

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. AL-LARD). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the hour of 11:15 a.m. having arrived, the clerk will report the motion to invoke cloture.

The assistant 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 the motion to proceed to S. 543, a bill to provide protections to volunteers, nonprofit organizations, and governmental entities in lawsuits based on the activities of volunteers:

Senators Trent Lott, Paul Coverdell, Connie Mack, Slade Gorton, Don Nickles, Spencer Abraham, Larry E. Craig, Michael Enzi, Craig Thomas, Phil Gramm, Dan Coats, Rick Santorum, Mitch McConnell, Orrin Hatch, R.F. Bennett, and Mike DeWine.

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 motion to proceed to S. 543, the Volunteer Protection Act, shall be brought to a close?

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

The assistant legislative clerk called the roll.

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

The yeas and nays resulted—yeas 55, nays 44, as follows:

[Rollcall Vote No. 53 Leg.]

YEAS—55

| | | |
|-----------|------------|---------------|
| Abraham | Frist | McCain |
| Allard | Gorton | McConnell |
| Ashcroft | Gramm | Murkowski |
| Bennett | Grams | Nickles |
| Bond | Grassley | Roberts |
| Brownback | Gregg | Roth |
| Burns | Hagel | Santorum |
| Campbell | Hatch | Sessions |
| Chafee | Helms | Smith, Bob |
| Coats | Hutchinson | Smith, Gordon |
| Cochran | Hutchison | H. |
| Collins | Inhofe | Snowe |
| Coverdell | Jeffords | Specter |
| Craig | Kempthorne | Stevens |
| D'Amato | Kyl | Thomas |
| DeWine | Lieberman | Thompson |
| Domenici | Lott | Thurmond |
| Enzi | Lugar | Warner |
| Faircloth | Mack | |

NAYS—44

| | | |
|--------|----------|---------|
| Akaka | Bingaman | Bryan |
| Baucus | Boxer | Bumpers |
| Biden | Breaux | Byrd |

| | | |
|-----------|---------------|-------------|
| Cleland | Hollings | Moynihan |
| Conrad | Johnson | Murray |
| Daschle | Kennedy | Reed |
| Dodd | Kerrey | Reid |
| Dorgan | Kerry | Robb |
| Durbin | Kohl | Rockefeller |
| Feingold | Landrieu | Sarbanes |
| Feinstein | Lautenberg | Shelby |
| Ford | Leahy | Torricelli |
| Glenn | Levin | Wellstone |
| Graham | Mikulski | Wyden |
| Harkin | Moseley-Braun | |

NOT VOTING—1

Inouye

The PRESIDING OFFICER. On this vote the yeas are 55, the nays are 44. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

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

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

Mr. GRAMS. Mr. President, I also ask that I may be allowed to speak in morning business for up to 5 minutes.

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

MEMBERS OF THE MINNESOTA NATIONAL GUARD DESERVE OUR THANKS

Mr. GRAMS. Mr. President, as we discuss the topic of voluntarism, I rise today to acknowledge a group of individuals who are making a very big difference, a tremendous difference as the people of Minnesota are fighting the floodwaters that have paralyzed so much of our State.

The men and women of the Minnesota National Guard have stepped up these last several weeks and served with distinction under what have been very deplorable conditions. Battling a rising river is back-breaking work in itself. It is nearly impossible when combined with the ice and the extreme cold produced by a blizzard. Yet those are the conditions that the Guard endured as they worked side by side with the residents of Minnesota's flood devastated communities.

Well over 2,000 National Guard troops have been called up to assist in both preventing flood damage and cleaning up when the waters finally begin to recede. These are men and women who have full-time jobs and lives outside the Guard and take time away from their other responsibilities to fulfill an obligation they feel to Minnesota and its communities. Many of the mayors and elected officials within the declared disaster area told me that the Guard has been such an integral part of their flood response efforts that they cannot imagine being without their assistance. The National Guard have always been instrumental in so many ways, in so many communities, that it

is nearly impossible to list every activity in which they have been involved.

Now, as the flood waters began to rise, they helped with the sandbagging that saved so many homes and buildings. They went door to door, urging residents to leave before the waters forced them to go. They put their engineering expertise to work, finding ways to ward off the flooding. And when it came time to evacuate, the National Guard played a key role moving Minnesotans to safety, whether by helicopter or truck, and helped evacuate nursing homes and hospitals. When all the residents were gone, they were there to guard the deserted towns and kept away sightseers and potential looters. The Guard's water purification units and electrical generators have been invaluable during the flooding.

The members of the Minnesota National Guard have served with little sleep and under the worst of conditions, but they have continually exceeded our expectations and they deserve a great deal of the credit for leading us through this time of crisis. Without the Guard, I think it is safe to say that a great many more lives would have been lost and a great deal more property would have been damaged. They have earned the respect and the deep gratitude of all Minnesotans and I salute them for standing with us and I thank them for their service.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

VOLUNTEER PROTECTION ACT OF 1997—MOTION TO PROCEED

The Senate continued with the consideration of the motion to proceed.

Mr. COVERDELL. Mr. President, just before the vote, the minority leader was speaking. Of course he addressed many matters not related to the legislation before us, but he did allude to it. I appreciate the kind remarks that he made and that perhaps there could be work done to arrive at an agreement which both sides—at least he could agree with. But he specifically alluded to the situation where you would not want to have a volunteer involved with a sexual harassment or sexual crime.

I really do hope—this is not a long piece of legislation. It is 12 pages. I wish the staffs and Members would read it. I want to read this brief section, to respond to his comment:

EXCEPTIONS TO LIMITATIONS ON LIABILITY.—The limitations on the liability of a volunteer, nonprofit organization, or governmental entity under this section shall not apply [Note. No protection. There is no protection to the volunteer] to any misconduct that—

- (1) constitutes a crime of violence . . . (2) constitutes a hate crime . . . (3) involves a sexual offense. . .

So the very point to which the minority leader felt that he could not