Mikulski	Robb	Thompson
Moseley-Braun	Rockefeller	Torricelli
Moynihan	Santorum	Wellstone
Murray	Sarbanes	Wyden
Reed	Snowe	
Reid	Specter	

The PRESIDING OFFICER (Mr. BURNS). On this vote, the yeas are 48, the nays are 52. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

FURTHER CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 1998

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to consideration of House Joint Resolution 97 with the joint resolution to be considered read for the third time.

The question is now on the passage of House Joint Resolution 97.

Mr. STEVENS. Mr. President, I 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 is on the passage of the joint resolution. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 276 Leg.]

YEAS—100

Abraham	Feingold	Lugar
Akaka	Feinstein	Mack
Allard	Ford	McCain
Ashcroft	Frist	McConnell
Baucus	Glenn	Mikulski
Bennett	Gorton	Moseley-Braun
Biden	Graham	Moynihan
Bingaman	Gramm	Murkowski
Bond	Grams	Murray
Boxer	Grassley	Nickles
Breaux	Gregg	Reed
Brownback	Hagel	Reid
Bryan	Harkin	Robb
Bumpers	Hatch	Roberts
Burns	Helms	Rockefeller
Byrd	Hollings	Roth
Campbell	Hutchinson	Santorum
Chafee	Hutchison	Sarbanes
Cleland	Inhofe	Sessions
Coats	Inouye	Shelby
Cochran	Jeffords	Smith (NH)
Collins	Johnson	Smith (OR)
Conrad	Kempthorne	Snowe
Coverdell	Kennedy	Specter
Craig	Kerrey	Stevens
D'Amato	Kerry	Thomas
Daschle	Kohl	Thompson
DeWine	Kyl	Thurmond
Dodd	Landrieu	Torricelli
Domenici	Lautenberg	Warner
Dorgan	Leahy	Wellstone
Durbin	Levin	Wyden
Enzi	Lieberman	
Faircloth	Lott	

The joint resolution (H.J. Res. 97) was passed.

The PRESIDING OFFICER. Who seeks recognition? The majority leader.

THE SENATE SCHEDULE

Mr. LOTT. Mr. President, for the information of all Senators, under the provisions of rule XXII, the second cloture vote will occur immediately, unless changed by unanimous consent. We had the first cloture vote, which was not agreed to. Then we had the vote on the continuing resolution. I am glad we got that done now.

My intent had been to have the second cloture vote later on in the day to give Members time to assess where we were on the ISTEA, and see if they would like to have an ISTEA bill and see if there is a way to sort of get things that are wrapped around the axle moved in such a way that we could go forward with this very important transportation infrastructure bill. But I understand our Democratic colleagues will not grant consent for the cloture vote to occur at 3 o'clock today. They want the cloture vote right now. I don't think that is wise. I think we need 3 hours here to sort of assess where we are, have some discussions, and then have a vote.

So, with that in mind, I will shortly move to recess the Senate, then, until 3 o'clock today. Therefore, Senators can expect the next vote to occur at 3 p.m., on the second cloture motion with regard to the ISTEA highway infrastructure extension bill, and hopefully we will have some greater success there.

If we don't get cloture—- and I had hoped we would on the second cloture vote—we have a cloture motion filed and we will have another cloture vote on Friday. I know some Senators have things they need to do. I know there will be some Senators absent and therefore it would be even more difficult to get the cloture vote to pass on Friday.

If we don't get cloture then, as majority leader I have to make a call, after consultation with Members on both sides of this very important ISTEA transportation bill, as to whether we just pull it down and then next week try to move to other issues. We may have to have debate and votes on the Federal Reserve nominees. We have two Federal Reserve nominees that there is a hold on. It would be my intent to call those up because I don't think we ought to delay Federal Reserve nominees for any of our maneuverings around here. That could possibly be done on Monday.

We also have a judge on the calendar that we have cleared, except a vote is going to be required. So we probably would have that vote on Monday at 5 o'clock. And again, I am not locking all these in. I am just trying to advise Members where we are.

Then we could very well move to a variety of bills that are pending—they are very serious—that we would like to get done before we adjourn for the end of the year. That would include, of course, Amtrak reform, which we need very badly. A lot of good work has been done on it. We have, of course, a threatened Amtrak strike that we may have to act on. We have the juvenile justice bill. We have the adoption and foster care bill. I thought we had bipartisan agreement on that, but there seem to be some problems with it. But we will begin to look at bringing up other bills. Also, then, next week we hope to begin the fast-track legislation, with the intent of completing action one way or the other on fast track early the first week in November.

So that is kind of where it is. I think my inclination now is, if we don't get cloture this afternoon and we don't get cloture tomorrow, then we would have to just say, well, campaign finance reform took down the very important ISTEA infrastructure bill. That is kind of where we are, and I am prepared now to move that the Senate stand in recess until 3 p.m. today.

Mr. DORGAN. Will the Senator yield for a question?

Mr. LOTT. I will yield to the Senator for a question.

Mr. DORGAN. The Senator mentioned fast track. I would not expect us to have fast consideration of fast track. I would expect that piece of legislation would take some significant time. But that wasn't the reason I asked the Senator to yield.

There clearly is a wrench in the crankcase here and we are not moving. I suspect the Senator from Mississippi, the majority leader, feels the wrench is he's not able to get cloture on the highway bill and others feel that the wrench is that we are not able to get a vote on the McCain-Feingold legislation. I wonder whether we wouldn't, in the coming days, be able to accomplish both purposes. Are there circumstances under which we might be able to expect that we can proceed on the highway bill and proceed to find a way to have a vote in some fashion on the McCain-Feingold campaign finance reform bill?

Mr. LOTT. We have already had votes on the McCain-Feingold issue. It may not have been the way that some Senators would have liked to have had it, but we have had votes on it. There is not a consensus on what to do on campaign finance reform at this time that could get the approval of the Senate, which requires 60 votes. I mean, that is what the Senator from North Dakota has indicated he is going to force on the fast track. He's probably going to have a filibuster and we'll have to get 60 votes on cloture to move on fast track. He may be successful in blocking fast track, which the President is very anxious to get and, in a meeting earlier this week, requested that I schedule it before we go out, and I want to do that. But he understands full well what the rules of the Senate are, and he's going to take full advantage of them, and that's his right.

So, the same is applicable here. There is no consensus yet on how we can come together on campaign finance reform. This issue will come up again. I don't think it makes good sense for it to come up again this year. It will come up again in the future. I assume it will come up in a very different form in the future. Maybe not.

Maybe in many different forms. I realize Senators are going to try to have it considered again at a later time and, as the majority leader, the floor leader of the Senate, it would be my intent to try to schedule it in some orderly way, where Senators will know when it is coming. I have already indicated, and Senator DASCHLE has indicated, that we would like to see some action take place on it by the first week in March, either during that week or earlier perhaps. But we would need to look at the calendar for the year and look at the President's Day recess and work around that.

I don't see right now an agreement on how that would come up, because I just think the atmosphere, again, is not such that we can get an agreement worked out. Some people said, ''Oh, well, let's just have it freewheeling and let everybody offer whatever amendment they want to and see what happens.'' I'm not sure that's going to do us any good or the country any good, where we have a bunch of amendments where we try to pin each other's ears back and at the end of the day we have a filibuster and get nothing and we start off the year in a cranky mood and had a great roar and accomplish nothing.

I am prepared to continue to work with Senators on both sides of the aisle on both sides of the issue and look to how that is going to be handled next year. I am prepared to say now that I realize it is going to come up and I will schedule it. But I have not been able to get an agreement as to how that would be done, and I don't think we are going to get that done at this time.

Mr. DORGAN. Will the Senator from Mississippi yield?

Mr. LOTT. I will yield further.

Mr. DORGAN. One additional comment. I understand the points the Senator from Mississippi makes. He indicates he would bring it to the floor, that is campaign finance reform. He did that. But when the Senator from Mississippi announces, ''I don't understand how it would come up,'' it would come up in the regular order, offered as an amendment. The dilemma we have at the moment is the regular order is not allowed because we have a procedure on the highway reauthorization bill to fill the tree, which prevents a second-degree amendment at some point to get back into consideration of it.

I understand and accept all the points the Senator from Mississippi made about cloture and all those issues. I would just say this, that I think you only have to pick up the paper every single day to see the problems that exist all around in campaign finance reform. I think the Senator from Wisconsin and the Senator from Arizona have crafted an approach that we at least ought to be able to express ourselves on in some detail.

Bringing the campaign finance reform bill to the floor did not include the opportunity to actually get to those votes. We hope very much to have that kind of opportunity one way or the other in the future. That was the reason I inquired of the Senator from Mississippi to see whether we might not get to that point at some early point in the consideration of the Senate in the final days.

Mr. LOTT. Mr. President, again I want to emphasize that on this campaign finance issue, the idea of adding more laws on the books on top of the laws that are already there that are already impossible to comply with in many respects, and certainly not without lawyers and accountants and advisers to make sure that you are complying with the already convoluted, difficult campaign law requirements, we had three cloture votes recently on the campaign finance bill and we had two other cloture votes on the paycheck equity. We have had five votes. Cloture was not achieved, and cloture is very important. Just like what are we trying to do on ISTEA? Get cloture. What am I going to have to do on fast track? I am going to have to try to get cloture to cut off an extended debate so we can get to the substance of the issue and bring it to a head. We have had five votes. It's not as if we have not voted on this. Consensus is not there.

As far as picking up the paper and seeing the problems, yes, you can pick up the paper and see how the existing laws are being violated or maneuvered. Without saying who did it, which side, the fact of the matter is, what we need to do is to see if we can find ways to encourage people and get people to comply with existing laws before we start trying to add a whole bunch more on top of it that would limit free speech, that would limit people's abilities to have a fair shot at getting elected. That is what is at stake here. That is what I would like to be able to do, is maintain the ability to get my message across.

In my State, if I cannot raise the money to get my message across, there are those who are going to try to get it across for me, some of those same newspapers you are talking about. Yes, if I had to depend on them, I wouldn't be here. So what you are talking about is trying to find a way where a guy like TRENT LOTT can't get an opportunity to get his message across to the constituents. I don't want to give that up. I think I have a right to be able to raise the funds to try to make my case to the constituents of my State. I don't think—we cannot limit advocacy. We can't do that. This is still America.

But, again, to put it back in the calmer voice, we know it's going to come back up. Maybe someday we will quit trying to trump each other and try to see if there is some way maybe there might be some things that need to be done that we can agree on. I don't think we are there yet.

I would be glad to yield to Senator MCCAIN.

Mr. MCCAIN. I have just one comment. I understand the position the majority leader is in and the majority on this side of the aisle. I think we would all agree that the way we are going to move forward on this issue is if we all sit down together and try to work out something that is agreeable and fair, not only in our minds but in the minds of objective observers. I would, again, urge—the Senator from Kentucky is here on the floor—if we could just agree that we will take up this legislation sometime next year, with a certain amount of amendments and a cloture vote, leaving on both sides the right to filibuster if it is not agreeable to either side. But to not allow a single amendment that addresses this issue is what is frustrating, I think, clearly to the Senator from Wisconsin and me.

So, I urge all of my colleagues on both sides of this issue, if we could just sit down and say, ''OK, we will take up this issue at a date certain and we will give it a certain amount of consideration.'' It doesn't have to be unlimited amendments. It doesn't have to be even a large number of amendments. But, then, if at the end of that debate and voting and having Senators on record on the issue, we could then either filibuster or, which I think is the most likely result, is we could agree on a campaign finance reform that would be agreeable to all sides, we could move forward to the benefit of the American people. I want to thank the Senator, the distinguished majority leader. I thank the Democrat leader. I think that good effort has been made.

But all of us need to sit down and agree on this so we can address this issue, and the reality is, as the distinguished majority leader knows, we are going to address it sooner or later. I hate to see it hold up ISTEA. I don't like to see it hold up fast track. Clearly, it is in all of our interests not to have to impede the progress of the Senate.

I thank the majority leader for yielding to me, and I thank him for his continued courtesy to me on this issue which, obviously, he just displayed he feels very, very strongly about.

(Mr. GREGG assumed the chair.)

Mr. LOTT. I yield to Senator MCCONNELL.

Mr. MCCONNELL. Let me say, I agree with Senator MCCAIN. I think the issue at this point is really whether we are going to finish the highway bill and some other important legislation pending in the Senate. We had 7 to 9 days of debate on campaign finance reform. The majority leader is absolutely correct, there is no way he can or any of us can prevent further debate on this issue. As a matter of fact, we have been debating it for 10 years. It comes back almost every year.

I don't object to that. As someone who has not been in sympathy with McCain-Feingold, I certainly don't object to the debate. I enjoy it. We had 27 speakers on my side of the issue when we debated it a few weeks ago, and I don't mind debating it again.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. MCCONNELL. Yes.

Mr. MCCAIN. Will he allow votes on amendments? That is the key to this. It is fun to debate. I enjoyed it, but at sometime or another, the Senate has to be on record on this issue.

So I respectfully request that he agree to some kind of format that we could agree on where there are votes, and if the Senator still does not agree, then he can filibuster or the majority on either side can filibuster depending on the result. That is the question I ask.

Mr. MCCONNELL. I say to my friend from Arizona, I am open to discussion about having lots of amendments on both sides and lots of debates, lots of votes. But it seems to me the issue here, 3 weeks before we get out, is whether we are going to finish other important legislation the majority leader would like to advance and I am sure the minority leader would, too.

We will have that debate next year. I am more than happy to discuss the context of the debate, the timing of the debate. I am confident that an issue this controversial will always be determined in a 60-vote context, as much as the Senator from North Dakota will assure that is what will happen on fast track. I am open to that discussion.

What I would like to see us to do is go on and pass some of the much-needed legislation the majority leader would like to push forward in the remaining weeks of the session.

Mr. KERRY. Will the majority leader yield?

Mr. LOTT. Yes, and after that, it will be my intention to yield the floor so Senator DASCHLE can make some comments and then after that, I will move the Senate stand in recess until 3 o'clock. I would like for Senator DASCHLE to have some time first.

Mr. KERRY. I say to the majority leader, obviously the leader takes precedence.

Mr. LOTT. Did you want to ask a question? I can yield the floor so he can have some time.

Mr. KERRY. Mr. President, it was my intention, before the leader came to the floor, and also in response to the Senator from Kentucky, to point out that the issue is not really simply whether or not we can finish the so-called important business of the Senate if that business is limited to the definition of the Senator from Kentucky, which is ISTEA and a few other matters.

Mr. LOTT. If you will yield, it is ISTEA, it is fast track, it is Amtrak, it is juvenile justice, it is foster care and adoption, even maybe the Endangered Species Act—I have not had a chance to meet with the interested parties there—product liability. We have a lot of stuff we can do here in the next 2 weeks if we can get a process to achieve that.

Mr. KERRY. And I think every Senator on this side agrees with that, but the question is larger than just that. The question is whether the entire caucus on the Democratic side and a portion of the Republican caucus is going to be permitted to know with certainty that an issue of equal and, in many people's judgment, greater importance, campaign finance reform, is going to receive its proper hearing on the floor of the Senate.

I think what the Senator from Arizona was asking the Senator from Kentucky didn't really get an answer. It is one thing to say we are willing to sit down and discuss this. That discussion has to come to cloture before we are able to proceed, because we are determined to know that we are going to have adequate capacity to be able to bring up amendments and have that kind of a thorough vetting of this issue.

Now, I agree with the Senator from Kentucky. This will take 60 votes. I think everybody over here understands that. And clearly we are going to have to come together in this process to arrive at those 60 votes. That is going to require us to do precisely what the leader said, which is not to be jockeying for advantage one over the other, and to find an evenhanded way to approach this. Right now we are not even having that discussion. So we are operating in a vacuum where we are being asked to accede to going forward on certain legislation without the understanding that we will be able to vote and to have these amendments come to the floor.

This can be resolved in 1 hour. It can be resolved in half an hour if the majority leader were permitted to simply say to us, we will have a date certain when we return in the winter, and with that date certain, we will have *x* number of amendments with a period of time to vote, and we will be able to take up campaign finance reform.

Mr. LOTT. Mr. President, I have said I know this issue will come up again, rightly or wrongly, and I would like to schedule it in a way for everybody to know when it is coming up. I think Senator DASCHLE and I can agree on that. What I can't guarantee the Senator from Massachusetts is a process that would match or fit his word ''proper'' or ''adequate.'' It is in the eye of the beholder. What you think might be proper may not be what some other Senator thinks is proper as to how it should be considered. And also, if you are talking about setting up a process where at the end you win on the McCain-Feingold version, whether it is the first or second one, we don't think that is proper.

So if the idea is you have to have a process where we can have a great big fight, after which nothing happens, or whereby you can be relatively assured you are going to be able to win the issue, we can't agree to that.

Mr. KERRY. But, if the majority leader will yield for a minute, I think we just agreed it is going to take 60 votes. The question is, we are never going to get to the point of understanding whether we can muster the 60 votes if we can't even have one vote on one of the major amendments that begins to sort out where people are and where you can find the common ground.

Mr. LOTT. We tried to get the vote on the paycheck equity amendment, and cloture was defeated twice on that. The situation may be different 3 or 4 months from now. I think the atmosphere is charged now in a way that makes it difficult for us to define now what the process will be. By the end of February, the first of March, something that might appear impossible now we might be able to work out. We can continue to talk about how we would do that.

Now, in the meantime, time marches on. The calendar is moving on. We are struggling to have committees meet that, by the way, need to meet so they can confirm Foreign Service or Ambassador nominations and judges. We are having trouble with that. We are trying to see if we can continue to move some of these people on the Executive Calendar. We have Members who are working on the highway transportation bill. Senator CHAFEE has been here now for a week and nothing has happened. Senator BYRD is very interested in this bill and has an amendment on which he has been working with Senator GRAMM and others. Senator BAUCUS is very anxious to see if we can't get going forward.

It is the usual process around here. Sometimes you get just completely bollixed. The only way you change that is you start moving—you move a little here, you move a little there. Senator DASCHLE and I have been trying to do that a little bit this week. We made a little progress here, a little progress there. If we can get these wheels creaking and moving forward, then who knows what will happen.

As long as we are hunkered down, saying, ''We've got to get this agreed to before we do that; if we don't get that, you don't get this,'' and we wind up getting nothing. I hope that is not what we will do. We can see. I hope we can get cloture on ISTEA. If we got cloture this afternoon, we would still be performing a miracle if we finish this bill by next Thursday, and if we don't get it done next week, how do we get fast track where we have been assured we are going to have extended debate on that, and maybe other games being played with that one?

I think we need to move the ball forward, get cloture, get on this bill, get some of these amendments offered that are very important and very critical to various States, the entire country. There are some other issues that will be hotly debated on this bill. We will still be here, and we will still have time to have meetings and talk about what we are going to do.

I think I just saw probably the greatest exchange between my two great friends of Scottish descent, MCCAIN and MCCONNELL, a moment ago. Who knows

what great things might happen once we start moving things forward?

Mr. FORD. Don't bet on that.

Mr. LOTT. Don't bet on that? The Senator from Kentucky will make sure that doesn't happen. I yield the floor so Senator DASCHLE can comment on his own time, and then I will move to stand in recess after that.

Mr. DASCHLE. Mr. President, I thank the distinguished majority leader for his comments and applaud him for making the effort that he has over the last several days in working with us to see if we can't find a way with which to resolve this impasse.

I want to clarify a couple of matters that I think ought to be understood as we work our way through the impasse. The first is that a cloture vote, a victory on cloture on the Chafee amendment may move the ball ahead slightly, but there are scores of Chafee amendments, all of which will be subject to the same cloture vote process, each taking 30 hours. So if you multiply 30 hours times 30 amendments, that is a lot of time, and we don't have a lot of time.

It is not only the amendments, but it is the titles themselves, the banking, the finance, the commerce titles that have to be added to the trunk of the bill. They, too, will be subject to cloture and will require a substantial amount of time.

So unless we get an agreement, even if the caucus, even if our Democratic caucus would vote for cloture, there are Senators who would oppose moving the ISTEA bill forward without an agreement, which brings us to the need to vote for cloture in any case.

So it is with unanimity the Democrats are hoping that we can work with our friends in the majority to see if we can't reach that agreement.

As to the agreement, the clarification I wish to make goes along the lines of what the distinguished Senator from Massachusetts has just noted, and others. What do we want? Well, we want a date certain. We would like the assurance that the so-called parliamentary tree is not filled; that we have an opportunity, as Senator MCCAIN noted, to offer amendments. We would like to take the bills in sequence—the McCain-Feingold and then perhaps the Lott bill having to do with the labor unions. That would be the desirable approach, a sequence of consideration, first of McCain-Feingold and then of the Lott bill.

We recognize that every amendment and the bill itself would be subject to the rules of the Senate which means you have to have 60 votes. It would seem to me that if you don't get 60 votes, you pull the amendment and would move on to another one. If we filed cloture on an amendment or required a 60-vote threshold, you could get through these amendments pretty quickly. If you don't get it, it falls, and we just keep going. Ultimately, if we don't get 60 votes on McCain-Feingold, it falls; it is over.

I do not think it would take that long. I think we could work through a procedure that would bring us to some closure on this bill. That is all we can ask. We cannot do anything more than make our best effort to persuade and come up with a parliamentary process that will allow us the right to protect Senators as Members of the minority, whatever the minority may be, on a given issue. And I believe a process like that would work.

Senator LOTT has been, I think, fair in his willingness to consider almost anything. We have Senators who are unable to agree at this point. But like others before me, I am hopeful that we can get an agreement, that cloture votes will not be necessary, that we can then finish ISTEA, that we can then move on to nominations and another array of issues next week. That is within our grasp, but it will take an agreement.

I think it is fair to say that it will not matter how many cloture votes we take, I do not think the votes will be different. A majority of the Senate voted against cloture this morning—a majority. Forty-five Democrats and seven Republicans voted against cloture. A majority, it seems to me, now want to resolve this matter.

So I am hopeful, Mr. President, we can do that. I think we can do it. I will stand ready to meet with anybody to come to some conclusion on how we might proceed. But I hope we do not give up.

Under the rules, as I understand them, we will go into a recess until 3 o'clock?

RECESS

Mr. LOTT. Mr. President, I move now that the Senate stand in recess until 3 p.m. today.

The motion was agreed to, and at 12:16 p.m., the Senate recessed until 3 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. KEMPTHORNE).

APPOINTMENT OF CONFEREES—S. 830

The PRESIDING OFFICER. Pursuant to the order of October 9, 1997, the Chair appoints the following conferees on Senate bill 830.

The Presiding Officer appointed Mr. JEFFORDS, Mr. COATS, Mr. GREGG, Mr. FRIST, Mr. DEWINE, Mr. KENNEDY, Mr. DODD, Mr. HARKIN, and Ms. MIKULSKI conferees on the part of the Senate.

The PRESIDING OFFICER. The Chair, in his capacity as a Senator from Idaho, suggests the absence of a quorum.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ABRAHAM. 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 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 modified committee amendment to S. 1173, the Intermodal Surface Transportation Efficiency Act:

Trent Lott, John Chafee, Paul Coverdell, Christopher Bond, Jesse Helms, Mike Enzi, John Ashcroft, Don Nickles, Craig Thomas, Mike DeWine, Richard Lugar, Pat Roberts, Ted Stevens, Wayne Allard, Dirk Kempthorne, and Larry Craig.

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 modified committee amendment to Senate bill 1173, a bill to authorize funds for construction of highways, for highway safety programs, and for mass transit programs, shall be brought to a close?

The yeas and nays are required under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Maryland [Mr. SARBANES] and the Senator from Maryland [Ms. MIKULSKI] are necessarily absent.

The yeas and nays resulted—yeas 48, nays 50, as follows:

[Rollcall Vote No. 277 Leg.]

YEAS—48

Abraham	Enzi	Kyl
Allard	Faircloth	Lott
Ashcroft	Frist	Lugar
Bennett	Gorton	McConnell
Bond	Gramm	Murkowski
Brownback	Grams	Nickles
Burns	Grassley	Roberts
Campbell	Gregg	Roth
Chafee	Hagel	Sessions
Coats	Hatch	Shelby
Cochran	Helms	Smith (NH)
Coverdell	Hutchinson	Smith (OR)
Craig	Hutchison	Stevens
D'Amato	Inhofe	Thomas
DeWine	Jeffords	Thurmond
Domenici	Kempthorne	Warner

NAYS—50

Akaka	Feinstein	Mack
Baucus	Ford	McCain
Biden	Glenn	Moseley-Braun
Bingaman	Graham	Moynihan
Boxer	Harkin	Murray
Breaux	Hollings	Reed
Bryan	Inouye	Reid
Bumpers	Johnson	Robb
Byrd	Kennedy	Rockefeller
Cleland	Kerrey	Santorum
Collins	Kerry	Snowe
Conrad	Kohl	Specter
Daschle	Landrieu	Thompson
Dodd	Lautenberg	Torricelli
Dorgan	Leahy	Wellstone
Durbin	Levin	Wyden
Feingold	Lieberman	

NOT VOTING—2

Mikulski	Sarbanes

The PRESIDING OFFICER. On this vote the yeas are 48, the nays are 50.