

very shortly we could find ourselves in this century ill-prepared to meet new challenges.

So there are a lot of good reasons we ought to be concerned, not the least of which is what happens to these families when they painfully discover their job has been lost, and someone, at a fraction of their wage or salary, has been hired merely because it looks better, because it increases profitability on a quarter-to-quarter basis. We ought to be thinking in the longer term. In my view, we ought to be thinking about the coming generation and what kind of country we will leave.

So while I respect the business decisions that are made to outsource—although I disagree with many of them, I understand them—I hope business understands, for those of us in the public sector who have a broader responsibility—not just to those who are engaged in the business and their bottom line but to those who work for them as well—that we are going to try to do what we can to discourage the outsourcing of jobs where it is not necessary either for the national security needs of the Nation or because you cannot acquire these products anywhere in the United States. Certainly, we provide for exceptions in the legislation to cover those circumstances.

So, again, I think this is a major step forward. And I will be looking forward to how the administration reacts.

Let me also point out I will come back to another item in a minute as to a comment made by Senator INHOFE, but I hope the Dodd amendment will be voted on favorably.

Madam President, I do not know if the yeas and nays have been asked for on the Dodd amendment.

The PRESIDING OFFICER. They have not.

Mr. DODD. I ask for the yeas and nays on the Dodd amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. DODD. I thank the Chair.

Madam President, let me just say, if I may—and I will be glad to yield the floor after this—according to the official arbiters of the economy, the National Bureau of Economic Research, the recession that we are still in, to some extent—although we seem to be coming out of it—began in March of 2001, not in the first quarter of 2000. And I know my friend from Oklahoma made the point that the recession began in the last year of the Clinton administration, when, in fact, the objective observers about when the recession actually began say it was in March of 2001, a year later.

With that, Madam President, I am happy to yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The PRESIDING OFFICER. All time has expired. The question is on agreeing to amendment No. 2660, as modified, as amended.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Louisiana (Mr. BREAU), the Senator from North Carolina (Mr. EDWARDS), the Senator from South Dakota (Mr. JOHNSON), and the Senator from Massachusetts (Mr. KERRY) are necessarily absent.

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

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

The result was announced—yeas 70, nays 26, as follows:

[Rollcall Vote No. 32 Leg.]

YEAS—70

Akaka	Dorgan	Mikulski
Allen	Durbin	Miller
Baucus	Ensign	Murkowski
Bayh	Feingold	Murray
Biden	Feinstein	Nelson (FL)
Bingaman	Frist	Nelson (NE)
Bond	Graham (FL)	Pryor
Boxer	Graham (SC)	Reed
Bunning	Grassley	Reid
Byrd	Harkin	Rockefeller
Cantwell	Hollings	Santorum
Carper	Hutchison	Sarbanes
Chafee	Inhofe	Schumer
Clinton	Inouye	Sessions
Coleman	Jeffords	Shelby
Collins	Kennedy	Smith
Conrad	Kohl	Snowe
Corzine	Landrieu	Specter
Daschle	Lautenberg	Stabenow
Dayton	Leahy	Talent
DeWine	Levin	Voinovich
Dodd	Lieberman	Wyden
Dole	Lincoln	
Domenici	McConnell	

NAYS—26

Alexander	Craig	Lugar
Allard	Crapo	McCain
Bennett	Enzi	Nickles
Brownback	Fitzgerald	Roberts
Burns	Gregg	Stevens
Campbell	Hagel	Sununu
Chambliss	Hatch	Thomas
Cochran	Kyl	Warner
Cornyn	Lott	

NOT VOTING—4

Breaux	Johnson
Edwards	Kerry

The amendment (No. 2660) was agreed to.

Mr. GRASSLEY. Madam President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

#### CONGRATULATIONS TO SENATOR INOUE

Mr. STEVENS. Madam President, I would like the Senate to join my good friend from Hawaii in celebrating this

day. Today is Senator INOUE's 15,036th day in the Senate. That makes him the fifth longest serving Senator in the history of the United States. He has passed the record set by Senator John Stennis, who was previously the fifth longest serving Senator.

Senator INOUE was sworn in as a U.S. Senator on January 3, 1963. Since that time he has cast 13,844 votes. Only four Members in history have cast more votes.

During his Senate career, he has served with 355 of the 1,875 Senators who have been Members of this body. This means he has served with approximately 20 percent of all Senators in U.S. history. I count myself lucky to be one of the many Senators who continue to have the privilege to work alongside my good friend from Hawaii, Senator INOUE.

Congratulations, Senator.

(Applause, Senators rising.)

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Madam President, I join my colleague from Alaska and all of our colleagues in congratulating our special colleague, Senator INOUE. It is not just the quantity of days he has served that makes him unique and special; it is the quality of the days he has served.

Over these years, he has provided remarkable leadership not only for his State but for his country. He has inspired us and he has provided remarkable demonstrations of commitment to his country and commitments to his people in Hawaii.

I was in ninth grade when Senator INOUE was elected to the Senate. I look back at all of those years since being in ninth grade, and I can only imagine what it must seem to him having served this number of years in the Senate. We wish him many more.

I always admire Senators with longevity, but it is no secret why Senator INOUE has experienced his longevity. It is his respect, amazing dedication, and the extraordinary and remarkable way with which he conducts himself in public life that has earned him respect on both sides of the aisle. Senator INOUE, we congratulate you, we thank you, and we are honored to serve with you.

I yield the floor.

Mr. AKAKA. Madam President, I wish to join my colleagues in offering my congratulations to my friend and colleague, Hawaii's senior Senator and statesman, DAN INOUE, as he marks his 15,036th day of service in the Senate and becomes the fifth longest serving Senator in the history of our Republic.

I am proud to serve alongside a true patriot and American hero, and to offer a few words recognizing his many contributions and commitment to public service. The people of Hawaii and our great Nation appreciate the leadership and direction he has provided, leadership which has bettered and strengthened our country. The scope of his contributions is matched only by his continued strong and effective leadership

on behalf of our State, on behalf of our men and women in uniform, on behalf of Native Americans, and on so many other matters, in the Senate.

I am certain I speak for all the people of Hawaii when I say thank you, DAN INOUE, son of Hawaii, for over four decades of exemplary service and commitment to our State and our Nation. We are very proud of our senior Senator. Thank you, Mr. President.

Mr. BYRD. Madam President, on January 3, 1963, DANIEL INOUE became a U.S. Senator. Today, 15,036 days later, he has become the fifth longest serving Senator in American history.

This is yet another accomplishment in the life and career of a remarkable man and outstanding American.

I must point out, however, that his has not been an easy or comfortable life. It has involved overcoming the trials and tribulations of immigration and discrimination.

Still, his has been a life of service to our country. During World War II, he served our country in the famed 442d Infantry Regimental Combat Team of World War II, the most decorated Army unit in U.S. history. He was awarded the Distinguished Service Cross, the Bronze Star, the Purple Heart, and the Congressional Medal of Honor, making him one of only seven Senators to have been awarded our Nation's highest military honor. His war-time heroics have now been documented in the film, "Daniel K. Inouye: An American Story."

His service to our country continued in the U.S. Senate where he became the first Japanese American ever to serve in the U.S. Congress, and served on the Senate Watergate Committee, the Congressional Iran Contra Committee, the Senate Appropriations Committee, and as Secretary of the Democratic Conference. I am pleased to point out that Senator INOUE will soon cast his 14,000th vote.

Personally, I have always appreciated and respected his deep loyalty to the Senate and everything for which it stands. I will never forget his loyalty to me when I was the Senate Democratic leader. Whenever I needed his assistance, he was there. Whenever I needed his vote, he was there. Whenever I needed his friendship, he was there. In an address to the Senate last July, I referred to Senator INOUE as "my hero in the Senate." I am confident that he always will be.

Senator INOUE is a dear colleague and a remarkable man. Therefore, I take great delight in congratulating him on achieving this momentous occasion.

I congratulate the Senator. His colleagues are proud of him as are the people of Hawaii.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Madam President, I shall long remember this day. I just hope my constituents will not consider me too old to be running for reelection. I thank my brother from Alaska and

my leader from South Dakota. Those words will be cherished.

Mr. STEVENS. 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.

#### JUMPSTART OUR BUSINESS STRENGTH (JOBS) ACT—Continued

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

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

#### AMENDMENT NO. 2686

Mr. BUNNING. Madam President, I send amendment 2686 to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. BUNNING], for himself, Ms. STABENOW, Mrs. FEINSTEIN, Mr. LEVIN, Mr. KOHL, and Mr. ROCKEFELLER, proposes an amendment numbered 2686.

Mr. BUNNING. Madam 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 accelerate the phase-in of the deduction relating to income attributable to domestic production activities)

On page 71, strike lines 17 through 21, and the matter before line 22, and insert the following:

"(2) PHASEIN.—In the case of taxable years beginning in 2004, 2005, 2006, 2007, or 2008, paragraph (1) shall be applied by substituting for the percentage contained therein the transition percentage determined under the following table:

<b>"Taxable years beginning in:</b>	<b>The transition percentage is:</b>
2004, 2005, or 2006 .....	5
2007 .....	6
2008 .....	7.

#### AMENDMENT NO. 2687 TO AMENDMENT NO. 2686

(Purpose: To provide for the extension of certain expiring provisions, and for other purposes)

Mr. GRASSLEY. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

Mr. HARKIN. Madam President, point of order.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The assistant legislative clerk read as follows:

The Senator from Iowa [Mr. GRASSLEY], for Mr. BAYH, Mr. SANTORUM, Mr. BUNNING, Mr. GRASSLEY, Mr. BAUCUS and Mr. DORGAN, proposes an amendment numbered 2687 to amendment No. 2686.

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

Mr. HARKIN. I object.

The PRESIDING OFFICER. The clerk will report.

(The assistant legislative clerk continued with the reading of the amendment.)

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

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

(The text of the amendment is printed in today's RECORD under "Text of Amendments.")

Mr. REID. I ask unanimous consent that the Senator from Iowa, Mr. HARKIN, be recognized to speak for up to 7 minutes before we return to Senator BUNNING.

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

Mr. HARKIN. Madam President, I thank the Senator. I wanted to alert fellow Senators what is going on. It is obvious that the Republican side of the aisle does not want to vote on the overtime bill. For some reason, they are afraid to confront this issue. I don't want to take a lot of time. I would agree to a half hour evenly divided. We have debated this issue before. But make no mistake about it, the Department of Labor is about to issue regulations that will strip overtime pay protections from 8 million workers in this country.

This Senate, last year, on a bipartisan vote, passed my amendment to disallow those regulations. The House of Representatives also, on a bipartisan vote, voted to uphold what we did in the Senate. And the administration stripped it out on the Omnibus appropriations conference report.

They say this is a jobs bill. How about the jobs of people who are working overtime in America? How about the men and women who have given up their premium time with their families and with their kids, after work, on weekends, to work overtime? What about them? These are jobs, also. How about the people unemployed right now who would be employed but, if employers can work people over 40 hours a week and not pay them a cent more, why would they hire anybody else?

Last, as I said the other day and I pointed out, this is a dagger pointed at our veterans. You can look in the old regulations. There is nothing in there about training in the military causing you to be exempt from overtime pay protection.

Here, I blew it up on this chart. I am not going to read the whole thing, but basically it puts in these words: "training in the Armed Forces." What does that mean? It means if you get specialized training as a veteran and you come out and go to work, you can be exempt from overtime pay protection simply because you got that training in the Armed Forces. You aren't called a "learned professional" without a four-year specialized degree otherwise. But not if you are a veteran. The regulations would substitute veterans'