

The yeas and nays were ordered.

VOTE ON MOTION TO WAIVE THE BUDGET ACT

The PRESIDING OFFICER. The question is on agreeing to the motion to waive the Budget Act. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Kansas [Mr. ROBERTS] and the Senator from New York [Mr. D'AMATO] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 34, nays 64, as follows:

[Rollcall Vote No. 133 Leg.]

YEAS—34

Table listing Senators who voted YEAS: Akaka, Biden, Bingaman, Boxer, Bumpers, Byrd, Conrad, Daschle, Dodd, Dorgan, Durbin, Feingold, Feinstein, Ford, Glenn, Harkin, Hollings, Inouye, Johnson, Kennedy, Kerry, Kohl, Lautenberg, Leahy, Levin, Moseley-Braun, Murray, Reed, Reid, Robb, Sarbanes, Torricelli, Wellstone, Wyden.

NAYS—64

Table listing Senators who voted NAYS: Abraham, Allard, Ashcroft, Baucus, Bennett, Bond, Breaux, Brownback, Bryan, Burns, Campbell, Chafee, Cleland, Coats, Cochran, Collins, Coverdell, Craig, DeWine, Domenici, Enzi, Faircloth, Frist, Gorton, Graham, Gramm, Grams, Grassley, Gregg, Hagel, Hatch, Helms, Hutchinson, Hutchison, Inhofe, Jeffords, Kempthorne, Kerrey, Kyl, Landrieu, Lieberman, Lott, Lugar, Mack, McCain, McConnell, Mikulski, Moynihan, Murkowski, Nickles, Rockefeller, Roth, Santorum, Sessions, Shelby, Smith (NH), Smith (OR), Snowe, Specter, Stevens, Thomas, Thompson, Thurmond, Warner.

NOT VOTING—2

Table listing Senators who did not vote: D'Amato, Roberts.

The PRESIDING OFFICER. On this vote the yeas are 34, the nays are 64. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained on both grounds.

The motion to refer is not in order. The Senator from New York.

Mr. MOYNIHAN. Mr. President, I move to reconsider the vote by which the motion was rejected.

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

The motion to lay on the table was agreed to.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

BALANCED BUDGET ACT OF 1997—EXTRANEIOUS MATERIAL

Mr. ROTH. Mr. President, pursuant to section 313(b)(1)(c) of the Congressional Budget Act, I submit a list on behalf of the Committee on the Budget of the extraneous material in S. 947 the, Balanced Budget Act of 1997, as reported. I ask unanimous consent that the list be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BALANCED BUDGET RECONCILIATION ACT OF 1997—EXTRANEIOUS PROVISIONS

Table with columns: Provision, Senate, Comments/Violation. Lists provisions from Sec. 1001 to Sec. 7001(a)(4) and their corresponding Senate actions and comments.

REVENUE RECONCILIATION ACT OF 1997

The Senate continued with the consideration of the bill.

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

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