The PRESIDING OFFICER (Mr. CHAMBLISS). Without objection, it is so ordered.

Mr. WARNER. Mr. President, I express my profound gratitude to the members of the committee and, most notably, the Presiding Officer. I ask that the bill be read the third time.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. WARNER. Mr. President, I ask for the yeas and nays on passing of the bill.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Massachusetts (Mr. KERRY) is necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote ''yea''.

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

The result was announced—yeas 98, nays 1, as follows:

[Rollcall Vote No. 194 Leg.]

YEAS—98

Akaka	Dole	Lott
Alexander	Domenici	Lugar
Allard	Dorgan	McCain
Allen	Durbin	McConnell
Baucus	Edwards	Mikulski
Bayh	Ensign	Miller
Bennett	Enzi	Murkowski
Biden	Feingold	Murray
Bingaman	Feinstein	Nelson (FL)
Bond	Fitzgerald	Nelson (NE)
Boxer	Frist	Nickles
Breaux	Graham (FL)	Pryor
Brownback	Graham (SC)	Reed
Bunning	Grassley	Reid
Burns	Gregg	Roberts
Campbell	Hagel	Rockefeller
Cantwell	Harkin	Santorum
Carper	Hatch	Sarbanes
Chafee	Hollings	Schumer
Chambliss	Hutchison	Sessions
Clinton	Inhofe	Shelby
Cochran	Inouye	Smith
Coleman	Jeffords	Snowe
Collins	Johnson	Specter
Conrad	Kennedy	Stabenow
Cornyn	Kohl	Stevens
Corzine	Kyl	Sununu
Craig	Landrieu	Talent
Crapo	Lautenberg	Thomas
Daschle	Leahy	Voinovich
Dayton	Levin	Warner
DeWine	Lieberman	Wyden
Dodd	Lincoln	

NAYS—1

Byrd

NOT VOTING—1

Kerry

The bill (S. 1050), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

Mr. WARNER. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. WARNER. I wish to thank all of our colleagues for their patience. I ask unanimous consent that S. 1050, as amended, be printed as passed.

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

Mr. WARNER. I ask unanimous consent that the Senate proceed immediately to the consideration, en bloc, of S. 1047 through S. 1049, Calendar Order Nos. 93, 94, 95; that all after the enacting clause of those bills be stricken and that the appropriate portion of S. 1050, as amended, be inserted in lieu thereof according to the schedule which I am sending to the desk; that these bills be advanced to third reading and passed, the motions to reconsider en bloc be laid upon the table, and that the above actions occur without intervening action or debate.

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

DEPARTMENT OF DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004

The bill (S. 1047) to authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as amended.

(The bill will be printed in a future edition of the RECORD.)

MILITARY CONSTRUCTION AUTHORIZATION ACT FOR FISCAL YEAR 2004

The bill (S. 1048) to authorize appropriations for fiscal year 2004 for military construction and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as amended.

(The bill will be printed in a future edition of the RECORD.)

DEPARTMENT OF ENERGY NATIONAL SECURITY ACT FOR FISCAL YEAR 2004

The bill (S. 1049) to authorize appropriations for fiscal year 2004 for defense activities of the Department of Energy, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as amended.

(The bill will be printed in a future edition of the RECORD.)

ORDER OF BUSINESS

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, I thank the two managers for their hard work and willingness to stay late into the evening in an effort that some said could not be done over the course of the last 3 days, but both managers said we were going to do it. I congratulate them for delivering on that commitment.

In a couple of moments, we will have an additional vote on a Ninth Circuit court judge.

Before doing that, the Democratic leader and I wanted to have a general understanding with our colleagues of where we are and where we will be going over the next couple of days, or next couple 12 hours, say, 18 hours. We will see how long it will be.

It is my understanding we will be receiving sometime in the next hour the conference report on the jobs and growth package. It will be filed shortly in the House. I don't know exactly what time that will be. We just left there. Hopefully, it will be in the next hour or so. It is my hope we will be able to begin debate tonight, following the vote on the judge, on the jobs and growth package.

If that is the case, what I think, in talking to the Democratic leader, we would like to accomplish is the debate, which statutorily would be 10 hours, would begin, although we will not officially start the clock at that point, right after the vote on the judicial nominee. If that were acceptable to our colleagues, again, depending on what time the language arrived and papers could be filed, we would be able to vote on final passage tomorrow morning. This is on the jobs and growth package.

That is not all the business and I will comment on the other business.

Ideally, we would be able to vote sometime around 9:30 tomorrow, although we cannot say with certainty at this juncture.

If that were the case and we were able to complete that vote, we still have the debt limit extension to address, which is something that we have to, absolutely no question about it, deal with tomorrow. Everyone agrees with that, although I do understand there will be amendments from the other side of the aisle to allow discussion. Some of those amendments will be substantive and useful to discuss and debate and some, hopefully, will disappear, and we will talk about the issues at some point. I believe we are talking about eight amendments.

We will have to pass the debt ceiling extension tomorrow. How many amendments, we have not yet decided. We have to wait until tomorrow. I am not sure how long we need to talk on the debt ceiling, but if we had the vote on the jobs and growth package at 9:30 in the morning, I imagine there is a period we might be able to agree to tonight—or may not—at which time we start the amendment process and have a series of amendments, hopefully one after another, or I would encourage that to be the case.

People have a lot of commitments tomorrow and tomorrow evening. We