who witnessed the murder to cooperate di-
rectly with the Police Service of Northern
Ireland;

Whoever on Appropriations can move to get this

I point out also to the Senator when

Mr. BAUCUS. Mr. President, the Sen-
ator from West Virginia is not here at
this moment, so I yield myself a couple
of minutes for the proponents of the
amendment.

I strongly support this amendment. There are
many Senators who are very disturbed with the very low level in
the amount of transportation obliga-
tion funds passed out of the Environ-
ment and Public Works Committee the
other day. There are donor States that
are very upset with the donor levels
not being high enough, and the so-
called donee States are concerned
that they are not properly taken care of.
There are States that believe the min-
um obligation should be higher.

In my experience, I have never expe-
rived such consternation so many Senators so concerned we are not
paying enough for our infrastructure and our highways as is the case now,
comparing with the previous highway bill we passed a few years ago; that is,
with TEA-21, which was passed about 6 years ago.

In the meantime, the Finance Com-
mitee is working on a provision to ad-
minister money to the highway bill.
Chairman GRASSLEY and I are working
diligently to find a way to administer
money to the highway bill. We hope to
bring that amendment to the floor. We
will not raise gasoline prices. We will
not raise gasoline prices. There will be

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who witnessed the murder to cooperate di-
rectly with the Police Service of Northern
Ireland;

Whoever on Appropriations can move to get this

I yield back the remainder of my
time.

The PRESIDING OFFICER (Mr. Gra-
ham). The Senator from California.

Ms. FEINSTEIN. Mr. President, I re-

who witnessed the murder to cooperate di-
rectly with the Police Service of Northern
Ireland;

Whoever on Appropriations can move to get this

I yield back the remainder of my
time.

The PRESIDING OFFICER (Mr. Gra-
ham). The Senator from California.

Ms. FEINSTEIN. Mr. President, I re-
spond to the distinguished Senator that
what he said is correct. I have no objection to an amend-
ment in the program. My State is a big
user of this program at $111 million last year. He is right. Texas, Cali-
fornia, and the big immigrant States are certainly benefic-
ted by this program.

Moneys go to every single State. I have no objection to mandating the
money must go directly into the State prison system or the county jail sys-
tem, whatever that might be.

I point out also to the Senator when

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ator from West Virginia is not here at
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will not raise gasoline prices. We will
not raise gasoline prices. There will be
offsets, so it will be budget neutral. The offsets will be in the nature of fuel fraud, to prevent fuel fraud, and close corporate or tax loopholes which we all agree should be closed.

I strongly urge Members to recognize we do need more money. We all know that. We are finding ways in the Finance Committee to find more money. I do not know the exact amount, but it will not be a significant amount. It will help solve the problems that Senators have in meeting their legitimate concerns as we try to meet the formula and have enough money in the highway program to build our roads and streets. This amendment will not be a huge amount, but it will be helpful.

I urge Members to support the amendment that is offered by the senior Senator from West Virginia. Senator BYRD is in the Senate, and I highly compliment the Senator for his efforts. He has been a champion over the years. I am so impressed with the efforts he undertook about 6 years ago when they got TEA-21 up and passed. I thank the Senator.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the distinguished Senator from Montana for his overly charitable and very gracious comments concerning my efforts. I thank him for his work, likewise.

Mr. President, I rise to offer an amendment to the Senate to once again pass a $318 billion highway bill. That is precisely the bill that the Senate approved last year by a vote of 76 to 21.

Now, my good friend, the chairman of the Budget Committee, Senator GREGG, was among the 21 Senators who voted against last year’s highway bill. I don’t have any expectations he will support the amendment. My plea is to the 73 Senators still serving in the Senate who voted for that highway bill last year. Republicans and Democrats alike. We must reverse the continuing deterioration of the highways and transit systems in our State. We know the right vote was cast in February of last year when we approved a $318 billion highway bill despite the veto threats of the President.

We know that the highway and transit needs in the States have not diminished one thin dime since that vote last year. Today I am asking my colleagues to vote again for a budget that will allow for a $318 billion highway bill.

Just yesterday, the Environment and Public Works Committee marked up a new highway bill. The bill marked up yesterday in committee provides far less funding than the bill passed last year, so that the bill’s total would stay less funding than the bill passed last year.

Today I am asking my colleagues against last year’s highway bill. I don’t have any expectations he will support the amendment. My plea is to the 73 Senators still serving in the Senate who voted for that highway bill last year. Republicans and Democrats alike. We must reverse the continuing deterioration of the highways and transit systems in our State. We know the right vote was cast in February of last year when we approved a $318 billion highway bill despite the veto threats of the President.

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Mr. BYRD. I ask every Senator to take a close look at this table before voting on this amendment. Senators should consider carefully the amount of investment and the number of jobs their State will be losing if they vote against this amendment. In my State of West Virginia, failure to adopt this amendment will mean a loss of almost $275 million and this amendment will mean a loss of almost $275 million and more than 13,000 desperately needed jobs.

For several larger States—such as Florida, Georgia, and Ohio—the loss over a 5-year-period to each State is more than $1 billion and more than 50,000 jobs.

Mr. President, before any Senator argues that my amendment just increases spending without ensuring it will be spent on highways and mass transit, let me point out that my amendment restores the special highway and transit budget categories. Every additional penny provided by this amendment will be required to be spent on our highways or mass transit programs.

The offset for my amendment is the very same type of financing mechanism that served to enhance the receipts to the highway trust fund and were included in last year’s highway bill with the bipartisan support of the Senate Finance Committee.

The PRESIDING OFFICER. The Senator’s time has expired.

Mr. BYRD. Mr. President, may I ask for an additional minute?

The PRESIDING OFFICER. The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BYRD. Mr. President, I know that some Members are saying that it is foolhardy to try to pass a highway bill at $318 billion because the President has already vowed to veto a measure of that size. But I wish to remind my colleagues that our job—our job here—is to legislate based on our recognition of what is needed by our States and by the Nation. It is the President’s job to either sign that bill or veto it.

So I ask my colleagues, why do our constituents send us here if we do not look out for their needs? We have been sent here to vote our conscience and to stand for the needs of our constituents.

So in offering this amendment today, I am saying to my colleagues, let’s do our job. Let’s adopt a budget that will enable us to pass a highway bill that we believe addresses the transportation and commerce needs of the Nation. The President will review that piece of legislation, and he will either sign or veto it. That is his job. That is his prerogative. But now is not the time to back away from the country’s transportation needs.

When the roll is called on this amendment, Senators will be faced with a stark choice. They can either vote for the level of highway spending that they received in last year’s highway bill or they can resign their constituents to ever worsening congestion.

The PRESIDING OFFICER. The Senator’s time has expired.

Mr. BYRD. I thank the Chair and implore my colleagues to vote for the amendment.

Mr. President, I send the amendment to the floor.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk reads as follows:

The Senator from West Virginia [Mr. BYRD], for himself and Mr. BAUCUS, proposes an amendment numbered 240.

Mr. BYRD. Mr. President, I ask unanimous consent that reading of the amendment be waived.

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

The amendment is as follows:

On page 3, line 10 increase the amount by $1,458,000,000.
On page 3, line 11 increase the amount by $3,506,000,000.
On page 3, line 12 increase the amount by $3,605,000,000.
On page 3, line 13 increase the amount by $2,922,000,000.
On page 3, line 14 increase the amount by $2,316,000,000.
On page 3, line 15 increase the amount by $9,568,000,000.
On page 3, line 16 increase the amount by $8,332,000,000.
On page 3, line 17 increase the amount by $8,920,000,000.
On page 3, line 18 increase the amount by $3,605,000,000.
On page 3, line 19 increase the amount by $8,332,000,000.
On page 3, line 20 increase the amount by $8,332,000,000.
On page 3, line 21 increase the amount by $5,799,000,000.
On page 3, line 22 increase the amount by $40,372,000,000.

On page 4, line 20 increase the amount by $1,458,000,000.
On page 4, line 21 increase the amount by $8,332,000,000.
On page 4, line 22 increase the amount by $3,605,000,000.
On page 4, line 23 increase the amount by $3,536,000,000.
On page 4, line 24 increase the amount by $1,458,000,000.
On page 4, line 25 increase the amount by $9,568,000,000.
On page 4, line 26 increase the amount by $3,506,000,000.
On page 4, line 27 increase the amount by $3,605,000,000.
On page 4, line 28 increase the amount by $2,922,000,000.
On page 4, line 29 increase the amount by $2,316,000,000.
On page 4, line 30 increase the amount by $9,568,000,000.
On page 4, line 31 increase the amount by $8,332,000,000.
On page 4, line 32 increase the amount by $8,332,000,000.

On page 6, line 8 increase the amount by $100 billion and increase taxes by approximately $60 billion. At some point you must ask the question, What is the purpose of a budget? If the only purpose is to simply increase taxes and increase spending?

From my viewpoint, the purpose of the budget is to actually try to put in fiscal discipline and have some controls over spending and, as a result, have some controls over the amount of money we are taking out of people’s pockets. Remember, it is their money, not our money, and spending it for them rather than allowing them to spend it themselves is.

So I obviously oppose this amendment. As the Senator from West Virginia noted, I voted against the $318
billion when it came through the first time. And I do note that, yes, there were a number of people who voted for that at the time. But I do note the President, working with the Members of the Congress, has reached an agreement and what we can afford in the area of highway funds, and that agreement is $284 billion.

Now, we put that in the budget. That is what we put in the budget. Now, some might say, well, that is not enough, but actually I think it is almost more than what we started. I think we started at $236 billion for this highway bill, or somewhere in that range.

So there has been a fair amount of movement upward toward trying to address the issue of infrastructure in this country and making sure that highway construction is adequately funded. So $284 billion is not a small amount of change. It is a rather significant amount of money and is a very strong commitment to the highways.

There is a second amendment floating around here on the issue of highways, which is offered by the Senator from Missouri, and was discussed earlier today, which would change the way that we would fund money into the highway bill. We put in the budget resolution a reserve fund which essentially said that more dollars could go into the highway bill, you could get to the number the Senator from West Virginia proposed, if you legitimately raised revenues to pay for it. And legitimately raising revenues means having proposals which actually will produce revenues as versus ones that are a lot of smoke and a lot of mirrors.

So the language is not overly restrictive, it is reasonable. But it does expect that if we raise this highway fund up, it will be done in a way that is paid for appropriately out of highway-related activity, not out of the general fund.

That is a very important point because when this highway bill was put together there was some movement of dollars from the general fund into the highway fund through basically moving around the accounting mechanism for the ethanol tax. So we put in place this reserve fund which does allow for the dollars spent on highways to go up. I put that in because there were a lot of people here who believed $284 billion was not an acceptable number.

Now, the President says it is an acceptable number. In fact, he said he will veto anything over that number. But I believed as long as it has hard pay-fors we will consider it. And that is reasonable.

Now, the amendment that is floating around here would basically take those hard pay-fors and move them back to what I would call, not illusory because they are not that specious, but they really are not very hard pay-fors.

There could be a lot of games played with the language that is being proposed relative to what the pay-fors would be, and you might end up, unfortunatley, spending the money but not ever getting the revenues in to cover those costs.

So I oppose that language, too, because I do feel very strongly that if we are going to go above the $284 billion level, we need to go above it with hard pay-fors that come out of highway activity, not out of the general fund.

So these two amendments are floating around here. I guess they are going to be voted in sequence probably. I just want to point out that I think both of them do damage to this budget in the area of fiscal discipline. And the one that is before us right now would raise taxes by $14 billion and increase spending by $35 billion, which is just too much to handle in the context of this budget, where the highway number is an agreed-to number between the two bodies and the President.

Mr. President, I yield the remainder of my time on this amendment.

The PRESIDING OFFICER. The Senator from Kentucky

AMENDMENT NO. 241

Mr. Bunning. Mr. President, I have an amendment at the desk.

The PRESIDING OFFICER. Is there objection to reporting the amendment? Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. Bunning] proposes an amendment numbered 241.

Mr. Bunning. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: to repeal the 1993 tax increase on Social Security benefits)

On page 3, line 9, decrease the amount by $0.
On page 3, line 10, decrease the amount by $4,800,000,000.
On page 3, line 11, decrease the amount by $12,500,000,000.
On page 3, line 12, decrease the amount by $14,000,000,000.
On page 3, line 13, decrease the amount by $15,800,000,000.
On page 3, line 14, decrease the amount by $17,300,000,000.
On page 3, line 15, decrease the amount by $4,800,000,000.
On page 3, line 16, increase the amount by $17,300,000,000.
On page 3, line 17, increase the amount by $31,300,000,000.
On page 3, line 18, increase the amount by $63,900,000,000.
On page 3, line 19, increase the amount by $63,900,000,000.
On page 5, line 16, increase the amount by $4,800,000,000.

This amendment allows millions of seniors to keep more of their Social Security benefits in their pocket. Some of us have been trying to undo this tax for years, and this amendment finally gives us an opportunity to do that.

I urge my colleagues to support this amendment and to end this unfair tax on seniors and their Social Security benefits.

Mr. President, I yield back my time.

The PRESIDING OFFICER. Who yields time off the Republican debate time?

The Senator from North Dakota.

Mr. CONRAD. Mr. President, Senator Gregg and I will work out how the time is used right here. It will either come out of the time in opposition or perhaps we could work out how we are using the balance of the time here, the 7½ minutes. Did the Senator want to use the time in opposition or should I use this time?

Mr. GREGG. The Senator may use the time.

Mr. CONRAD. I will use the time and talk about the side by side. So we will be using the 7½ minutes on the other side of this amendment.

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

Mr. CONRAD. It is the best way, I say to my colleagues, to try to keep this all on track. We are trying to get to the 1 o’clock mark and be able to proceed with all of the amendments that are stacked.

AMENDMENT NO. 231

Mr. CONRAD. I send to the desk an amendment and ask for its immediate consideration.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. CONRAD] proposes an amendment numbered 231.

Mr. CONRAD. I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To express the sense of the Senate that the tax cuts assumed in the budget resolution should include the repeal of the 1993 increase in the income tax on Social Security benefits.

At the appropriate place insert the following:

SEC. Sense of the Senate on Reducing the Tax on Social Security Benefits.

It is the sense of the Senate that the tax cuts assumed in this resolution include repeal of the 1993 law that subject 85 percent or certain Social Security benefits to the income tax, provided that the revenue lost to the Medicare Hospital Insurance Trust Fund is fully replaced so that the seniors’ access to health care is not adversely affected. If the inclusion of these proposals would otherwise cause the cost of the tax cuts to exceed the level authorized in the resolution, any excess should be fully offset by closing corporate tax loopholes.

Mr. CONRAD. Mr. President, this amendment is very simple. It says it is the sense of the Senate that the tax cuts assumed in this resolution include repeal of the 1993 law that subject 85 percent of certain Social Security benefits to the income tax, provided that the revenue lost to the medical hospital insurance trust fund is fully replaced so that seniors’ access to health care is not adversely affected. If the inclusion of these proposals would otherwise cause the cost of the tax cuts to exceed the level authorized in the resolution, any excess should be fully offset by closing corporate tax loopholes.

Mr. CONRAD. I am happy to yield 2 minutes to the Senator from North Dakota.

Mr. GREGG. I ask the Senator from North Dakota, through the Chair, if he would mind yielding a couple of minutes off the 7½ minutes to the Senator from Kentucky to respond to the Senator’s point.

Mr. CONRAD. I am happy to yield 2 minutes to the Senator.

Mr. Bunning. It won’t take long. I am encouraged that the Senator from North Dakota agrees with me that this is an unfair tax. Everybody here knows what a sense of the Senator’s point. We should take a look at it. We feel good about doing it. But we are not going to do it at this time.

I urge all of my colleagues who are watching, listening, if they want to really reduce the tax on Social Security recipients, they should vote for the Bunning amendment. If they want to feel good about what they are doing and not really remove the 35 percent increase in the income tax on Social Security benefits.

Mr. CONRAD. Let’s be very clear: The legal effect of our two amendments is precisely the same—precisely the same. Why is that the case? Because a budget resolution cannot compel the Finance Committee to do anything in terms of policy. That is just a fact. I know it is confusing to our colleagues, but the chairman has said a dozen times at least on the floor of the Senate that the budget resolution cannot compel the Finance Committee to make any specific policy determination. With respect to this amendment, what we are doing is telling them how much revenue to raise. That is the same with respect to the appropriations committees. A budget resolution does not tell the appropriators what specific way they are to reach the numbers. It just gives them a number.

So let us be absolutely clear—the force and effect of our two amendments is no different. Senator Bunning is attempting to send a signal to the Finance Committee about how they should treat the reconciliation process. That is what my amendment does as well. We are sending the same signal in the sense that we are both saying, take this Social Security benefits tax as it relates to income tax off the table.

The place where I think he has made a very important point is that, since these taxes were put in place back in 1993, there has never been any change in the income levels that it relates to. The only thing that I think we can absolutely agree on. This just doesn’t make any sense. It is indefensible that there has not been any adjustment. So we are sending this amendment to our colleagues with the hope and the expectation that they will pay the same attention to it that they will pay to the amendment of the Senator from Kentucky. We are about to enter the time when we will cast a series of votes. I don’t know how many votes we now have in the queue; I think it is approaching 30 amendments. It may be useful at this point to send a message to our colleagues about how we are going to try to conduct these votes.

We are going to be asking our colleagues to accept short time limits on the votes. People will have a chance to make arguments for and against the amendments to remind people of the subject of their amendments. It is important for colleagues to structure their schedules for the remainder of the day that will allow them to stay in or close to the Chamber. We don’t want colleagues to miss votes.
At the same time, we want to move these votes as expeditiously as possible. Thirty votes is just the beginning. Let us alert our colleagues one more time. In addition to the 30 votes, or thereabouts, already in the queue, we have dozens and dozens of additional amendments that have been noticed. When the first vote starts, we will be asking the leadership—at least on our side, and the Senator can speak to his side—to go to Members who have noticed amendments and ask them to sharpen the number of amendments they intend to offer.

I thank the Chair.

Mr. GREGG. Mr. President, I will yield 1 minute off of my time, if the Senator from Kentucky needs it.

The PRESIDING OFFICER. There are 3 minutes left on Senator BUNNING’s time.

Mr. BUNNING. The only thing I want to say is that my amendment gives the Finance Committee the resources to do this. A sense of the Senate does not give the Finance Committee the resources to make the changes in the law that reduces the 35 percent tax on senior citizens.

I yield back my time.

Mr. REID. Mr. President, what is the next amendment in order?

The PRESIDING OFFICER. The Clinton amendment.

Mr. REID. It is my understanding that on this amendment there are 20 minutes equally divided.

The PRESIDING OFFICER. Fifteen minutes equally divided.

AMENDMENT NO. 234

(Purpose: To expand access to preventative health care services that reduce unintended pregnancy, reduce the number of abortions, and improve access to women’s health care)

Mr. REID. Mr. President, I send an amendment to the desk on behalf of Senator CLINTON and others.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for himself, Mrs. CLINTON, Mr. KERRY, Mr. CORZINE, Mrs. MURRAY, Mr. LAUTENBERG, and Mrs. FEINSTEIN, proposes an amendment numbered 234.

(The amendment is printed in today’s Record under “Text of Amendments.”)

Mr. REID. Mr. President, whether you are pro-life or pro-choice, Democrat or Republican, this amendment advances goals we should all share: reducing the number of unintended pregnancies, abortions, and improving access to women’s health care.

This amendment would allow us to increase funding for national family planning, title X, pass the measure Senator SNOWE and I have worked on, and improve awareness of emerging contraception and improved teen pregnancy prevention programs.

One-half of the unintended pregnancies in this country wind up with abortion. Why can’t we move forward with this amendment? It should be bipartisan. It is an amendment that would really help—$100 million to help these programs. These moneys come from closing tax loopholes for corporations that go overseas and, I believe, cheat Americans out of their rightful tax dollars. This money would stay in America.

There was a column in the paper yesterday that said this bill—now this amendment—has been greeted with the sound of one party clapping: the Demo-crats are unanimous from the majority party for this amendment? We continually talk about the issue of abortion. Here is a way to cut as many as 3 million abortions over a 2-year period of time. That seems like a worthy goal. That is what this amendment is all about. It is about fairness, about making progress in a problem that is creating problems in this country. We should hold our heads high in doing this.

I hope this does not become a pro-life, pro-choice issue. This is an American issue. It is good for the American people, and it is especially good for young girls, teenagers. We need to stop the scourge of teenage pregnancy. There are only a couple of nations in the world that we are behind in teenage pregnancies. I hope that this amendment will be adopted by an overwhelming vote. I have some doubts that it will be, because we seem to be in partisan mode here, and that is too bad.

I suggest the absence of a quorum and ask that the time run equally.

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

The clerk will call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. CONRAD. How much time remains on both sides?

The PRESIDING OFFICER. There are 4½ minutes for Senator CLINTON and 7 minutes for the majority.

Mr. CONRAD. Mr. President, I am going to use time off Senator CLINTON’s time on this amendment.

We have before us a budget resolution that purports to be fiscally responsible. This budget resolution before us is anything but that. The hard reality is that the budget before us increases the debt every year of its terms by over $600 billion.

When they say this is going to cut the deficit in half, their own document shows their projections of debt increase are over $600 billion a year, each and every year of this budget. That is not fiscally responsible.

I see that the Senator from New York has arrived in the Chamber. I advise her that she has about 3 minutes left of time off Senator CLINTON’s time.

Mrs. CLINTON. Mr. President, I thank my friend, who knows more about the budget than I think anybody in Washington. He has, once again, done a tremendous job in trying to help educate all of us about the consequences.

I strongly endorse the amendment that Senator REID and I have offered, the Prevention First amendment. This is an area where Senator REID and I, along with Republican colleagues, have worked on, planning, title X, to pass the measure to increase funding for national family planning, title X, access to women’s health care.

Yet, regardless of whether you are pro-life or pro-choice, Democrats or Republicans, this is an American issue. It is an issue that affects America.

The statistics are pretty stark that half of the pregnancies in the United States are unintended, and nearly half of those are terminated. Making contraception more accessible will help us reduce the number of unintended pregnancies and abortions.

The Prevention First amendment will ensure there is money in the budget that will provide more family planning services and that will change our health insurance law to give women equal rights of access to prescription contraception. It just boggles my mind that insurance companies pay for Viagra and they will not pay for birth control. I do not understand that at all. That is just backward, in my mind.

It increases the title X services that are so important in providing that support, as well as ending insurance discrimination when it comes to contraceptive coverage.

It provides better public awareness for emergency contraception, which could prevent many thousands of abortions. It is a prescription drug that, if FDA approves over the counter, does not interrupt or disrupt an established pregnancy. According to the Journal of the American Medical Association, there is no risk associated with emergency contraception.

Finally, this amendment provides funding to programs dedicated to decreasing teenage pregnancy. In my husband’s 1995 State of the Union Address, he made that a goal of his administration, and we accomplished a lot. But we still have a long way to go.

If you are pro-choice or pro-life, if you believe we should do more to find common ground on this often difficult and contentious issue, and if you want to spend some money to save money, we have, in this amendment, a very strong case that in may places we will save more than we spend.

I thank the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. I suggest the absence of a quorum, with the time to be charged equally.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. CONRAD. Parliamentary inquiry: In terms of the time, when we
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The PRESIDING OFFICER. The math seems sound, yes.
Mr. CONRAD. Mr. President, I thank the Chair. We are awaiting Senator LAUTENBERG to take up the 10 minutes on his amendment, unless Senator GREGG wants the remaining time on the Clinton amendment.

The PRESIDING OFFICER. That is correct.

Mr. CONRAD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. That is correct.

Mr. CONRAD. I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. That is correct.

Mr. CONRAD. I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. That is correct.

Mr. CONRAD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. CONRAD. Mr. President, will the Chair advise us when the time on the Clinton amendment has been eliminated and the time on the Lautenberg amendment equally divided? The PRESIDING OFFICER. There is 1 minute 37 seconds left on the majority side. All time has expired on the minority side.

Mr. CONRAD. I thank the Chair. I again suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent that the pending amendment be set aside.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the pending amendment be set aside.

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

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the pending amendment be set aside.

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

AMENDMENT NO. 187

Mr. LAUTENBERG. I call up amendment No. 187 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Jersey [Mr. LAUTENBERG], for himself and Mr. SCHUMER, proposes amendment numbered 187.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To strike the debt ceiling reconciliation instruction)

On page 30, strike lines 19 through 23.

Mr. LAUTENBERG. I ask unanimous consent that Senator SCHUMER be added as a cosponsor to amendment No. 187.

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

Mr. LAUTENBERG. Mr. President, this budget resolution includes a reconciliation instruction to raise the debt limit by $446 billion. That is a lot of money. That is $1.510 for every man, woman, and child in America. I think the Senate ought to have a debate on whether to add $1,500 to the indebtedness of each and every American, and that is why I am offering this amendment.

The amendment is to strike the reconciliation instruction. This budget resolution includes a debt limit increase automatically for one reason: that my friends on the other side of the aisle do not want to have a debate about their budget deficits are piling up our national debt. Instead, what we see is an attempt to hide yet another debt limit increase by burying it deep in the budget.

We used to have debt limit increase debates on a regular basis, and we made it hard to increase the debt limit because we knew ultimately the deficits would overwhelm us.

This record-setting deficit the administration is running will have real consequences for every family. As the Government borrows more money, much of it from foreign central banks, eventually it is going to cause interest rates to go up. It is inevitable. When interest rates go up, it hurts each and every American.

Cars cost more. College certainly costs more. Investment capital for small businesses costs more.

We often hear the money our Government spends is the people’s money. That is true, but it is also the money our Government borrows is the people’s debt.

We passed a bankruptcy bill that I think is punitive to working Americans who lose their jobs, have a catastrophic illness or an injury, or run up their credit card debt to try to pay their bills. Over and over again, our friends on the other side say people have to pay their debts. Well, is this any different?

What I have here is the Bush administration’s credit card. We like to use this as a reference. It is issued by the Bank of Our Children’s Future. That is what it says. It says the President is over the limit. That is because public debt under this administration has been run up to $7.7 trillion and each American’s share of that debt is over $26,000. Hear this: Every American is going to be saddled with a debt amounting to $26,000 as a result of our increasing indebtedness. That $7.7 trillion apparently is not enough, which is where we are. President Bush wants this credit limit increased.

When they make that kind of request, it usually needs some scrutiny. The majority party in the Senate wants to give him that increase, but they want to do it without anybody noticing, without any conversation about it. So they bury it in the budget resolution.

We need to discuss whether it is a good idea to increase this credit limit because each and every American gets stuck paying the bill, including our children and our grandchildren.
We should be talking about paying off the debt on this card, as we did in 1997. I was then the ranking member of the Budget Committee.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LAUTENBERG. I ask unanimous consent for an additional 30 seconds.

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

Mr. LAUTENBERG. Let us face up to our responsibilities. Let us quit stamping debt on the backs of our children and grandchildren. I urge my colleagues, support this amendment, let the debate begin, and let us examine it in the light of day.

I ask for the yeas and nays, and I yield the floor.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. GREGG. Mr. President, what is the time situation?

The PRESIDING OFFICER. The Senator from New Hampshire has 4½ minutes.

Mr. GREGG. Mr. President, it is not a unique procedure to use reconciliation to address the debt limit. The debt limit is something that as a Government we have to do. If the debt is run up, the debt limit has to be run up or else the bonds cannot be issued in order to set up the debt properly.

If that is not done, what happens? The Government shuts down. So in a number of instances and I believe them in the Democratic Party, in two instances when the Democratic Party controlled the Senate, reconciliation included the debt limit. So it is the responsible thing to do to have this vehicle available.

That does not mean the Finance Committee will use it. It may be that we will not use it. But we need to have this vehicle available in order to make sure the Government continues to operate. I could argue that if this amendment were to pass, it would put in jeopardy at some point down the road the operation of the Government because the debt limit might be put in the position where it could not pass. That is not hyperbole. That is a distinct possibility and a hypothetical that could actually occur.

So the responsible thing to do is to have debt limit reconciliation instructions as one of the elements. That is why the Budget Act allows for it. Interestingly enough, this is not something we created. It was created by the Budget Act which was, of course, written under a Democratic Congress. As I mentioned, it has been used twice when the Democratic Party was in the majorit. So it is a reasonable approach. It is something that needs to be included within the budget, and I would certainly hope this amendment would be rejected.

I yield back the remainder of my time on the amendment.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, is there a response time available on this?

The PRESIDING OFFICER. All time has expired.

Mr. CONRAD. I yield an additional minute to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator is yielded an additional minute.

Mr. LAUTENBERG. I thank the Senator from New Hampshire.

Mr. President, I say to the distinguished chairman of the Budget Committee, yes, we have to pay our bills. We cannot ignore our obligations. But when one borrows money, there is a contract that is signed and it is done with an open mind. Here we are being asked to take on more debt without having any discussion about what it is that would compel us to increase the national debt.

The national debt is going to drown us and we may have a chance to examine it in the light of day, and that is what I would like to see us do. That is why we should take it from this budget resolution and discuss it in an open debate.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, parliamentary inquiry: Having now reached the hour of 1, the order would provide that the votes start at 1; is that correct?

The PRESIDING OFFICER. Votes may begin at this time. Each manager has additional time that does not have to be utilized.

Mr. CONRAD. The chairman of the committee and I have agreed we will put in a quorum call at this moment, and we will remind colleagues that we will begin the voting very shortly.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MARTINEZ). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. GREGG. Mr. President, I ask unanimous consent the time remaining which I have and the Democratic manager has, Senator Conrad, that we be able to reserve that time and use it at a later period in the day, during the voting.

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

Mr. GREGG. Mr. President, I now move that we go to the first issue, which is going to be the Medicaid amendment offered by Senator Frist, the majority leader, and I yield myself a minute on that. Each side has a minute?

The PRESIDING OFFICER. The Senator is recognized for 1 minute.

Mr. GREGG. Mr. President, I make a point of order a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. GREGG. Mr. President, I ask unanimous consent that when we begin to vote the order of votes will be as follows, for the initial set of amendments.

We will begin with the majority leader's amendment relative to Medicaid, which is No. 229; followed by the Bingaman for Senator Smith amendment on Medicaid, No. 204; followed by the Carpenter amendment on full consideration of tax cuts, No. 267; followed by the Snowe-Wyden drug pricing amendment, No. 214; followed by the Harkin vocational education amendment, No. 172; followed by the Hutchinson-Ensign Border Patrol amendment, No. 218; followed by the Landrieu National Guard and military construction amendment, No. 225; followed by the Salazar-Conrad rural education and health amendment, No. 215; followed by the Dorgan runaway corporations amendment, No. 210; followed by the Lieberman-Collins first responder amendment, No. 220; followed by the Vitter port security amendment, No. 223; followed by the Vitter Corps of Engineers amendment, No. 224; followed by the Allen, as modified, NASA amendment, No. 197; followed by the Sarbanes CDBG amendment, No. 156; followed by the Collins CDBG amendment, No. 238; followed by the Cochran emergency retirement amendment, No. 208; followed by the Kennedy education amendment, No. 177; followed by the Baucus-Conrad amendment No. 234, agriculture; followed by the Biden COPS amendment, No. 239; followed by the Feinstein State Criminal Assistance Program, No. 188; followed by the Byrd highways amendment, No. 240; followed by the Talent highway amendment, No. 241; followed by the Byrd amendment in the sense of the Senate regarding Social Security tax, No. 243; followed by the Bunning repeal of Social Security tax, No. 241; followed by the Clinton-Reid prevention first amendment, No. 244; followed by the Lautenberg debt limit amendment, No. 187.

That is the first group of amendments which we will be taking up.

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

Mr. GREGG. Mr. President, we are going to move to the Frist amendment in a few minutes, and begin to vote.

The PRESIDING OFFICER. The minority leader.

Mr. REID. Mr. President, through the Chair to the two managers of the bill, it is my personal feeling we shouldn't have the 1 minute on each side. It is an inordinate amount of time. It never amounts to 1 minute. I think we should just vote. When we take 1 minute when we have 25 or 30 votes, it will add an inordinate amount of time to these amendments. I have not spoken to the majority leader, but it would be my feeling that the Members have had
Mr. GREGG. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. GREGG. Mr. President, I ask unanimous consent that all amendments after this amendment be 10 minutes.

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

Mr. REID. Mr. President, before we start, I know the majority leader would agree. We have to keep a better tab on the time around here. It is possible to speed things up. I am sure this vote will take more than 10 minutes. After that I think we should enforce the 10-minute rule. If people can’t get here to vote because they have business to conduct, they may have to miss some votes.

I hope the majority would allow the 10-minute vote to be a 10-minute vote. I understand that if there is a vote which is close and people have to play around the votes a little bit, that stalls a little bit. The majority has the right to call votes to a close. I hope they would do it, recognizing that every minute they allow these votes to go beyond the 10 minutes is additional time people could be doing other things.

Mr. GREGG. Mr. President, to the extent there is a Damocles sword, it is virtual impossible for our children and their children to have the quality of life we have had because of the tax burden we are going to pass on. I hope people vote “no.”

The amendment (No. 229) was rejected.

AMENDMENT NO. 234

The PRESIDING OFFICER. The previous order, there will be 2 minutes of debate on the Smith amendment.

Mr. GREGG. It is my understanding that the proponents will speak first. We will let the time run.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. SMITH. Mr. President, briefly, all the arguments have been made. Everybody knows we are dealing with a Damocles sword which is our reconciliation on Medicaid that covers the most vulnerable Americans. I think right now is simply the time to say vote your conscience.

Thank you.

The PRESIDING OFFICER. Who yields time?

Mr. GREGG. Mr. President, to the extent there is a Damocles sword, it is hanging over the generations to come who are going to have to pay the bills for our generation. The failure to address these bills today is going to make it virtually impossible for our children and their children to have the quality of life we have had because of the tax burden we are going to pass on. I hope people vote “no.”

The PRESIDING OFFICER. The question is on agreeing to the amendment.

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

The PRESIDING OFFICER. Is there a sufficient second?

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 52, nays 48, as follows:

[Rollcall Vote No. 57 Leg.]

YEAS—49

Alexander
Allard
Allen
Baucus
Bayh
Biden
Brownback
Brownsback
Bunning
Burns
Byrd
Cahlan
Chambliss
Coburn
Conrad
Coryn
Craig
Crapo
DeMint
DeMint
Doyle
Dole

NAYS—51

Akaka
Baucus
Bayh
Biden
Bingaman
Boxer
Byrd
Caswell
Carper
Chafee
Chafee
Collins
Collins
Conrad
Corry
Corzine
Dayton
Dole

[The amendment (No. 234) was agreed to by the Yeas and Nays (52 Yeas, 48 Nays).]
Mr. FRIST. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. ALEXANDER). The majority leader.

Mr. FRIST. Mr. President, I make another appeal to our colleagues. We are going to start strictly cutting off the votes. We are going to ask people to stay in the Chamber or right outside the Chamber. Again, we have a lot of votes. We have to get through them.

I will take 2 minutes to address an issue that I mentioned this morning in opening, and it has to do with a particular case in Florida, the Terri Schiavo case. Over the course of the day and, indeed, yesterday, we have been working together, both sides of the aisle, to bring resolution to an issue that has fallen to us which we, for the most part in this body, agree we need to address before leaving today.

I am going to propound two unanimous consent requests. We do not want to have at this time a large debate or discussion on the issue, but it is important that we act now because in working with the House of Representatives, we do, at the end of the day, want to pass legislation. And because they will be going out shortly over the course of the day, we want to make it clear that is an issue that we are working toward and I believe we can solve today and, thus, I will propound these two unanimous consent requests. I will explain very briefly the first of the two unanimous consent requests. The House has a bill they have passed. It is a bill that, for the most part, on both sides of the aisle there has been some concern that we have not been able to get unanimous consent just in our discussions. That will be the first unanimous consent request.

The second unanimous consent request will be a private relief bill that is targeted to this particular case. It is a bill that both sides are discussing, and it is a bill on which I think over the next several hours we can come to some sort of mutual agreement. What is important is that this body act. If we do not act, there is the possibility that a woman who is alive today—and everybody agrees she is alive today—while we are on recess will have termination of all feeding and water. She will be starved to death. Without going into a lot of details—a lot of people are discussing it—that is what we would do from a procedural standpoint.

The first unanimous consent request relates to a House bill that many people told me is unacceptable. The second unanimous consent request relates to a bill on which we worked together and is very targeted.

UNANIMOUS CONSENT REQUEST—H. R. 1332

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the House amendment to H. R. 1332, the House-passed legislation relating to Theresa Marie Schiavo, that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any amendments relating to the bill be printed in the Record.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. I object, Mr. President. The PRESIDING OFFICER. Objection is heard.

The majority leader has the floor.

UNANIMOUS CONSENT REQUEST—S. 653

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the Senate amendment introduced by Senator MARTINEZ regarding Theresa Marie Schiavo, that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any amendments relating to the bill be printed in the Record.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. I object, Mr. President. The PRESIDING OFFICER. Objection is heard.

The majority leader has the floor.

AMENDMENT NO. 297

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the amendment introduced by Senator MARTINEZ regarding Theresa Marie Schiavo, that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any amendments relating to the bill be printed in the Record.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. I object, Mr. President. The PRESIDING OFFICER. Objection is heard.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The majority leader has the floor.

Mr. FRIST. Mr. President, I will be happy to yield to the floor manager.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I rise as a strong supporter of the bill of the Senator from Florida. I think it is absolutely imperative that we as a body take action to give a Federal court an opportunity to review this determination.

A woman's life is at stake, and it is absolutely imperative that we take action today. We are working diligently on both sides—I thank the majority leader and I thank the Senator from Pennsylvania, Mr. SANTORUM—and we are going to take action today. So we have to try to work through some issues to make certain we get that opportunity. But I pledge as the manager of this bill that we will interrupt this bill at any time when we have a resolution so that we can take action to save this woman's life or to give a court an opportunity to review this case.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, there will be opportunities later when we address the bill for people who feel passionately about it. But we are on the budget resolution. People know we are working in a bipartisan way to resolve this matter to save her life which, at the end of the day, is the goal.

I request people not say a lot right now so we can proceed with the budget votes unless there is something new to be said; otherwise, we will have an opportunity later tonight.

Mr. REID. I ask for the regular order. Mr. FRIST. Regular order.

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Delaware.

Mrs. FEINSTEIN. Excuse me?

The PRESIDING OFFICER. The question is on the amendment of the Senator from Delaware.

Mrs. FEINSTEIN. May I make a point of parliamentary inquiry?

The PRESIDING OFFICER. The question is on the amendment of the Senator from California.

Mrs. FEINSTEIN. Mr. President, I would like to know with whom this legislation has been shared? It certainly has not been shared with me, and I do not intend to just sit here while we change the nature of all of these things to put this in the political arena without a hearing.
The amendment (No. 214) was rejected.

AMENDMENT NO. 172

The PRESIDING OFFICER. The next order of business is the amendment No. 172 by Senator HARKIN. There is 1 minute equally divided.

Mr. HARKIN. Mr. President, this amendment restored the Perkins Vocational Education Program and pays for it by eliminating two tax provisions that haven't even come into force yet. We are not raising anyone's taxes. We are not rolling back anything. There are two items in the 2001 tax bill, called PEP and Pease. They start next year. They don't have to go into effect.

Who gets the benefits? Ninety-seven percent of the benefits go to people making more than $200,000 a year, and 50 percent go to people making over $1 million a year.

I am just saying, don't let that go into effect. That saves $146 billion over 10 years. This amendment would reduce the deficit with the money, and also put the money into restoring the Perkins Vocational Education Program.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, this amendment increases taxes by $24 billion and purports to give $7.5 billion to vocational education. The bill only controls the top discretionary number Government-wide. So the motion isn't enforceable and would likely be ignored by the committee of jurisdiction. The money could go into some other account. There is no guarantee that the tax-and-spend amendment will result in one dollar of education.

The subcommittee chairman and the chairman for Education have looked at the budget, and there is money available for it. We know where to get it to make sure vocational education happens. That is why we put the Perkins through already.

I ask the Senate to reject it.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment.

Mr. HARKIN. Mr. President, this amendment restores the Perkins Vocational Education Program and pays for it by eliminating two tax provisions that haven't even come into force yet. We are not raising anyone's taxes. We are not rolling back anything. There are two items in the 2001 tax bill, called PEP and Pease. They start next year. They don't have to go into effect.

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I ask the Senate to reject it.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

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

The assistant legislative clerk called the roll.

The result was announced—yeas 49, nays 50, as follows:

[Rollcall Vote No. 60 Leg.]
The amendment (No. 172) was rejected.

AMENDMENTS NO. 218 AND 215, EN BLOC

The PRESIDING OFFICER. The next order of business is proposed by Senators Ensign and Hutchison, amendment No. 218.

Mr. GREGG. I ask unanimous consent we accept the Hutchison-Ensign amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. CONRAD. I ask unanimous consent we accept the Salazar amendment No. 215.

The PRESIDING OFFICER. The question is on agreeing to the amendments en bloc numbered 218 and 215.

The amendments (Nos. 218 and 215) were agreed to.

AMENDMENT NO. 219

The PRESIDING OFFICER (Mr. COLEMAN). The next amendment in order is No. 219 proposed by Senator LANDRIEU, with 1 minute equally divided.

Mr. GREGG. Mr. President, the time will run.

The PRESIDING OFFICER (Mr. COLEMAN). The Senator from North Dakota.

Mr. CONRAD. Mr. President, I ask unanimous consent that Senator LINDSEY GRAHAM be added as a cosponsor on Senator LANDRIEU’s amendment.

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

Mr. GREGG. Mr. President, has the minute run?

The PRESIDING OFFICER. Time has been used.

Mr. GREGG. I suggest we go to a vote.

The PRESIDING OFFICER. All time is yielded back.

Mr. GREGG. I ask for the yeas and nays.

The amendment (No. 219) was agreed to.

Mr. GREGG. Mr. President, can I have order. I am going to suggest something, and I would like to get everyone’s attention.

The PRESIDING OFFICER. The Senate will come to order.

Mr. GREGG. We are going to move to the Dorgan amendment.

Mr. CONRAD. Could we have order because we are going to be talking about something Members need to hear.

The PRESIDING OFFICER. The Senate will come to order.

AMENDMENT NO. 220

Mr. GREGG. Mr. President, to begin with, I ask unanimous consent that the Vitter amendment No. 223 on port security, a sense of the Senate, be agreed to.

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

The amendment (No. 223) was agreed to.

Mr. GREGG. Mr. President, we are now going to go to the Dorgan amendment for which we will have the 10-minute vote, but we have decided—Senator CONRAD and myself, after consulting with the leadership—that for the next 3 amendments there will be 5-minute votes. There will be no statements between the votes. That will be the Lieberman-Collins amendment on first responders, the Vitter amendment on the Corps of Engineers, and the Allen amendment, as modified, on NASA. I ask unanimous consent that be the order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from North Dakota.

Mr. CONRAD. Mr. President, let me very quickly explain why we are going to try this experiment on three votes. Here is the situation we face. In 2 hours we have done six amendments. We have 26 amendments in this queue. We have 40 or 50 amendments after that. You do the math: 20 and 40 is 60; three amendments an hour; that is 20 more hours of voting.

Now, we can either subject ourselves to that or try to find a way to break through this morass and make more progress. The leadership has agreed to try on three amendments an experiment: 5-minute votes. Please, colleagues, let’s see if we can make this go more efficiently.

AMENDMENT NO. 219

The PRESIDING OFFICER. The pending question is the Dorgan amendment.

The Senator from North Dakota.

Mr. DORGAN. Mr. President, are we doing 1 minute a side?

The PRESIDING OFFICER. Thirty seconds.

Mr. DORGAN. Mr. President, the purpose of this amendment is to repeal the provision of the Tax Code that actually rewards companies to shut down their American plant and move their jobs overseas. Yes, we actually reward companies in the current Tax Code for shutting down their American plants and moving jobs. It is the most pernicious part of the Tax Code. In my judgment, this is only a baby step in the right direction.

A vote against this amendment is a vote against fairness and a vote against American jobs. I hope this Senate will approve this amendment. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

Is all time yielded back?

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk to call the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Arizona (Mr. KYL).

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

The result was announced—yea 40, nay 59, as follows:

[Rollcall Vote No. 63 Leg.]
NOT VOTING—1

Kyl

The amendment (No. 210) was rejected.

AMENDMENT NO. 228

The PRESIDING OFFICER (Mr. ISAKSON). The question is on agreeing to the Lieberman (Collins amendment No. 220). The Senator from New Hampshire.

Mr. GREGG. Mr. President, at the request of a number of Senators who are sponsors of amendments, we have decided that we are going to restore the 5-minute that was equally divided so Members can explain their amendments. But we are staying with the 5-minute vote for the next three amendments. However, we are skipping over Senator ALLEN’s amendment because we have to work that out. That would mean that Senator SARBANES’ amendment on CDBG would be the third 5-minute vote. But there will be a minute equally divided before the votes.

I believe we are now on the Lieberman amendment.

The PRESIDING OFFICER. Who yields time on the Lieberman amendment?

Mr. SARKIS. Mr. President, the amendment Senator LIEBERMAN and I have offered would restore homeland security grant funding to last year’s level for the first responder programs and for port security. It is a very modest amendment. Let us remember that when disaster strikes, our citizens do not dial the 911. It is our firefighters and police officers and our emergency medical personnel who are first on the scene. It is fully offset.

The PRESIDING OFFICER. Who yields time in opposition?

The time is yielded back.

Mr. CONRAD. Mr. President, I ask unanimous consent that amendment No. 224, agreed to earlier, be modified to read as follows:

The amendment (No. 224), as modified, is as follows:

On page 63, line 24, after the second period sign, insert the following: "In dealing with homeland security assistance grants that relate to port security, Congress should (1) require that the grants be allocated to States based on the relative risk of terrorism and the need for the funds to be spent on investments in port security; (2) use the grants to support port security systems and interagency coordination; and (3) provide for a report on the effectiveness of the grants.

The PRESIDING OFFICER. Without objection, it is so ordered.
The amendment (No. 156) was rejected.

The PRESIDING OFFICER. The Senator from Texas.

CHANGE OF VOTE

Mrs. HUTCHISON. Mr. President, on rollcall No. 65, I voted “yea.” It was my intention to vote “nay.” Therefore, I ask unanimous consent that I be permitted to change my vote since it will not affect the outcome.

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

Mr. GREGG. We have now done a 5-minute vote two times. Senator CONRAD and I were wondering what the reaction of the Chamber is. We thought we would ask for a show of hands.

How many want to keep going 5 minutes or go back to 10 minutes? All those in favor of 5 minutes raise your hand.

(Showering of hands.)

Mr. GREGG. How many want to stay at 10 minutes?

(Showering of hands.)

Mr. GREGG. We are going to try 5 minutes some more. What a democracy. It is very impressive.

AMENDMENT NO. 230

The PRESIDING OFFICER. The question is on the Coleman amendment No. 230. The Senator from Minnesota.

Mr. COLEMAN. Mr. President, my amendment is simple. It says no cuts in the Community Development Block Grant Program or other programs such as the Community Service Block Grant Program, the Brownfield Redevelopment Program, and the Rural Housing and Economic Development Program.

My amendment is fully offset by function 929.

Mr. SARBANES. Mr. President, will the Senator yield?

Mr. COLEMAN. Yes, I yield.

Mr. SARBANES. Mr. President, having lost the previous amendment, I support the amendment of the Senator from Minnesota. It is not my preference to do an across-the-board cut of other programs, but the CDBG Program is so important that we should adopt this amendment.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, of course, the committee of jurisdiction will have the decision on how these monies are spent and what decisions are made. But the practical effect—I think Members should know this—the practical effect of a 920 cut is an across-the-board cut. So, for example, a $2 billion item such as this means a billion dollars comes out of defense and a certain percentage comes out of education, a certain percentage comes out of health care, a certain percentage comes out of homeland security. That is the way this would work were the Appropriations Committee to follow these instructions.

The PRESIDING OFFICER. The question is agreeing to amendment No. 230.

Mr. SARBANES. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

Mrs. HUTCHISON. Mr. President, will the Senator from Indiana (Mr. BAYH) and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

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

The result was announced—yeas 68, nays 31, as follows:

[Rollcall Vote No. 66 Leg.]

YEAS—68

Akaka          Domenici          Murray
Allen          Durbin           Sanders (D-NE)
Baucus         Feingold          Obama
Bayh           Feinstein         Pryor
Bingaman       Harkin           Reed
Bennett        Hutchison        Reid
Boren          Inouye            Rockefeller
Boozman        Isakson           Santorum
Byrd           Jeffords          Salazar
Cantwell       Johnson           Schumer
Carper         Kennedy          Smith
Chafee         Kohl              Snowe
Chambliss      Landrieu          Specter
Clinton        Lautenberg        Stabenow
Collins        Leahy             Talent
Conrad         Lesar             Thune
Corzine        Lincoln           Vitter
Dayton         Lugar             Voynovich
DeWine         Martinez         Warner
Dodd           Mikulski         Wyden
Dole           Markowski

NAYS—31

Alexander      DeMint          Lieberman
Allard          Ensign          Lott
Bennett          Erol            McCain
Brownback       Frist            McConnell
Bunning        Graham            Roberts
Burr            Gravel           Sessions
Coburn          Hagel            Shelby
Cochran         Hagel            Stevens
Cochran         Hagen            Sweeney
Corny          Hatch             Thomas
Craig           Inexp            Thomas
Crapo            Kyi

NOT VOTING—1

The Amendment (No. 230) was agreed to.

Mr. GREGG. Mr. President, please recognize Senator BAYH.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. BAYH. Mr. President, on rollcall vote No. 66, I was present and voted “aye.” The official record has me listed as “absent.” Therefore, I ask unanimous consent that the official record be corrected to accurately reflect my vote. This will in no way change the outcome of the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BURNS. Mr. President, I ask unanimous consent on amendment No. 230 to change my vote. I voted “nay.” I ask unanimous consent to change my vote to “yea.” This change does not alter the outcome of the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SARBANES. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 208

The PRESIDING OFFICER. There is 1-minute debate on Cochran amendment No. 208.

The Senator from Mississippi.

Mr. COCHRAN. Mr. President, this amendment seeks to ensure that it is Congress who sets the discretionary caps and enforces them. It does not transfer to the President a new power of enforcement. If the President submits an urgent supplemental, as he has done now, and the House passes a supplemental bill and it comes to the Senate, if we add an emergency designation for an item, you can make a 60-vote point of order against that if it exceeds the caps, and we enforce that cap in that fashion.

This adds that the President has to enforce it by specifically agreeing that it is an emergency. That is not in the law now, and it should not be added on this resolution.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, this returns us to a point of order that existed in prior days when the President participated in emergency designations relative to nondefense activity. It only applies to nondefense activity. It avoids issues such as placing in emergency bills items which are clearly not emergency issues unless the President agrees they are emergency issues also. I think it creates a much more balanced approach to how we address spending, and it protects the cap and does not allow the emergency bills to basically circumvent the cap.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 208.

Mr. GREGG. I ask for the yeas and nays.

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. MCCONNELL. The following Senator was necessarily absent: the Senator from Pennsylvania. (Mr. SANTORUM).

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

The result was announced—yeas 73, nays 26, as follows:

[Rollcall Vote No. 67 Leg.]

YEAS—73

Akaka  DeWine  Mikulski
Allard  Dole  Murkowski
Allen  Domenici  Murray
Baucus  Dorgan  Nelson (FL)
Bennet  Durbin  Nelson (NE)
Biden  Feingold  Obama
Bingaman  Feinstein  Pryor
Bond  Harkin  Reed
Boxer  Hatch  Reid
Brownback  Hutchinson  Roberts
Bunning  Inouye  Rockefeller
Burns  Isakson  Salazar
Burr  Jeffords  Sarbanes
Byrd  Johnson  Scowcroft
Cantwell  Kennedy  Shelby
Carper  Kerry  Smith
Chambliss  Kohl  Snowe
Clinton  Landrieu  Specter
Cochran  Lautenberg  Stabenow
Coleman  Leahy  Stevens
Collins  Levin  Talent
Conrad  Lincoln  Thune
Corzine  Lott  Warner
Craig  Martinez  Wyden
Dayton  McConnell

NAYS—26

Alexander  Enzi  Lugar
Bayh  Frist  McCain
Chafee  Graham  Schumer
Collburn  Grassley  Sessions
Corzine  Gregz  Sununu
Crapo  Hagel  Thomas
DeMint  Inhofe  Vitter
Dodd  Kyle  Voinovich
Ensign  Lieberman

NOT VOTING—1

Sanerum

The amendment (No. 208) was agreed to.

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

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

The motion to lay the table was agreed to.

AMENDMENT NO. 177, AS MODIFIED

The PRESIDING OFFICER. There is now 1 minute of debate on the Kennedy amendment.

Mr. KERRY. Mr. President, I have a modification at the desk and ask that my amendment be modified.

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

The amendment (No. 177), as modified, is as follows:

(Purpose: To maintain college access and close corporate tax loopholes by an amount equal to $5.4 billion, enough to: (1) restore education program cuts slated for vocational education, adult education, GEAR UP, and TRIO, (2) increase the maximum Pell Grant scholarship to $4,500 immediately, and (3) increase future math and science teacher loan forgiveness to $23,000 without increasing the deficit)

On page 3, line 10, increase the amount by $723,000,000.
On page 3, line 11, increase the amount by $3,803,000,000.
On page 3, line 12, increase the amount by $566,000,000.
On page 3, line 13, increase the amount by $227,000,000.
On page 3, line 14, increase the amount by $55,000,000.
On page 3, line 19, increase the amount by $723,000,000.
On page 3, line 20, increase the amount by $3,803,000,000.
On page 3, line 21, increase the amount by $666,000,000.
On page 4, line 1, increase the amount by $227,000,000.
On page 4, line 2, increase the amount by $55,000,000.
On page 4, line 7, increase the amount by $5,389,000,000.
On page 4, line 8, increase the amount by $5,000,000.
On page 4, line 9, increase the amount by $15,000,000.
On page 4, line 10, increase the amount by $25,000,000.
On page 4, line 11, increase the amount by $40,000,000.
On page 4, line 16, increase the amount by $723,000,000.
On page 4, line 17, increase the amount by $5,383,000,000.
On page 4, line 18, increase the amount by $666,000,000.
On page 4, line 19, increase the amount by $227,000,000.
On page 4, line 20, increase the amount by $5,000,000.
On page 17, line 16, increase the amount by $5,389,000,000.
On page 17, line 17, increase the amount by $723,000,000.
On page 17, line 20, increase the amount by $5,000,000.
On page 17, line 21, increase the amount by $3,803,000,000.
On page 17, line 24, increase the amount by $15,000,000.
On page 17, line 25, increase the amount by $666,000,000.
On page 18, line 3, increase the amount by $25,000,000.
On page 18, line 4, increase the amount by $227,000,000.
On page 18, line 7, increase the amount by $40,000,000.
On page 18, line 8, increase the amount by $55,000,000.
On page 30, line 16, decrease the amount by $723,000,000.
On page 30, line 17, decrease the amount by $5,474,000,000.
On page 36, line 21, increase the amount by $8,000,000.
On page 36, line 22, increase the amount by $8,000,000.
On page 36, line 23, increase the amount by $93,000,000.
On page 36, line 24, increase the amount by $93,000,000.
On page 48, line 6, increase the amount by $5,381,000,000.
On page 48, line 7, increase the amount by $715,000,000.

Mr. KENNEDY. I have cleared that both with the majority leader and minority leader.

Mr. President, my amendment as modified increases the education funding by $5.4 billion paid for by the corporate tax loophole closure and now includes no additional deficit reduction.

The amendment does three things. No. 1, it will make immediately available the Pell grant increase to $4,500. No. 2, it provides for the protection of the GEAR UP Program, the TRIO Programs, and vocational education. No. 3, it will ensure 60,000 math and science teachers every single year. That is effectively what this amendment does.

The PRESIDING OFFICER. The time has expired.

The Senator from Wyoming. Mr. ENZI. Mr. President, I would agree that this amendment does increase taxes by $5.4 billion. I could not agree that it will actually wind up adding money for education. It gives the nonbinding suggestion that it be directed toward various higher education programs, but it does not guarantee it. The Budget Resolution controls the top-line discretionary number government-wide. No such suggestion is enforceable. There is no guarantee that this tax-and-spend amendment will result in one new dollar for education, let alone the programs suggested by the amendment. I ask that my colleagues vote no.

Mr. KERRY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to amendment No. 177, as modified.

The clerk will call the roll.

The assistant journal clerk called the roll.

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 68 Leg.]

YEAS—51

Akaka  Dorgan  Mikulski
Baucus  Dorgan  Murray
Bayh  Dorgan  Nelson (FL)
Brownback  Feingold  Nelson (NE)
Boxer  Harkin  Obama
Bryd  Inouye  Pryor
Cantwell  Jeffords  Reed
Carper  Johnson  Reid
Chafee  Kennedy  Rockefeller
Clinton  Kohl  Salazar
Collins  Landrieu  Schumer
Conrad  Lautenberg  Snowe
Corzine  Leahy  Specter
Dayton  Levin  Stabenow
DeWine  Lieberman  Wyden

NAYS—49

Alexander  Enzi  McConnell
Allard  Ensign  Murkowski
Allen  Ensign  Roberts
Bennet  Frist  Santorum
Bond  Grassley  Sessions
Brownback  Gregg  Shelby
Burns  Hagel  Smith
Burr  Hagel  Smith
Chambliss  Inhofe  Sununu
Colburn  Cochran  Sumsung
Corzine  Voinovich
Craig  Voinovich
Dole  McCain

The amendment (No. 177), as modified, was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 284

The PRESIDING OFFICER. There is 1 minute each on the next amendment.

Senator BAUCUS. Mr. President, could we have order, please?
The PRESIDING OFFICER. The Senate will be in order. The Senator from Montana.

Mr. BAUCUS. Mr. President, this amendment strikes the cuts in the budget resolution with respect to agriculture. Two main points: Today, agricultural spending constitutes 1 percent of total Federal spending. These cuts here constitute 16 percent of the cuts in the budget resolution. It is just not right to single out agriculture 16 times more than other cuts in this resolution.

No. 2, the Europeans today spend $37 billion a year on agricultural price supports. We spend about $17 billion, half of what they spend. We should not unilaterally disarm now, before the Doha WTO talks.

Two points why the amendment should be agreed to. We should not make these cuts.

Mr. CHAMBLISS. Mr. President, the Senator from Montana is correct; that the cuts in agricultural spending now constitute 16 percent. That is another good reason why we should have supported Medicaid savings. We wouldn’t be in this position now.

What we committed to do relative to agriculture savings is, first of all, not to change the policy in the farm bill. We are not going to do that. We are simply not going to change policy.

Lastly, let me just say that over the last 3 years, farmers themselves have saved $5 billion per year from the projected farm bill expenditures in 2002. If we cannot find $5 billion over the next 5 years, then something is wrong. We are going to find it. We are going to treat every commodity fairly and equitably, and every title of the farm bill fairly and equitably in achieving these savings. I urge a “no” vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. BAUCUS. I ask for the yeas and nays.

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.

The yeas and nays resulted—yeas 45, nays 55.

The amendment (No. 234) was rejected.

The PRESIDING OFFICER. There is 1 minute equally divided on the Biden amendment.

Mr. CONRAD. Mr. President, if we might have a moment to review for our colleagues where we stand, I think it is important to do so at this moment. I alert our colleagues that we have nine more amendments in this queue. We have 35 additional amendments noticed. That is 42 total. We are doing just over four amendments an hour. If we continue on this course, we are going to be here until 2 or 2:30 this morning.

There are a number of colleagues who have multiple amendments still noticed. I am asking colleagues to please notify leadership, please notify the whip, of what amendments you can wait on until another vehicle and another time.

At this point, I plead with colleagues. Let us not have a situation in which we are here until 3 o’clock this morning. This is our opportunity now during these votes for Members to notify which amendments they are willing to hold off on. Please do that.

Mr. REID. Mr. President, the manager of our bill, the Senator from North Dakota, is very busy, and his person to work with on these amendments is Senator DURBIN. If people would help Senator DURBIN and Senator CONRAD and help us move through amendments on our side.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, my amendment restores $1 billion for local law enforcement, three big programs that have essentially been zeroed out, the COPS Program, the law enforcement block grants. Four years ago we spent $2.3 billion helping local law enforcement. It is down to $118 million.

My friend from New Hampshire said we are going to prove we can end the program. Let us pick one that is not working to end. This one works.

I urge my colleagues to support the amendment.

Mr. GREGG. Mr. President, the COPS Program was a program put in place by President Clinton. It was supposed to have expired 5 years ago. It was fully funded under President Clinton, and 100,000 police officers were put on the streets; in fact, 110,000. It continues to exist even though it has served its purpose, and there was a consensus that it would not go any longer. It is time to ask the program to be terminated.

I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. CONRAD). Is there a sufficient second?

There is a sufficient second.

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

The assistant journal clerk called the roll.

The result was announced—yeas 45, nays 55, as follows:

[Rollcall Vote No. 70 Leg.]  

YEAS—45

Akaka  Durbin  Lincoln
Baucus  Baubus  McCain  Mikulski
Bayh  Feinstein  Murray
Biden  Harkin  Nelson (FL)
Bingaman  Inouye  Nelson (NE)
Boxer  Jeffords  Obama
Byrd  Johnson  Reed
Burr  Chafee  Kraft
Burns  Chablis  Lieberman
Collins  Coburn  Lieberman
Craig  Crapo  McCain
Crano  Conrad  McCain
Dodd  Constance  McConnell
DeMint  Enzi  McConnell
McConnell  Enzi  DeMint
SENATE

NAYS—55

Alexander  Allard  Allen
Allard  Bond  Bunning
Bennett  Brownback  Burr
Bunning  Burns  Burr
Burns  Chafee  Daschle
Chambliss  Coburn  Dole
Cochran  Collins  Bunning
Collins  Crapo  Dole
Craig  Crapo  Durbin
Dodd  Dodd  Murkowski
Dorgan  Dorgan  Nelson (FL)
Feingold  Feingold  Murray
Feinstein  Finken  Murray
Harkin  Inouye  Murray
Johnson  Johnson  Murray
Kennedy  Kennedy  Murray
Landrieu  Lautenberg  Murray
Leahy  Levin  Murray
Levin  Lieberman  Murray
Rockefeller  Rockefeller
Schumer  Schumert
Stabenow  Stabenow
Wyden  Wyden

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MARTINEZ. I ask unanimous consent the call for the quorum be rescinded.

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

FOR THE RELIEF OF THE PARENTS OF THERESA MARIE SCHIAVO

Mr. FRIST. Mr. President, if we could have regular order, just a very brief explanation and we will proceed. We are going to interrupt the budget for a few minutes to discuss a bill we have been talking about over the course of the day. It has to do with a particular case in Florida. We will talk a little bit about the background for a very limited period of time. Then we will resume with the debate on the budget and the amendment process. This should take a total of about 15 or 16 minutes. It is important we do it now. The House is preparing to leave—if they have not left—and the immediacy of this bill centers on the life of