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No. 164

## House of Representatives

The House was not in session today. Its next meeting will be held on Monday, October 29, 2007, at 12:30 p.m.

## Senate

FRIDAY, OCTOBER 26, 2007

The Senate met at 9:30 a.m. and was called to order by the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island.

The PRESIDING OFFICER. Today's opening prayer will be offered by our guest Chaplain, Dr. Philip J. Parker.

### PRAYER

The guest Chaplain offered the following prayer:

Let us pray.

Lord of our lives, I stand before You this day in the presence of those who, along with our President and House of Representatives, are responsible for the governance of our Nation and, to a large extent, the welfare of our world. I am acutely aware, dear Lord, that they are grappling with momentous issues in these challenging times at home and abroad.

As on previous occasions throughout our Nation's history, O Lord, I believe that we stand in need of Your divine guidance. We need the kind of insight and wisdom that comes from on high. We need minds and hearts that are in tune with Your spirit. We need a renewed sense of purpose, which is founded upon those divinely ordained principles that were established by our forefathers.

So come now and guide the Members of this Senate in their deliberations this day. May their words and their actions reflect the mind and the heart of the One who loves us and who has redeemed us through His Son in whose Name we pray. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable SHELDON WHITEHOUSE led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, October 26, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. WHITEHOUSE thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, this morning we will return to the Amtrak legis-

lation. I am not certain the managers have that many amendments to deal with, so I don't think we will be in session for a long time working on this bill, but we are open for business. While no rollcall votes will occur today, the majority manager, working with Senator LOTT, is expected to be here to work with any Members who want to offer amendments.

I am going to shortly file cloture on this bill. This cloture vote will occur during Tuesday's session, and it is the expectations of the managers it can be concluded during Tuesday's session. Let me say, this is a rare cloture petition. It is signed by Democrats and Republicans in equal numbers. This is an extremely important bill for our country, and the Senate realizes that. I am hopeful and quite confident that we will not need cloture, but if we do, we can go ahead and do that. If we don't, that will save us some time. We have lots to do here that is so important.

I am also going to—unless something untoward comes—move to the farm bill a week from Monday or thereabouts. The reason for that is this is a bill we need to do every 5 years. While I, like many, think the bill could be better, I think the committee did a tremendously good job. There are a lot of reforms in this bill. For some there are not enough, but for the farm bill, I have seen a number of them come through here. It is certainly an improvement. I look forward to having the managers work through it in the quickest time possible. I congratulate the committee. They worked very hard to come up with this bill.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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As previously announced, there will be no rollcall votes on Monday, but Members should be here Monday to offer amendments on Amtrak if they so desire.

**MEASURES PLACED ON THE CALENDAR—S. 2233, S. 2234, H.R. 505, H.R. 3963**

Mr. REID. Mr. President, it is my understanding there are four bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the titles of the bills for the second time.

The legislative clerk read as follows:

A bill (S. 2233) to provide a permanent deduction for State and local general sales taxes.

A bill (S. 2234) to amend the Internal Revenue Code of 1986 to extend the deduction for qualified tuition and related expenses.

A bill (H.R. 505) to express the policy of the United States regarding the United States relationship with native Hawaiians and to provide a process for the recognition by the United States of the native Hawaiian governing entity.

A bill (H.R. 3963) to amend Title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with respect to these bills, and I do so en bloc.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bills will be placed on the calendar.

**PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT OF 2007**

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 294, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 294) to reauthorize Amtrak, and for other purposes.

Pending:

Lautenberg (for Carper) amendment No. 3454 (to amendment No. 3452), of a perfecting nature.

Allard amendment No. 3455, to strike the provisions repealing Amtrak's self-sufficiency requirements.

**CLOTURE MOTION**

Mr. REID. Mr. President, I send a cloture motion to the desk.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

**CLOTURE MOTION**

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on Calendar No. 158, S. 294, AMTRAK Reauthorization.

Frank R. Lautenberg, Trent Lott, Joe Lieberman, Benjamin L. Cardin, S. Whitehouse, Robert Menendez, Daniel K. Inouye, Susan M. Collins, Mike Crapo, Larry E. Craig, John Warner, Byron L. Dorgan, Gordon H. Smith, Max Baucus, Bill Nelson, Robert P. Casey, Jr., Harry Reid.

Mr. REID. Mr. President, normally we waive the reading of the names, but I thought it was so refreshing to hear a cloture motion with Democrats and Republicans on it that I wanted to hear them. I am almost anxious to have the clerk do it again, but I think that is sufficient.

I ask unanimous consent that the vote on the motion to invoke cloture on S. 294 occur on Tuesday, October 30 at a time determined by the majority leader—I will certainly consult with the Republican leader—and that the mandatory quorum rule under rule XXII be waived.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. I now ask unanimous consent that Members have until 3:30 p.m. Monday to file any germane first-degree amendments to S. 294.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, with cloture filed, we are hopeful we will be able to move with dispatch to the support and approval of S. 294, the Amtrak bill.

I wish to start this morning by thanking our colleague and my cosponsor and longtime Amtrak supporter, Senator TRENT LOTT, for the opportunity to work together to move this bill along. His support is essential, and I know he is pleased with the progress we have made this morning up to this point. Today is our third day on the bill. Yesterday we made very good progress. We were able to work through a number of amendments, some of which we were able to agree to and some of which we disposed of with votes. Now, this morning, cloture has been filed, which should put us on a schedule to finish this bill early next week. It is very important that we do so for the future of America's transportation systems.

Whether it is to reduce congestion on our roads or at our airports, or to reduce greenhouse gas emissions that puts us at risk of global warming—our society and our world—or to give people another safe mode of transportation during an emergency, rail is critical. We cannot neglect the contribution it makes in the event of a calamity or disaster, whether it comes from a terrorist attack or from an erratic act of nature such as a storm or forest fires, and all of the things we see that call at times for evacuation.

Our bill, by authorizing \$2 billion a year for Amtrak in the States over the

next 6 years, will make all of that much easier for America to deal with the problem of a decaying infrastructure. It provides funding for Amtrak's capital needs as well as State grants for passenger rail.

While Amtrak had record ridership and revenues last year, our bill requires changes at Amtrak to make sure these funds will help the railroad to continue moving in the right direction. It would require Amtrak to reform its operations, to reduce its Federal operating subsidy by over 40 percent over the life of the bill.

We worked very hard to forge this bipartisan compromise plan. Last Congress, our plan was approved by the Senate as an amendment to the budget bill by a vote of 93 to 6. I hope that early next week we will get a strong vote in support of our bill so we can be one step closer to making it law.

I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

**AMENDMENTS NOS. 3467, 3468, 3469, AND 3470 EN BLOC**

Mr. BOND. Mr. President, I ask unanimous consent to temporarily set aside the pending amendment and call up amendments Nos. 3467, 3468, 3469, and 3470 en bloc, on behalf of Senator DEMINT.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report.

The Senator from Missouri [Mr. Bond], for Mr. DEMINT, proposes amendments numbered 3467, 3468, 3469, and 3470 en bloc.

The amendments are as follows:

**AMENDMENT NO. 3467**

(Purpose: To require Amtrak to disclose the Federal subsidy of every ticket sold for transportation on Amtrak)

At the end of title II, add the following:

**SEC. 224. DISCLOSURE OF PER PASSENGER FEDERAL SUBSIDIES.**

Amtrak shall publicly disclose all the costs incurred for each Amtrak route that are subsidized by the Federal Government, including costs for maintenance, depreciation, and operations. The specific per-passenger Federal subsidy on each route shall be displayed on every ticket purchased for that route and on Amtrak's publicly accessible website.

**AMENDMENT NO. 3468**

(Purpose: To increase competition in the American rail system by allowing any qualified rail operator or transportation company to compete for passenger rail service)

On page 33, strike line 22 and all that follows through page 34, line 5, and insert the following:

“(1) any qualified rail operator or transportation company