The legislative clerk read as follows:

A bill (H.R. 4018) to make technical corrections in the Federal Oil and Gas Royalty Management Act of 1982.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. LOTT. Mr. President, I ask unanimous consent the bill be deemed read a third time, passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be placed at the appropriate place in the RECORD.

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

The bill (H.R. 4018) was deemed read for a third time and passed.

ORDERS FOR TUESDAY, SEPTEMBER 10, 1996

Mr. LOTT. Mr. President, now, the closing information, at the end of which I will note that Senator MURRAY is here, and following her remarks the Senate will stand in adjournment. I wanted her to know we would close that way so she would not have concerns that we would close without her having a opportunity to speak.

I ask unanimous consent when the Senate completes its business today it stand in adjournment until 9:30 a.m. on Tuesday, September 10; further, immediately following the prayer, the Journal of proceedings be deemed approved to date, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day, and the Senate immediately turn to the consideration of H.R. 3396, the Defense of Marriage Act, as under a previous order.

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

SCHEDULE

Mr. LOTT. Tomorrow morning the Senate will be debating the Defense of Marriage Act for 3 hours, until the hour of 12:30.

I now ask unanimous consent the Senate recess between the hours of 12:30 to 2:15 for the weekly policy conferences.

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

Mr. LOTT. When the Senate reconvenes at 2:15, there will be two consecutive rollcall votes, the first on the adoption of the Defense authorization conference report to be followed by a vote on the passage of H.R. 3396, the Defense of Marriage Act. There will then be 30 minutes of debate, and a vote on S. 2056, the employment discrimination bill. This 30 minutes, of course, will be equally divided.

Following those votes on Tuesday, the Senate will turn to the consideration of the Treasury/Postal Service appropriations bill. Therefore, additional votes can be expected during tomorrow's session. Also, as a reminder to all Senators, at 10 a.m. on Wednesday of this week there will be a joint meeting of Congress to hear the address of Prime Minister Bruton of Ireland. Members are asked to be in the Senate Chamber at 9:40 a.m., so we may proceed to the House of Representatives.

That is on Wednesday. That was just a reminder for the Members to make plans to be here for that special occasion.

ORDER FOR ADJOURNMENT

Mr. LOTT. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate now stand in adjournment under the previous order, following the remarks of Senator MURRAY.

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

The Senator from Washington is recognized.

THE EMPLOYMENT NONDISCRIMINATION ACT

Mrs. MURRAY. Mr. President, I rise today as an original cosponsor of the Employment Nondiscrimination Act, to express my strong support for this important legislation. I do so in the belief that every single American deserves fair treatment under the law, no matter their gender, race, religion, or sexual orientation. As one of the few women ever to serve in the U.S. Senate, I bring a different perspective to this issue. As a mother and as the ninth woman ever elected to the Senate and the first ever from my home State of Washington, I understand very clearly what it means to be part of a group who seeks fairness and equal opportunity.

Not so long ago, many thought it impossible for women to serve in the Senate, much less elected office of any other kind. Today, I am confident none of my colleagues would deny the contributions women have made here, in the House, in the State and local governments, and at every level of public service.

Mr. President, I am proud, not only that I was elected to one of the highest offices in the land, but also because I know now that my daughter will have the same opportunity.

The point is this: She will have choices and she will have the opportunity, because these are the values of the American people.

I do not believe elected leaders serve our country well if they deny any of our citizens these choices. A person's success or failure must depend on their qualifications, skills, effort, and sometimes even luck. Most important, their fate should rest on having the opportunity to test these things. No one, not one person, should be denied opportunity because of their race, their religion, their gender, or their sexual orientation.

I know that historic debates such as this one have been very hard, but I say to my colleagues, change is never easy and we should let our past successes be our guide in the future.

Thirty-five years ago, our national conscience was challenged like never before as the civil rights movement blossomed. By passing the Civil Rights Act of 1964, we made unquestionable progress toward ensuring equality for all citizens. Today, none among us would deny that we did the right thing by outlawing discrimination based on race. We know we did the right thing by guaranteeing the civil rights of women, racial minorities, and members of every religion. The same must be done in this case.

So we can be justifiably proud of our rich history of protecting civil rights, and we should dedicate ourselves to doing better. And make no mistake, we can do better. To my colleagues, I offer this caution: Do not be convinced by those who argue that discrimination is no longer a problem in the workplace.

Every day, citizens of this Nation somewhere feel the sinister burn of job discrimination, be they women, racial minorities, or gays and lesbians. And unlike the rest of America, this latter group cannot today count on the protection of Federal law to ensure equal opportunity in the workplace.

I recently heard the story of a woman named Nan Miguel who worked for a hospital in my home State of Washington as an administrator in the radiology department. She oversaw a small staff and worked very hard at her job. Three years ago, she hired a woman she believed was the most qualified candidate for an x-ray technician's position. She did this despite pressure from certain staff members who believed that the woman she wanted to hire was a lesbian. The new employee went on to work hard and did an excellent job, just as Nan expected she would.

Unfortunately, it did not end there. One coworker in particular was opposed to working with a woman because of the rumors about her sexual orientation. Nan sought help from senior management in resolving this issue, but to her shock, they told her that the coworker must simply be responding to the discord created by the technician.

Her employee's job performance was strong and, therefore, she felt it wrong to fire her. Instead, she continued to try and find a solution. In the end, the hospital told Nan that it would be easier for them to remove her than to remove her coworker. Nan was placed on administrative leave and subsequently fired. A short time later, the technician was fired as well. Only the worker who displayed intolerance on the job stayed on the job.

If the same situation had occurred because the technician was Hispanic, because she was a woman, or because she belonged to the Mormon Church, the same outcome could not have happened. We would not even be talking about it, because today no one would question the competence of an employee based on those characteristics,

and if someone did, that employee would have recourse under the law.

Mr. President, a moment ago I mentioned my daughter and the opportunities that she will have. I am also very concerned about the experiences of young people who may be denied those same opportunities. I am worried about those who must find jobs in cases where their parents have forced them out of the House and they are on their own. At a very early age, they must support themselves just to get through high school, let alone college. Young people are very vulnerable to discrimination and cannot hold jobs, and they will have an extremely hard time.

I have heard real stories of gay and lesbian young adults in my State who ended up moving away from home, relying on public assistance or even considering suicide if they did not get help. They become very cynical about the world they live in, and they start to think that the regular rules do not apply to them. When this happens, we lose very productive members of our society. We may pay more for public assistance, and we deny young people the chance to pursue the same goals every one of us has—education, a good job and a place in the community.

As I said before, current law says people cannot be treated differently in the workplace based on race, origin, gender or religion. The bill before us today would simply add sexual orientation to that list. It is written even more narrowly than current law because it does not allow positive actions, such as quotas or other preferential treatment. All it says is a person cannot be treated differently in any decision related to employment based on their sexuality—whether they are heterosexual or homosexual.

Under this bill, a person could not be hired solely because they are homosexual, nor could they be denied a job if they are heterosexual.

A person cannot get a raise simply because they are married to a member of the opposite sex, nor can they be denied a promotion because they marched in a gay pride parade. In short, it simply takes the issue of sexual orientation out of personnel decisions altogether.

Mr. President, these are reasonable expectations and, in fact, they have already been adopted by nine States, many local governments across the country and Fortune 500 companies that recognize that it makes good business sense to value each and every one of their employees equally. It is time that our laws reflect these values as well.

To my colleagues who believe this bill would bring up increased litigation, I ask these questions:

Should we then have denied women equal rights because it would have increased the number of cases in our courts?

Should we have allowed segregation to continue because it would take too much time and money to hear Brown versus Board of Education?

Did the Framers of our Constitution think about caseloads in our courts when they guaranteed our freedom to worship?

My answer to these questions is a strong, clear no, and I am surprised at the arguments against this legislation. They sound hauntingly familiar to the ones we have heard in the past against allowing women, religious members, and racial groups equal protections under the law.

We have heard a lot from both political parties in the past few weeks about the big tent philosophy and the importance of inclusion, equal treatment under the law, and equal opportunity in the workplace. The ENDA bill gives Senators of both parties a chance to act on that rhetoric.

Mr. President, this is not a conservative or a liberal issue. It is not about one group's protection at another's expense. It is about common sense, common decency, and about our fundamental values as Americans.

Consider an editorial written 2 years ago by former Arizona Senator Barry Goldwater. He wrote that we must allow gay and lesbian citizens the same protections we have extended to other people to ensure their civil rights. He points out that ''anybody who cares about real moral values understands that this is not about granting special rights—it is about protecting basic rights.'' Like many of my colleagues on both sides of this aisle, I strongly agree with him.

When Nan Miguel tells her story, she says that by treating the woman she hired with dignity and respect, she was following the Christian beliefs that she was brought up with. And I know that in my family, my mother and father taught us to respect other people and to treat them the way we wanted to be treated.

I urge my colleagues to take the high ground on this issue. Think of what history will say when the 104th Congress made the decision which once again protected our civil rights. This is not about one group of people, it is about all people and our belief in one another. If we do not pass the ENDA bill, our sisters and brothers, sons and daughters will remain vulnerable to discrimination in the workplace. We can do better than that. Thank you, Mr. President.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate now stands in adjournment until tomorrow at 9:30 a.m.

Thereupon, the Senate, at 7:05 p.m., adjourned until Tuesday, September 10, 1996, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate September 9, 1996:

EXECUTIVE OFFICE OF THE PRESIDENT

ALAN H. FLANIGAN, OF VIRGINIA, TO BE DEPUTY DIRECTOR FOR SUPPLY REDUCTION, OFFICE OF NATIONAL DRUG CONTROL POLICY, JOHN P. WALTER, RESIGNED.

FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED, AND ALSO FOR THE OTHER APPOINTMENTS INDICATED HEREWITH:

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS ONE, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

AGENCY FOR INTERNATIONAL DEVELOPMENT

PAUL ALBERT BISEK, OF VIRGINIA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS TWO, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

AGENCY FOR INTERNATIONAL DEVELOPMENT

SUSUMO KEN YAMASHITA, OF MARYLAND

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS THREE, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

AGENCY FOR INTERNATIONAL DEVELOPMENT

SUSAN KUCINSKI BREMS, OF THE DISTRICT OF COLUMIBA
CHRISTINE M. BYRNE, OF VIRGINIA
JAMES ERIC SCHAEFFER, OF FLORIDA

DEPARTMENT OF COMMERCE

KARLA B. KING, OF FLORIDA
TERRY J. SORGI, OF WISCONSIN

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS FOUR, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

U.S INFORMATION AGENCY

TANIA BOHACHEVSKY CHOMIAK, OF FLORIDA
LINDA JOY HARTLEY, OF CALIFORNIA
SHARON HUDSON-DEAN, OF PENNSYLVANIA
CONSTANCE COLDING JONES, OF INDIANA
STEVEN LOUIS PIKE, OF NEW YORK
DAVID MICHAEL REINERT, OF NEW MEXICO

DEPARTMENT OF STATE

SARAH J. METZGER, OF VIRGINIA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA EFFECTIVE JUNE 28, 1996:

DEPARTMENT OF STATE

MARC C. JOHNSON, OF THE DISTRICT OF COLUMBIA

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF COMMERCE AND THE DEPARTMENT OF STATE TO BE CONSULAR OFFICERS AND/OR SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA, AS INDICATED:

CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

ROBERT L. ADAMS, OF VIRGINIA
VEOMAYOURY BACCAM, OF IOWA
DOUGLASS R. BENNING, OF THE DISTRICT OF COLUMBIA
STEVEN A. BOWERS, OF VIRGINIA
MICHAEL A. BRENNAN, OF CONNECTICUT
KERRY L. BROUGHAM, OF CALIFORNIA
ANDREA BROUILLETTE-RODRIGUEZ, OF MINNESOTA
PAAL CAMMERMEYER, OF MARYLAND
PRISCILLA CARROLL CASKEY, OF MARYLAND
JULIANNE MARIE CHESKY, OF VIRGINIA
CARMELA A. CONROY, OF WASHINGTON
JULIE CHUNG, OF CALIFORNIA
EDWARD R. DEGGES, JR., OF VIRGINIA
THOMAS L. ELMORE, OF FLORIDA
WAYNE J. FAHNESTOCK, OF MARYLAND
DENIS BARRETT FINOTTI, OF MARYLAND
KENNETH FRASER, OF MARYLAND
GARY R. GUIFFRIDA, OF MARYLAND
PATRICIA M. GONZALEZ, OF TEXAS
DAVID J. GREENE, OF NEW YORK
RAYMOND FRANKLIN GREENE III, OF MARYLAND
RONALD ALLEN GREGORY, OF TENNESSEE
DEBORAH GUIDO-O'GRADY, OF VIRGINIA
AUDREY LOUISE HAGEDORM, OF VIRGINIA
PATTI HAGOPIAN, OF CALIFORNIA
CHARLES P. HARRINGTON, OF VIRGINIA
RONALD S. HIETT, OF VIRGINIA
RUTH-ERCILE HODGES, OF NEW YORK
KRISTINA M. HOTCHKISS, OF VIRGINIA
ANDREAS O. JAWORSKI, OF VIRGINIA
RALPH M. JONASSEN, OF NEW YORK
MARNI KALAPA, OF TEXAS
JANE J. KANG, OF CALIFORNIA
SARAH E. KEMP, OF NEW YORK
FREDERICK J. KOWALESKI, OF VIRGINIA
STEVEN W. KRAPCHO, OF VIRGINIA
GREGORY R. LATTANZE, OF VIRGINIA
CHARLES W. LEVESQUE, OF ILLINOIS
JANICE O. MAC DONALD, OF VIRGINIA
C. WAKEFIELD MARTIN, OF TEXAS
BRIAN I. MC CLEARY, OF VIRGINIA
ALAN D. MELTZER, OF NEW YORK