, as follows:

[Rollcall Vote No. 103 Leg.]

YEAS—58

Abraham	Frist	Murkowski
Ashcroft	Gorton	Nickles
Bennett	Gramm	Nunn
Bond	Grams	Packwood
Brown	Grassley	Pressler
Bumpers	Gregg	Pryor
Burns	Hatch	Roth
Campbell	Hatfield	Santorum
Chafee	Helms	Shelby
Coats	Hollings	Simpson
Cochran	Hutchison	Smith
Cohen	Inhofe	Snowe
Coverdell	Kassebaum	Specter
Craig	Kempthorne	Stevens
D'Amato	Kyl	Thomas
DeWine	Lott	Thompson
Dole	Lugar	Thurmond
Domenici	Mack	Warner
Exon	McCain	
Faircloth	McConnell	

NAYS—39

Akaka	Bryan	Feinstein
Baucus	Byrd	Ford
Biden	Conrad	Glenn
Bingaman	Daschle	Graham
Boxer	Dodd	Harkin
Bradley	Dorgan	Heflin
Breaux	Feingold	Inouye

Johnston	Leahy	Reid
Kennedy	Levin	Robb
Kerrey	Lieberman	Rockefeller
Kerry	Mikulski	Sarbanes
Kohl	Moseley-Braun	Simon
Lautenberg	Moynihan	Wellstone

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Pell, for

NOT VOTING—2

Jeffords

Murray

The PRESIDING OFFICER. On this vote, the yeas are 58, the nays are 39. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

UNFUNDED MANDATE REFORM ACT OF 1995—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will now vote on the conference report accompanying S. 1, which the clerk will report.

The bill clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1) to curb the practice of imposing unfunded Federal mandates on States and local governments; to strengthen the partnership between the Federal Government and State, local and tribal governments; to end the imposition, in the absence of full consideration by Congress, of Federal mandates on State, local, and tribal governments without adequate funding, in a manner that may displace other essential governmental priorities; and to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations; and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all of the conferees.

The Senate resumed consideration of the conference report.

SECTION 105

Mr. KOHL. Mr. President, I invite the chairman of the Budget Committee to engage in a colloquy with me on section 105 of the conference report on S. 1, the Unfunded Mandates Reform Act of 1995.

During consideration of S. 1 before the full Senate, I offered an amendment which makes clear that nothing in this legislation denies Federal funding to States, local, or tribal governments because they are already complying with all or part of a Federal mandate. That amendment is now section 105 of the bill.

The conferees modified my language by stating that my amendment made reference to any mandates that are funded pursuant to section 425(a)(2) of the Congressional Budget and Impoundment Control Act of 1974, as added by section 101 of this act.

However, the report language accompanying S. 1 refers to section 425(b)(2).

I ask the distinguished Senator from New Mexico, is this reference in the conference report incorrect?