

Mr. NICKLES. I announce that the Senator from New York (Mr. D'AMATO) and the Senator from Tennessee (Mr. FRIST) are necessarily absent.

Mr. FORD. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Louisiana (Mr. BREAUX), the Senator from Ohio (Mr. GLENN), and the Senator from New Jersey (Mr. TORRICELLI) are necessarily absent.

The yeas and nays resulted—yeas 52, nays 42, as follows:

[Rollcall Vote No. 197 Leg.]

YEAS—52

Abraham	Ford	McConnell
Allard	Gorton	Murkowski
Ashcroft	Gramm	Nickles
Bennett	Grams	Reid
Bond	Grassley	Roberts
Brownback	Hagel	Santorum
Burns	Hatch	Sessions
Campbell	Helms	Shelby
Coats	Hutchinson	Smith (NH)
Cochran	Hutchison	Smith (OR)
Conrad	Inhofe	Specter
Coverdell	Kempthorne	Stevens
Craig	Kyl	Thomas
DeWine	Landriau	Thompson
Domenici	Lott	Thurmond
Dorgan	Lugar	Warner
Enzi	Mack	
Faircloth	McCain	

NAYS—42

Akaka	Feinstein	Levin
Baucus	Graham	Lieberman
Bingaman	Gregg	Mikulski
Boxer	Harkin	Moseley-Braun
Bryan	Hollings	Moynihan
Bumpers	Inouye	Murray
Byrd	Jeffords	Reed
Chafee	Johnson	Robb
Cleland	Kennedy	Rockefeller
Collins	Kerrey	Roth
Daschle	Kerry	Sarbanes
Dodd	Kohl	Snowe
Durbin	Lautenberg	Wellstone
Feingold	Leahy	Wyden

NOT VOTING—6

Biden	D'Amato	Glenn
Breaux	Frist	Torricelli

The PRESIDING OFFICER. On the vote, the yeas are 52, the nays are 42. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. LEAHY. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now turn to consideration of S. 2159, the agriculture appropriations bill.

The PRESIDING OFFICER. Is there objection?

Mr. DODD. Reserving the right to object, is there a possibility where there might be a few minutes just to conduct some morning business comments that are unrelated before we move to it? I do not think—

Mr. LOTT. Mr. President, responding to the Senator from Connecticut, we do plan to ask for a time for morning business. Senator GRASSLEY is here waiting to speak in morning business, and I am sure that the Senator from Connecticut would go, and others might want to, but we have one procedure we want to go through and then go to morning business.

Mr. DODD. I thank the Majority Leader.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

A bill (S. 2159) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for fiscal year ending September 30, 1999, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Daschle amendment No. 2729, to reform and structure the processes by which tobacco products are manufactured, marketed, and distributed, to prevent the use of tobacco products by minors, and to redress the adverse health effects of tobacco use.

AMENDMENT NO. 2729

Mr. LOTT. Mr. President, I ask for the yeas and nays on the pending amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. LOTT. I raise a point of order that the pending amendment violates section 302(f) of the Budget Act.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Democratic leader.

MOTION TO WAIVE BUDGET ACT

Mr. DASCHLE. I move to waive the Budget Act for the amendment.

Mr. LOTT. Mr. President, I ask unanimous consent that at 9:30 a.m. on Tuesday, July 14, the Senate resume debate on the pending motion to waive the Budget Act, with the time until 10 a.m. equally divided in the usual form. I further ask unanimous consent that at the conclusion of the debate time the Senate proceed to a vote on the motion to waive.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE. Reserving the right to object, I know Senator DODD had asked for time. I am wondering if I could ask unanimous consent that—

The PRESIDING OFFICER. The Senator will suspend. I would like to get order in the Chamber. The Senate will please come to order.

Mr. DASCHLE. It is not my desire to object. I was just thinking perhaps it might be in order that Senators DODD, KENNEDY, and GRASSLEY be recognized immediately following this colloquy for purposes of recognition under morning business.

Mr. LOTT. Mr. President, if the Senator will yield in his reservation to object, and if there is not objection and we get the yeas and nays on that, it

would be my intention at that point to ask consent that we now have a period for the transaction of morning business right now.

The PRESIDING OFFICER. Is there objection?

Mr. LOTT. Mr. President, first of all, the Senator still had a reservation on my previous request.

Mr. DASCHLE. My only concern was that there be an accommodation for all those Senators who wish to be recognized, including Senator MURRAY.

Mr. LOTT. Are you asking that we get some sort of lineup as to how that might be?

Mr. DASCHLE. That might be appropriate. I do not know if there are other Senators on the leader's side of the aisle.

Mr. COCHRAN. Can we get the yeas and nays on the motion to waive and then approve this?

Mr. DASCHLE. Assuming we get some sort of an accommodation, I have no objection.

Mr. COCHRAN. I ask for the yeas and nays on the motion to waive the Budget Act.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. LOTT. Mr. President, I thank Senator DASCHLE for his cooperation on that.

MORNING BUSINESS

Mr. LOTT. 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, with the exception of Senator GRASSLEY—how much time do you desire?

Mr. GRASSLEY. That is plenty for me.

Mr. LOTT. And that Senator DODD be recognized following Senator GRASSLEY. Anybody else on this side seeking morning business time?

Mr. GRASSLEY. Since you asked me, 10 minutes.

Mr. LOTT. All right. We have 10 minutes first going to Senator GRASSLEY, then Senator DODD, and then Senator KENNEDY in that order, and then other Senators who may want to speak in morning business. That is the way I would make the request.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE. I am not sure the request has been clarified—Senator GRASSLEY, Senator DODD, Senator KENNEDY, and Senator MURRAY. That order would be appropriate.

Mr. LOTT. Right.

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

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

(The remarks of Mr. GRASSLEY are printed earlier in today's RECORD during consideration of the motion to proceed to S. 2271.)