

Hutchinson, Richard Shelby, Conrad Burns, Jim Inhofe, Connie Mack, Fred Thompson, Spencer Abraham.

CALL OF THE ROLL

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call under the rule has been waived.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on Senate bill 2176, the Federal Vacancies Reform Act of 1998, 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. NICKLES. I announce that the Senator from Missouri (Mr. BOND), the Senator from New York (Mr. D'AMATO), and the Senator from Alabama (Mr. SESSIONS) are necessarily absent.

Mr. FORD. I announce that the Senator from South Carolina (Mr. HOLLINGS), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Illinois (Ms. MOSELEY-BRAUN), the Senator from Nevada (Mr. REID), the Senator from New Jersey (Mr. TORRICELLI), and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

I further announce that, if present and voting, the Senator from Nevada (Mr. REID) would vote "no."

The yeas and nays resulted—yeas 53, nays 38, as follows:

[Rollcall Vote No. 289 Leg.]

YEAS—53

Abraham	Frist	McCain
Allard	Gorton	McConnell
Ashcroft	Gramm	Murkowski
Bennett	Grams	Nickles
Brownback	Grassley	Roberts
Burns	Gregg	Roth
Byrd	Hagel	Santorum
Campbell	Hatch	Shelby
Chafee	Helms	Smith (NH)
Coats	Hutchinson	Smith (OR)
Cochran	Hutchison	Snowe
Collins	Inhofe	Specter
Coverdell	Jeffords	Stevens
Craig	Kempthorne	Thomas
DeWine	Kyl	Thompson
Domenici	Lott	Thurmond
Enzi	Lugar	Warner
Faircloth	Mack	

NAYS—38

Akaka	Durbin	Lautenberg
Baucus	Feingold	Leahy
Biden	Feinstein	Levin
Bingaman	Ford	Lieberman
Boxer	Glenn	Mikulski
Breaux	Graham	Moynihan
Bryan	Harkin	Murray
Bumpers	Inouye	Reed
Cleland	Johnson	Robb
Conrad	Kerrey	Rockefeller
Daschle	Kerry	Sarbanes
Dodd	Kohl	Wellstone
Dorgan	Landrieu	

NOT VOTING—9

Bond	Kennedy	Sessions
D'Amato	Moseley-Braun	Torricelli
Hollings	Reid	Wyden

The PRESIDING OFFICER. On this vote, the yeas are 53, the nays are 38. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

The majority leader is recognized.

UNANIMOUS-CONSENT AGREEMENTS

Mr. LOTT. Mr. President, I ask unanimous consent that at 10 a.m. on Tuesday, September 29, and notwithstanding rule XXII, the Senate proceed to the consideration of a conference report to accompany H.R. 6, the Higher Education Act, and there be 30 minutes equally divided for debate on the report.

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

Mr. LOTT. I further ask unanimous consent that following the debate on the education conference report, it be temporarily set aside and the Senate return to the consideration of the conference report to accompany H.R. 4013, the Department of Defense appropriations bill and there be 10 minutes of debate equally divided on that report.

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

Mr. LOTT. I further ask unanimous consent that following debate on the defense conference report, it be temporarily set aside and the Senate then proceed to vote on adoption of the higher education conference report, to be followed immediately by a vote on the adoption of the defense conference report.

And finally, I ask unanimous consent that the cloture vote on the motion to proceed to the Internet tax bill occur immediately following the aforementioned stacked votes.

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

Mr. LOTT. Further, I ask unanimous consent that all votes following the first vote on Tuesday morning be limited to 10 minutes in length.

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

Mr. LOTT. Finally, I ask unanimous consent that following the last vote in the stacked sequence Tuesday morning, there be a period of morning business until 12:30 p.m., with the time equally divided between Senators WELLSTONE and JEFFORDS, or their designees; further that when the Senate reconvenes at 2:15, there be an additional period for morning business until 3:15 p.m. equally divided between the two aforementioned Senators, or their designees.

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

Mr. LOTT. Mr. President, I note that the time that we have designated here for Senators JEFFORDS and WELLSTONE is so that they can go over the final details of what is included in the higher education bill. This is a very important bill, a lot of good work has been done, and I commend all the Senators involved for completing that.

I yield the floor.

MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning

business with Senators permitted to speak for up to 10 minutes each until 7 p.m.

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

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

ENERGY AND WATER APPROPRIATIONS HOLD

Mr. DOMENICI. Mr. President, I note the presence of the minority leader in the Chamber. I wish to state for the Senate that I understand the Energy and Water appropriations bill has a hold on the minority side, and I wanted to say if it has to do with the Tennessee Valley Authority, I would like very much to discuss that with the Senator because there is nothing we can do about it in this bill. But there is another thing we are going to do in another bill, and we would like to share that with you, whoever has the hold. I would very much like to do that. If that is the only hold, we can't fix the bill as far as TVA, but we can take some action to try to alleviate the problem in another way before we leave.

I yield the floor.

Mr. DASCHLE. Mr. President, let me just respond to the distinguished Senator from New Mexico. I have discussed—

Mr. FORD. Mr. President, may we have order.

The PRESIDING OFFICER (Mr. ALLARD). The Senate will please come to order.

Mr. DASCHLE. I have discussed the matter with the Senator who has the hold, and I think there will be some effort made to resolve the matter either tonight or tomorrow morning, so we will proceed with every expectation we can come to some resolution soon.

Mr. DOMENICI. I thank the Senator.

Mr. DASCHLE. I yield the floor.

ACCESS TO CHINESE MARKETS

Mr. GORTON. Mr. President, it looks like the administration has just experienced a tardy but welcome revelation, Mr. President. After 6 years of coddling its rulers and selling out U.S. exporters, some in the administration are now beginning to realize that "engagement" has not moved China toward free trade but to greater protectionism.

The \$50 billion a year and growing bilateral United States trade deficit, the largest with any trading partner in the world but Japan, wasn't enough. The continued and egregious market access barriers to U.S. agricultural products weren't enough. The defiant stance against WTO negotiators wasn't enough. And the flagrant violation of the intellectual property rights of the American software and entertainment industries wasn't enough.

But finally, China has pushed at least one member of the administration too far. The straw that broke the camel's