

Mr. BAUCUS. Mr. President, I ask unanimous consent that I be the first to be able to speak afterwards for a period not to exceed 10 minutes.

Mr. DASCHLE. I ask unanimous consent for that request.

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

Is there objection to the additional unanimous consent request?

Mr. BYRD. Requesting what?

The PRESIDING OFFICER. To yield back time on the debate on the conference report.

Mr. BYRD. Mr. President, I make a point of order.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, the Congressional Budget Office estimates that this legislation would increase the deficit by \$7,006,000,000 from fiscal year 2002–2007 and by \$12,302,000,000 from fiscal year 2002–2012. This deficit spending results from both increases in mandatory spending and reductions in revenues.

The additional mandatory spending and reductions in revenue contained in this Conference Report are not provided for under the budget resolution approved last year.

Therefore, Mr. President, I make a point of order that the pending conference report violates section 302(f) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The majority leader.

Mr. DASCHLE. Mr. President, I move to waive the budget point of order under the relevant provisions of the Budget Act and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Hawaii (Mr. AKAKA) is necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) is necessarily absent.

I further announce that if present and voting the Senator from North Carolina (Mr. HELMS) would vote “no”.

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

The yeas and nays resulted—yeas 67, nays 31, as follows:

[Rollcall Vote No. 206 Leg.]
YEAS—67

Allard	Ensign	Lugar
Allen	Enzi	McCain
Baucus	Feinstein	McConnell
Bayh	Fitzgerald	Miller
Bennett	Frist	Murkowski
Biden	Graham	Murray
Bingaman	Gramm	Nelson (FL)
Bond	Grassley	Nelson (NE)
Breaux	Gregg	Nickles
Brownback	Hagel	Roberts
Bunning	Harkin	Santorum
Campbell	Hatch	Smith (NH)
Cantwell	Hutchinson	Smith (OR)
Carper	Hutchison	Snowe
Chafee	Inhofe	Specter
Cleland	Jeffords	Stevens
Cochran	Kerry	Thomas
Collins	Kohl	Thompson
Craig	Kyl	Voinovich
Crapo	Landrieu	Warner
Daschle	Lieberman	Wyden
DeWine	Lincoln	
Domenici	Lott	

NAYS—31

Boxer	Edwards	Rockefeller
Burns	Feingold	Sarbanes
Byrd	Hollings	Schumer
Carnahan	Inouye	Sessions
Clinton	Johnson	Shelby
Conrad	Kennedy	Stabenow
Corzine	Leahy	Thurmond
Dayton	Levin	Torricelli
Dodd	Mikulski	Wellstone
Dorgan	Reid	
Durbin	Reid	

NOT VOTING—2

Akaka

Helms

The PRESIDING OFFICER. On this vote, the yeas are 67, the nays are 31. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to, and the point of order falls.

All time is yielded back. The question is on agreeing to the conference report.

Mr. DORGAN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the conference report. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Hawaii (Mr. AKAKA), is necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) is necessarily absent.

I further announce that if present and voting the Senator from North Carolina (Mr. HELMS) would vote “no”.

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

The result was announced—yeas 64, nays 34, as follows:

[Rollcall Vote No. 207 Leg.]
YEAS—64

Allard	Enzi	McCain
Allen	Feinstein	McConnell
Baucus	Fitzgerald	Miller
Bayh	Frist	Murkowski
Bennett	Graham	Murray
Bingaman	Gramm	Nelson (FL)
Bond	Grassley	Nelson (NE)
Breaux	Gregg	Nickles
Brownback	Hagel	Roberts
Bunning	Hatch	Santorum
Cantwell	Hutchinson	Smith (NH)
Carper	Hutchison	Smith (OR)
Chafee	Inhofe	Snowe
Cleland	Jeffords	Specter
Cochran	Kerry	Stevens
Collins	Kohl	Thomas
Craig	Kyl	Thompson
Crapo	Landrieu	Voinovich
Daschle	Lieberman	Warner
DeWine	Lincoln	Wyden
Domenici	Lott	
Ensign	Lugar	

NAYS—34

Biden	Durbin	Reid
Boxer	Edwards	Rockefeller
Burns	Feingold	Sarbanes
Byrd	Harkin	Schumer
Campbell	Hollings	Sessions
Carnahan	Inouye	Shelby
Clinton	Johnson	Stabenow
Conrad	Kennedy	Thurmond
Corzine	Leahy	Torricelli
Dayton	Levin	Wellstone
Dodd	Mikulski	
Dorgan	Reid	

NOT VOTING—2

Akaka

Helms

The conference report was agreed to. Mr. REID. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Nevada.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. Mr. REID. It is my understanding Senator BAUCUS is recognized as in morning business.

The PRESIDING OFFICER. The Senator is correct. The Senator from Montana is recognized for a period of 10 minutes.

NOTICE

Incomplete record of Senate proceedings.

Today's Senate proceedings will be continued in the next issue of the Record.