

The PRESIDING OFFICER. Who yields time?

Mr. CONRAD. How much time remains?

The PRESIDING OFFICER. The Senator from Wisconsin controls 21 seconds.

Mr. FEINGOLD. I yield that remaining time to the Senator from North Dakota.

Mr. CONRAD. Mr. President, we cannot very well have it both ways. You can't, on the one hand, decry not having budget discipline and a budget, and, on the other hand, oppose those very provisions. That is what this vote is about. It is a budget and it is budget discipline provisions. They are critically needed. I hope colleagues will support it.

The PRESIDING OFFICER. Who yields time?

Mr. GRAMM. Mr. President, I believe my colleague is right on one point. You can't have it both ways. You can't say I am for fiscal restraint and then say we are going to make the President take \$9 billion he doesn't want.

I think this boils down to a question, Are you with the President or are you against him? The President asked us to hold the line on spending. I am with the President, and therefore I am going to vote against waiving the budget point of order. I urge my colleagues to do the same.

The PRESIDING OFFICER. The question is on agreeing to the motion. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, 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 legislative clerk called the roll.

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

The PRESIDING OFFICER (Mr. NELSON of Florida). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 59, nays 40, as follows:

[Rollcall Vote No. 159 Leg.]

YEAS—59

Akaka	Domenici	Lincoln
Baucus	Dorgan	McCain
Bayh	Durbin	Mikulski
Biden	Edwards	Miller
Bingaman	Feingold	Murray
Boxer	Feinstein	Nelson (FL)
Breaux	Graham	Nelson (NE)
Byrd	Gregg	Reed
Cantwell	Harkin	Reid
Carnahan	Hollings	Rockefeller
Carper	Inouye	Sarbanes
Chafee	Jeffords	Schumer
Cleland	Johnson	Shelby
Clinton	Kennedy	Snowe
Collins	Kerry	Stabenow
Conrad	Kohl	Stevens
Corzine	Landrieu	Torricelli
Daschle	Leahy	Wellstone
Dayton	Levin	Wyden
Dodd	Lieberman	

NAYS—40

Allard	Bond	Burns
Allen	Brownback	Campbell
Bennett	Bunning	Cochran

Craig	Hutchinson	Sessions
Crapo	Hutchison	Smith (NH)
DeWine	Inhofe	Smith (OR)
Ensign	Kyl	Specter
Enzi	Lott	Thomas
Fitzgerald	Lugar	Thompson
Frist	McConnell	Thurmond
Gramm	Murkowski	Voinovich
Grassley	Nickles	Warner
Hagel	Roberts	
Hatch	Santorum	

NOT VOTING—1

Helms

The PRESIDING OFFICER. On this vote, the yeas are 59, the nays are 40. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained. The amendment falls.

Mr. GRAMM. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DOMENICI. I ask to speak for 1 minute.

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

Mr. DOMENICI. I worked very hard this afternoon and today for what I thought was the right approach. I am back on board, and I will do everything I can to see that we keep some process and there is some order for the remainder of the year in getting our work done.

I thank you very much.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. 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. BYRD. Mr. President, has the Pastore rule run its course?

The PRESIDING OFFICER. Yes, it has.

Mr. BYRD. Mr. President, I speak out of order.

The PRESIDING OFFICER. The Senator from West Virginia.

(The remarks of Senator BYRD are printed in today's RECORD under "Morning Business.")

The PRESIDING OFFICER. The Senator from Nevada.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, there are a number of people who want to speak on matters not related to the Defense bill at this time. I think it would be appropriate—I have spoken to the Republicans—to go into a period of morning business. It is my understanding that the Senator from Illinois wishes to speak for 10 minutes, the Senator from North Dakota for 10 minutes, and the Senator from Maine for 10 minutes.

Why don't we go into a period of morning business for 40 minutes with 20 minutes on this side and 20 minutes on their side, with the Senator from Illinois recognized first?

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent to modify my request, and that I be recognized following the 40 minutes.

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

The Senator from Illinois is recognized.

AMTRAK

Mr. DURBIN. Mr. President, I take the floor to alert my colleagues in the Senate and those who are following this debate that at a hearing this afternoon before the Transportation Subcommittee—

Mr. BYRD. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate will be in order. The Senator will suspend.

The Senator from Illinois.

Mr. DURBIN. Thank you, Mr. President. I am glad my colleague, the Senator from West Virginia, is in the Chamber because he attended this hearing. He may not have been present when the questions came. We asked the administrator of Amtrak what was ahead in the days to follow. At this moment in time, Amtrak needs \$200 million interim financing to continue operations across America. Mr. Gunn, who testified before Chairman PATTY MURRAY's Transportation Subcommittee, alerted us this afternoon that unless the interim financing of \$200 million is secured by Wednesday of next week, Amtrak will cease all operations—all operations—not scaled back but cease all operations.

Mr. Gunn explained it was necessary in order for them to park the trains, take the precautions necessary to guard them, and to prepare for the ultimate shutdown, which could begin as early as the middle of next week.

We then asked Mr. Rutter, who is the head of the Federal Railroad Administration, what was the status of the Amtrak request for \$200 million. He alerted us that they were in the process of evaluating it, and he believed they would be able to get back to Amtrak with the answer early next week.

If you will do the math, you will understand we are talking about 24 to 48 hours separating the decision by the Bush administration on interim financing for Amtrak and the suspension of all Amtrak service across the United States.

I said to Mr. Gunn that I believed we had a moral obligation to notify Governors across the United States with Amtrak service of this looming transportation disaster. Let me say for many of us who believe in Amtrak and national passenger rail service that it is absolutely disgraceful that we have reached this point.

At some point, this administration should have stepped forward to work with Congress to make certain that Amtrak service was not in jeopardy. Now we face the very real possibility of a disastrous transportation situation as early as next week.

We heard this morning from Secretary of Transportation Norm Mineta, a speech he gave to the Chamber of Commerce about his vision of the future of Amtrak. It is a vision which is not new. It is the same vision that Margaret Thatcher had in England when she took a look at British rail service and decided to privatize it, to separate it, and to try to take a different route. It turned out to be a complete failure—not only a failure in the terms of the reliability of service but a failure in terms of safety.

The administration's proposal on Amtrak is a disaster waiting to happen. It is literally a train wreck when it comes to the future of national passenger rail service.

If you believe, as I do, that our Nation should seek energy security, that we should try to find modes of transportation to reduce pollution and traffic congestion, which is getting progressively worse and we can't ignore it, then we cannot and should not walk away from Amtrak.

This administration's position at this point is going to create a crisis in transportation. We need to maintain not only the very best highways and the safest airports in America, but we need national passenger rail service. We need leadership in the White House and at Amtrak with a vision of how to turn that rail service in the 21st century into something that we can point to with pride and effectiveness.

We don't have that today. Mr. Gunn has been drawn out of retirement and has been heading Amtrak for just a few weeks. This didn't occur on his watch. He is a competent administrator who wants the resources to make Amtrak work. Instead, what this administration has given him is a doomsday scenario where literally Amtrak service

could be terminated across America next week. What it means for the Northeast corridor is probably a dramatic change in terms of the way the families and businesses would have to operate. What it means in my home State of Illinois is that thousands of passengers and thousands of employees will have their future and their transportation in jeopardy. It didn't have to reach this point, but it has.

I sincerely hope my colleagues will join me in urging the Bush White House to respond tomorrow—not next week but tomorrow—favorably for financing of Amtrak so we can tell the Governors across America that this emergency is not going to happen.

I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Maine is recognized.

(The remarks of Ms. COLLINS pertaining to the introduction of S. 2662 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER (Mr. JOHNSON). The Senator from Virginia.

Mr. WARNER. Mr. President, I ask unanimous consent that I may proceed as in morning business for not to exceed 6 minutes.

Mr. DORGAN. Mr. President, reserving the right to object, and I shall not object, of course, but I think there was a unanimous consent agreement previously that had me following the Senator from Maine with 10 minutes. If I might inquire about the timing here.

Is the Senator from Michigan going to speak after the Senator from Virginia?

Mr. WARNER. Mr. President, I am a cosponsor with the Senator from Maine on this legislation. I can reduce my time to 3 minutes.

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senator from Virginia be given 6 minutes, if this is all right with Senator DORGAN, and then Senator DORGAN be recognized to proceed as in morning business.

Mr. DORGAN. Yes, I think by previous unanimous consent.

Mr. LEVIN. For 10 minutes, as in morning business.

Mr. DORGAN. I certainly would not object to the Senator from Virginia being recognized if I am recognized as previously agreed to.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WARNER. I thank my good friend for his usual and customary senatorial courtesy.

(The remarks of Mr. WARNER pertaining to the introduction of S. 2662 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, the two leaders are going to confer in a few minutes. How much longer is the order in effect to have morning business?

The PRESIDING OFFICER. Twenty-five minutes.

Mr. REID. From this point?

The PRESIDING OFFICER. Yes.

Mr. REID. That should be ample time. The two leaders should be back by then. The two managers of the bill will have an announcement at 20 till, 25 till.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that I follow the Senator from North Dakota in morning business.

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

The Senator from North Dakota.

AMTRAK

Mr. DOGRAN. Mr. President, my colleague from Illinois, Senator DURBIN, a moment ago spoke of the dilemma now faced by Amtrak, the company that provides rail passenger service.

The Secretary of Transportation earlier today provided a glimpse into his and the administration's view of what to do about Amtrak. It is clearly devastating, if you believe that we ought to have rail passenger service.

I confess, I like trains. I grew up in a small town where a train called the Galloping Goose used to come through. We gathered to watch the train come through our little town. I like trains. This isn't about being nostalgic or liking trains. It is about whether you think our country should have rail passenger service. The testimony this morning by Mr. Gunn was that by mid next week, unless the financing is made available, Amtrak will shut down. By mid next week, we will have no rail passenger service because it will shut down, unless the Department of Transportation and the other relevant agencies get together on the financing package necessary.

It is important that we have rail passenger service. Aside from the urgent circumstances that face us next week, the other question is this: What will the long-term plan be for an Amtrak rail passenger system that works?

The Secretary of Transportation said today that this is his plan: Let's take the Northeast corridor and cut it off and sort of semiprivatize it and sell it—I am not quite sure to whom—and then we will let the rest of the system work on its own. That is a quick, effective way to kill Amtrak. Yes, there will be Amtrak service from Boston to Washington; that will continue. And the rest of the Amtrak rail passenger service will die. Just as certainly as I am standing here, we will see the collapse of rail passenger service in the rest of the country.

Last year, over 80,000 people boarded Amtrak in North Dakota. Anybody who wonders is Amtrak important, ask yourself what happened on September 11 following the devastating attacks by terrorists. Every single commercial airplane, every private airplane was