

the vote that is scheduled to begin momentarily. The first vote is on the bankruptcy reform cloture motion. The second vote would be on this cloture motion on the nomination of Brian Theodore Stewart to be U.S. District Judge for the District of Utah.

There could be one or two procedural motion votes that would follow after that, so Members should be on notice there could be up to four votes in succession here.

I yield the floor.

BANKRUPTCY REFORM ACT OF 1999—Resumed

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the hour of 5:30 having arrived, the clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 109, S. 625, a bill to amend title 11 of the United States Code, and for other purposes:

Trent Lott, Chuck Grassley, Paul Coverdell, Mike Crapo, Craig Thomas, Larry Craig, Orrin Hatch, Don Nickles, Conrad Burns, Mitch McConnell, Pat Roberts, Fred Thompson, Slade Gorton, Phil Gramm, and Mike DeWine.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call under rule XXII is waived.

The question is, Is it the sense of the Senate that debate on the S. 625, a bill to amend title 11 of the United States Code, and for other purposes, shall be brought to a close?

The yeas and nays are required under the rule.

The clerk will call the roll.

The legislative assistant called the roll.

Mr. FITZGERALD (when his name was called). Present.

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

The PRESIDING OFFICER (Mr. AL-LARD). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 53, nays 45, as follows:

[Rollcall Vote No. 280 Leg.]

YEAS—53

Abraham	Domenici	Lott
Allard	Enzi	Lugar
Ashcroft	Frist	Mack
Bennett	Gorton	McConnell
Bond	Gramm	Murkowski
Brownback	Grams	Nickles
Bunning	Grassley	Roberts
Burns	Gregg	Roth
Campbell	Hagel	Santorum
Chafee	Hatch	Sessions
Cochran	Helms	Shelby
Collins	Hutchinson	Smith (NH)
Coverdell	Hutchison	Smith (OR)
Craig	Inhofe	Snowe
Crapo	Jeffords	Specter
DeWine	Kyl	

Stevens	Thompson	Voinovich
Thomas	Thurmond	Warner

NAYS—45

Akaka	Edwards	Levin
Baucus	Feingold	Lieberman
Bayh	Feinstein	Lincoln
Biden	Graham	Mikulski
Bingaman	Harkin	Moynihan
Boxer	Hollings	Murray
Breaux	Inouye	Reed
Bryan	Johnson	Reid
Byrd	Kennedy	Robb
Cleland	Kerrey	Rockefeller
Conrad	Kerry	Sarbanes
Daschle	Kohl	Schumer
Dodd	Landrieu	Torricelli
Dorgan	Lautenberg	Wellstone
Durbin	Leahy	Wyden

ANSWERED "PRESENT"—1

Fitzgerald

NOT VOTING—1

McCain

The PRESIDING OFFICER. On this vote the yeas are 53, the nays are 45, and one Senator responded "present." Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

ORDER OF PROCEDURE

Mr. THOMAS. I ask unanimous consent the remaining votes in the series be limited to 10 minutes in length.

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

EXECUTIVE SESSION

NOMINATION OF BRIAN THEADORE STEWART, OF UTAH, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF UTAH

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the clerk will report the motion to invoke cloture.

Mr. KENNEDY. Mr. President, I send an amendment to the desk on the minimum wage and ask for its immediate consideration.

The PRESIDING OFFICER. The Senate is not on that bill.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will report the motion to invoke cloture.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll to ascertain the presence of a quorum.

The legislative assistant 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.

The PRESIDING OFFICER. Under the previous order, the clerk will report the motion to invoke cloture.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Executive Calendar No. 215, the nomination of Brian Theodore Stewart, of Utah, to be United States district judge for the district of Utah vice J. Thomas Greene, retired:

Trent Lott, Orrin Hatch, Mike Crapo, Wayne Allard, Ben Nighthorse Campbell, Charles Grassley, Peter G. Fitzgerald, Connie Mack, Chuck Hagel, Rod Grams, Pat Roberts, Conrad Burns, Judd Gregg, Larry E. Craig, Robert F. Bennett, and Mike DeWine.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call under rule XXII is waived.

The question is, Is it the sense of the Senate that debate on the nomination of Brian Theodore Stewart, of Utah, to be United States District Judge for the District of Utah, be brought to a close?

The yeas and nays are required under the rule.

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.

The yeas and nays resulted—yeas 55, nays 44, as follows:

[Rollcall Vote No. 281 Ex.]

YEAS—55

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

NAYS—44

Akaka	Edwards	Levin
Baucus	Feingold	Lieberman
Bayh	Feinstein	Lincoln
Biden	Graham	Mikulski
Bingaman	Harkin	Murray
Boxer	Hollings	Reed
Breaux	Inouye	Reid
Bryan	Johnson	Robb
Byrd	Kennedy	Rockefeller
Cleland	Kerrey	Sarbanes
Conrad	Kerry	Schumer
Daschle	Kohl	Torricelli
Dodd	Landrieu	Wellstone
Dorgan	Lautenberg	Wyden
Durbin	Leahy	

NOT VOTING—1

McCain

The PRESIDING OFFICER. On this vote, the yeas are 55, the nays are 44.