

Snowe	Thompson	Warner
Specter	Thurmond	Wellstone
Stevens	Torricelli	Wyden
Thomas	Voinovich	

NOT VOTING—2

Baucus McCain

The nomination was confirmed.

NOMINATION OF GEORGE B. DANIELS, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK

The PRESIDING OFFICER. The clerk will now report the second nomination.

The legislative clerk read the nomination of George B. Daniels, of New York, to be United States District Judge for the Southern District of New York.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of George B. Daniels, of New York, to be United States District Judge for the Southern District of New York? On this question, the yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. McCAIN), is necessarily absent.

Mr. REID. I announce that the Senator from Montana (Mr. BAUCUS), is necessarily absent.

The result was announced, yeas 98, nays 0, as follows:

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 14 Ex.]

YEAS—98

Abraham	Feingold	Lugar
Akaka	Feinstein	Mack
Allard	Fitzgerald	McConnell
Ashcroft	Frist	Mikulski
Bayh	Gorton	Moynihan
Bennett	Graham	Murkowski
Biden	Gramm	Murray
Bingaman	Grassley	Nickles
Bond	Gregg	Reed
Boxer	Hagel	Robb
Breaux	Harkin	Roberts
Brownback	Hatch	Rockefeller
Bryan	Helms	Roth
Bunning	Hollings	Santorum
Burns	Hutchinson	Sarbanes
Byrd	Hutchison	Schumer
Campbell	Inhofe	Sessions
Chafee, L.	Inouye	Shelby
Cleland	Jeffords	Smith (NH)
Cochran	Johnson	Smith (OR)
Collins	Kennedy	Snowe
Conrad	Kerrey	Specter
Coverdell	Kerry	Stevens
Craig	Kohl	Thomas
Crapo	Kyl	Thompson
Daschle	Landrieu	Thurmond
DeWine	Lautenberg	Torricelli
Dodd	Leahy	Voinovich
Domenici	Levin	Warner
Dorgan	Lieberman	Wellstone
Durbin	Lincoln	Wyden
Edwards	Lott	
Enzi		

NOT VOTING—2

Baucus McCain

The nomination was confirmed.

The PRESIDING OFFICER (Mr. BUNNING). Under the previous order, the Senator from Vermont is recognized for 2 minutes.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. I ask unanimous consent to speak for 20 seconds in advance of the Senator from Vermont.

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

Mr. MOYNIHAN. Mr. President, I rise to express great appreciation on my part to my revered friend and colleague, Senator SCHUMER, and to Senator LEAHY, Chairman HATCH, Senator LOTT, Senator DASCHLE, and all Senators for their vote confirming the nomination of Judge Daniels unanimously. It is much appreciated. I assure you, he will perform a service to the Republic for many years ahead.

I yield the floor.

Mr. SCHUMER addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. I ask unanimous consent to address the body for 30 seconds.

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

Mr. SCHUMER. Mr. President, I join in the thanks given by my esteemed, wise, senior colleague, Senator MOYNIHAN, to Senators LOTT, HATCH, and LEAHY. This is an outstanding jurist who will make us all proud. I thank the Senate for confirming him.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. If the Senator from Vermont will withhold briefly, I would like to go ahead and make this request. I believe we have a leadership Senator here.

I would like to first ask, what is the pending question?

The PRESIDING OFFICER. We are in morning business until 2 o'clock.

AFFORDABLE EDUCATION ACT OF 1999—Resumed

Mr. LOTT. Mr. President, I believe we did not actually get morning business put in place. But I ask unanimous consent the clerk report the bill on education savings loans.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1134) to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes.

Mr. LOTT. Mr. President, before I put forward this request, we have been working to develop an agreement as to how to proceed on this legislation. I think we are close to getting that done, but we may still need a little more time to work on it. In that effort,

I ask unanimous consent that all amendments be relevant to the subject matter of education and/or education-related taxes.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Reserving the right to object, I say to the leader, we appreciated very much the minority having the opportunity yesterday to speak about education. We believe this is a time we should be talking about education; it is that important to the American people. But this is the first amendable vehicle we have had this session. I respectfully suggest to the majority, on behalf of the minority let's have the opportunity to have a vehicle we can amend.

We hope that very shortly the majority will understand we are trying to move education along. We have no great plan in mind to move off education into some other area. But we would like to do that. If the leader believes that cannot be done, we are willing to continue working to see if we can come up with some reasonable effort to move forward on this legislation.

Mr. LOTT. Mr. President, I understand there will be an objection.

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. We will continue to work to get an agreement developed. Certainly amendments on education or education-related taxes would be something we would want to have and with which we would have no problem. We were hoping it would not run far afield to all kinds of unrelated issues that would delay a bill that has overwhelming support.

The support for this idea of being able to save a little for your own children's education—up to \$2,000 per year per child, kindergarten through the 12th grade—has a lot of support, especially when you realize we can do it for our children's college education but not for our children's needs in the 4th grade. I hope we can work it out. I think maybe we can. We will keep working on that.

I now ask unanimous consent, after Senator LEAHY has spoken, the Senate proceed to a period of morning business, with the first 8 minutes under the control of Senator THURMOND, the succeeding 30 minutes under the control of Senators TORRICELLI and SPECTER, the following 10 minutes under the control of Senator CAMPBELL, the following hour under the control of Senators CLELAND and ROBERTS, and following that time the Senate resume consideration of the pending legislation and I be immediately recognized.

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

Mr. LOTT. I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.