

Boston or Birmingham get their recommended vaccines as they are about the children of Baghdad and Basra.

That same Web site proudly notes that USAID has “improved the health of vulnerable populations in Iraq by increasing access to high quality, community-based primary healthcare.” That is just what we are trying to do for vulnerable populations in America.

In Iraq, it is an accomplishment. In America, it is a veto.

A bipartisan majority in Congress has made a judgment, too. Our judgment is that we must make room for decent health care for America’s children. We must stand up to the empty rhetoric and hollow slogans of the White House, and give all children in America the healthy start in life they deserve.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska is recognized.

#### IRAQ BENCHMARKS

Mr. NELSON of Nebraska. Mr. President, I rise today to try to bring the focus of the debate about Iraq back to Iraq, specifically the Iraqi Government’s continuing failures to meet benchmarks for progress on political, military, and security matters.

For the past several weeks, the news out of Iraq has been consumed by coverage of the Blackwater security transgressions. To be sure, the allegations against Blackwater are serious and need to be addressed. Oversight needs to be tightened, actions should be taken to ensure that security needs are being met, and force is used only when necessary.

By no means do I believe we should do anything but hold Blackwater and its Government overseers responsible for their actions. But what is happening is the Iraqi Government has successfully shifted the focus of the debate from their failures in meeting benchmarks for progress to the Blackwater security matter.

We need to refocus. Everyone here remembers, and the American people remember, this past spring, during the debate on the supplemental, the U.S. Troop Readiness, Veterans’ Care, Katrina Recovery, and Iraq Accountability Appropriations Act, that during the deliberations on that debate, Congress codified into law 18 benchmarks that were identified by the Iraqi Government and the Bush administration.

As a member of the Senate Appropriations Committee, I pushed to include benchmarks in this bill. Since returning from Iraq, having spent Thanksgiving there with the troops in 2004, I began to call for the Iraqi Government and U.S. military leaders to establish a method of measuring progress on the stated goals of standing up the military and security forces and establish a functioning government.

During my third visit to our troops in Iraq, in April of this year, I deliv-

ered a strong message to Iraqi leaders that they needed to show progress on an oil agreement, quelling sectarian violence, and building a functioning government very quickly or the United States would continue to lose patience with the war.

This supplemental presented an opportunity to send that message and codify it into law. It was the hope of the Senate to provide measurable benchmarks that could provide an outline on progress in Iraq. As part of the benchmarks requirement, Congress asked the White House to provide an assessment in July and September. Congress also directed the GAO to provide its own assessment on the Iraqi benchmarks. In July, Congress received an assessment from the White House on the status of the 18 benchmarks. At that time the White House indicated that satisfactory progress on eight of the benchmarks had been made. On the remaining 10 benchmarks, the White House indicated that the Iraqi Government had failed to make satisfactory progress. In September, the GAO review indicated that 3 benchmarks had been met, 4 had been partially met, and 11 had not been met at all.

In September, the White House provided its final assessment of the 18 benchmarks. Of the benchmarks, satisfactory progress had been made on 10, 2 more than in July, and 8 benchmarks still received an unsatisfactory rating, 2 less than July.

Everyone remembers that this is an important issue because of the importance of making positive gains by the Iraqi Government. I visited Iraq for a fourth time in September, just after General Petraeus testified before the Senate Armed Services Committee but before the benchmark reports were issued. Little had changed. Iraq’s political leaders were still entrenched. There was still very little hope for progress on the benchmarks. I delivered the message that time was running out on the blank check policy the administration seems to have implemented in Iraq. At this critical juncture of U.S. policy toward Iraq, the Iraqi policy toward the United States seems disjointed, disconnected, and disassociated. The level of progress on the benchmarks is debatable, but what is undeniable is the fact that progress is needed on some of the most urgent issues to bring peace and stability in Iraq.

The Iraqi Government has failed to enact a deBaathification law, a law on equitable distribution of hydrocarbon resources and revenues—that is essentially the oil and the revenues they have collected—and to provide three trained and ready brigades to support Baghdad operations and the disarmament of the militias. The level of progress is undebatable. The Iraqi Government has failed to deliver on these three important benchmarks. These are fundamental failures by a government that continues to expect the United States to invest in Iraq with

our soldiers and our dollars, and these failures are unacceptable. We cannot continue on this path and cycle of Iraqi dependence on the United States.

As we prepare to deal with another supplemental, bringing the total off-budget additional war spending this year to just under \$200 billion, making total off-budget spending on the war in Iraq nearly \$500 billion—off-budget spending in Iraq of nearly half a trillion dollars—we need to refocus on what is happening in Iraq. We need to reexamine these benchmarks and others. Those who called for another 6 months to allow more progress got what they wanted. The question is, when will we get what we want? When will Iraq step up and take over? When will we be able to bring most of our troops home? When will the cycle of dependence end?

The answers to these questions lie in the benchmarks we established. Progress on the benchmarks can give us a timeframe for the future. Lack of progress on the benchmarks could only extend our commitment indefinitely, if we allow it to continue.

Finally, we do need to focus on the Iraqi Government’s progress on the benchmarks and the lack thereof. If they had made more rapid progress, we would not need private security outfits protecting American assets and personnel. If they continue to fail to make progress and meet the benchmarks, we will need to fundamentally reassess what our future role might be in Iraq. We can’t sustain this pace forever. Our soldiers deserve better. Our taxpayers deserve better. The Iraqi people deserve better from their own Government than the failed leadership they have been shown to date.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. COBURN. Has the Senate concluded morning business?

The ACTING PRESIDENT pro tempore. Not quite yet. The minority has a minute and a half; the majority has a minute and a half.

Who seeks recognition?

Mr. NELSON of Nebraska. I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

#### PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the

Senate will resume consideration of S. 294, which the clerk will report.

The bill clerk read as follows:

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

Pending:

Bond (for DeMint) amendment No. 3467, to require Amtrak to disclose the Federal subsidy of every ticket sold for transportation on Amtrak.

Bond (for DeMint) amendment No. 3468, to increase competition in the American rail system by allowing any qualified rail operator or transportation company to compete for passenger rail service.

Bond (for DeMint) amendment No. 3469, to clarify the level of detail to be included in the modern financial accounting and reporting system required under section 203.

Bond (for DeMint) amendment No. 3470, to require the Performance Improvement Plan to address reaching financial solvency by eliminating routes and services that do not make a profit.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, the Senate is now back on the Amtrak bill that Senator LOTT and I have been working on together for many years. I am glad we are moving closer to passing this bipartisan legislation. Our bill has had wide support with over 40 cosponsors. This is our fifth day on the Amtrak bill, and we have made very good progress. We have been able to work through most amendments. Some we were able to agree to, while some required votes. We still have a few amendments, however, we need to address. But we should be able to finish this bill soon, hopefully today.

It is critical that we do so. When we think about how crowded our roads are, the high price of gasoline, airport delays as an alternative, the potential fuel savings and reduction in greenhouse gases from more people riding the trains, the need for multiple modes of transportation for evacuations during emergencies, rail is a critical answer to our needs.

The need for multiple modes of transportation for evacuations during emergencies is a critical factor, and rail is one very important answer.

We know people will ride the train when there is service available. Amtrak set a new company record of almost 26 million passengers in the last fiscal year. We have seen successes in the Northeast corridor between Boston and New York and through New Jersey to Washington, but there is no reason why we can't have world-class rail service in other regions of the country. Many States are ready to develop new rail corridors, and our bill is going to meet this need by creating a new State grant program for rail projects. In all, it would authorize almost \$2 billion a year for Amtrak and for the States over the next 6 years. Instead of barely giving Amtrak enough resources to survive, our bill paves the way for an improved, modern passenger rail network by providing funding for Amtrak's capital and operating needs. Our legislation will also reduce train delays

by allowing the Federal Surface Transportation Board to issue fines to freight railroads when their trains delay Amtrak passenger trains.

When it comes to overseeing use of taxpayer funds, our bill requires that Amtrak improve its efficiency and its management. Overall, we require a 40-percent reduction in Federal operating subsidies over 6 years. We require a new financial accounting system to increase the transparency of the company's financial management.

The last Congress, our bipartisan compromise bill plan was approved by the Senate 93 to 6. I hope we will see a similar showing of support in this Chamber later today. America's travelers have been through terrible inconveniences, missed appointments, total unreliability. Now they are relying on us to provide practical and convenient travel options and passenger rail service must be one of them.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I understand the Senator from New Jersey may object to a unanimous consent request.

Mr. LAUTENBERG. I object.

Mr. COBURN. I need to make it first.

Mr. LAUTENBERG. Excuse the delay.

Mr. COBURN. My attempt is for a colleague, an amendment for Senator ENSIGN, amendment 3482. I ask unanimous consent that the pending amendments be set aside and we consider 3482.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. LAUTENBERG. Yes, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. COBURN. Mr. President, I note that this amendment could be considered nongermane afterwards and could have been held after that. The fact that we are not going to have a discussion on the amendment is somewhat disconcerting, but we will honor the objection of my colleague from New Jersey.

AMENDMENT NO. 3474

I ask unanimous consent to call up amendment No. 3474.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered. The clerk will report.

The bill clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 3474.

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

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

The amendment is as follows:

(Purpose: To require Amtrak to regularly report to Congress on the profits or losses relating to the provision of food and beverage service and to limit such service on Amtrak rail lines that incur losses)

At the appropriate place, insert the following:

SEC. \_\_\_\_ FOOD AND BEVERAGE SERVICE.

(a) QUARTERLY REPORT.—The National Railroad Passenger Corporation (referred to in this section as "Amtrak") shall submit a quarterly report to Congress and to the Secretary of Transportation that sets forth the profit or loss, as applicable, relating to the provision of food and beverage service on each rail line operated by Amtrak.

(b) CONTRACT RENEGOTIATION.—If the food and beverage service on a specific Amtrak rail line incurs a loss in any fiscal year, Amtrak shall renegotiate any applicable contracts relating to food and beverage service (including associated labor contracts) for such rail line in an effort to—

- (1) reduce the cost of such service; and
- (2) increase to likelihood to make a profit in the following fiscal year.

(c) DISCONTINUANCE.—If the food and beverage service on a specific Amtrak rail line incurs a loss in any 2 consecutive fiscal years, Amtrak shall terminate such service on such rail line.

(d) REINSTATEMENT.—Amtrak may reinstate food and beverage service that was discontinued under subsection (c) if—

- (1) at least 1 year has elapsed since the date on which such service was discontinued on the applicable rail line;

(2) Amtrak submits a credible proposal to Congress and to the Secretary of Transportation for generating food and beverage service profits on such rail line for each of the following 5 fiscal years; and

(3) the Secretary of Transportation, or the designee of the Secretary, certifies to Congress that the proposal submitted under paragraph (2) will likely generate food and beverage service profits on such rail line for each of the following 5 fiscal years.

Mr. COBURN. Mr. President, this is a straightforward amendment. Last night, at 11 o'clock, I arrived at Union Station, taking the Acela Express from New York City to Washington. It is a great value, with good service. It is one of the areas where Amtrak makes money.

But what the American public needs to see about this bill—and I am going to talk about in this amendment, specifically—is we are right here now at this level, as shown on this chart, and total subsidies will not go down, they will go up over the next 5 years for Amtrak. If you consider operating subsidies and capital subsidies, here is where they are, as shown on this chart.

What we are going to have is about a \$600 million increase between now and 2012 in the amount the American taxpayers are going to subsidize Amtrak. That may be something we want to do. This amendment specifically deals with an area where Amtrak can make a difference right now, and it is on food service. Over the last 3 years, American taxpayers have subsidized food service on Amtrak to the tune of a quarter of a billion dollars. Now, anybody who travels knows when you get on American Airlines, you can buy a Milky Way candy bar for \$3. The same thing costs 75 cents on Amtrak. They know you can buy a beer for \$5. It costs \$3 on Amtrak.

Why is it we have food programs and food sales programs that the American taxpayer is subsidizing on Amtrak that we refuse to subsidize on airlines?

Now, we have heard during this debate that, well, we subsidize Amtrak,

but we subsidize all the rest of them. Here is the analysis of the Department of Transportation on how much we do subsidize the other forms of transportation in this country. It is pretty revealing.

If you are driving a car, you are paying in to the Federal Government. It is a negative subsidy. You, the individual driver, are paying \$1.79, for every 1,000 miles you drive, to the Federal Government—just for the privilege of you driving. But if you are riding a bus, it is a \$4.66 subsidy from us, the taxpayers, to us, the bus riders. If you are flying on an airplane, the subsidy is \$6.18 for every 1,000 miles we travel. It is what we pay us to fly.

When you get to public transit, it is quite a bit bigger. Could you make justifications for that? I am not saying we should not. But when you get to Amtrak, we are talking about \$210 per thousand miles traveled, on average. We know on certain rail lines, certain routes, there is not much subsidy, Amtrak actually makes money. They have slightly improved in certain areas, especially with their latest data. But \$210?

Now, if you take their total subsidy, which right now is \$1.3 billion—which counts all the subsidies, both capital and others—if you were to take out the losses on food, you would save another \$125 million to \$150 million.

Nobody expects, when you get on Amtrak rail passenger service, that the rest of us ought to pay for your beer. Nobody expects we ought to pay for your 3 Musketeers candy bar. Yet, in essence, that is what is happening on Amtrak.

This amendment is fairly straightforward. What it says is three things:

It says Amtrak has to calculate and report quarterly to the Department of Transportation and Congress on the quarterly profits and losses, by route or rail line, of food and beverage services. What that means is they ought to know where they are losing their money, and we ought to know where they are losing their money.

The second thing it says is, Amtrak ought to restructure their food and beverage service contracts for any rail line that is losing money on its food and beverage services. This is not rocket science. This is that if you are going to sell it, you ought to at least sell it for enough to cover the cost. Yet we continue to not do that. We continue not to want to hold them accountable to do that.

Then finally, if they cannot present a way to be able to sell food and beverages at a break-even cost at least, then they ought to have to discontinue selling food or have a food service on it. And they have done it on one line because it was losing so much money. The question is, why haven't they either raised the prices or done it on the other lines?

All this amendment is is a management audit tool for Amtrak that says: You are going to tell us every 3 months

by route where you are making your money. They need to know that anyhow. They don't right now. They do not account for it right now. They cannot tell you how much by line or route they are making or losing on food service. Any manager of any process knows if you do not know the information, if you do not have the metrics, you cannot manage it. If you do not have the metrics, you cannot manage it.

The history in this debate on Amtrak is interesting, because in 1997, the Amtrak Reform and Accountability Act of 1997 was supposed to solve all the problems, and by 2003 we were not supposed to have a subsidy in Amtrak. That is what the bill said. It said we will, in fact, by 2003 solve this drain of \$1.3 billion per year coming out of everybody else's hands into those people who ride Amtrak. We have not had an authorization since 2003. This bill claims that, in fact, the subsidies will go down. But they will not. That is their numbers. That is the bill's numbers.

So now we are saying we are fixing the problem—except the problem continues to grow. If, in fact, we would fix the food service portion of this, the subsidies would do this, as shown on this chart. It would be a flat line. There would be no increase in subsidies—capital or otherwise—if, in fact, we were breaking even on all the food.

It is a straightforward amendment. I know there is some consternation with this amendment by the authors of the bill and the managers of the bill. I understand that. But the fact is, it is hard to explain to the American people why we are subsidizing a 3 Musketeers candy bar and a package of pretzels and a can of beer for people who ride Amtrak—and we are.

It is interesting; I fly every week, and my total travel time is 8 hours each way. I price bottles of water at airports. A bottle of water on Amtrak is \$1.99. Do you know what the average price is for a bottle of water at airports in this country? And that is not even on the airplane. It is \$2.49. Yet we are selling it 20 percent cheaper on Amtrak than you can buy it in an airport. If you buy it at a convenience store, you can buy it for 99 cents. But we have a captive audience.

The airlines know how to take advantage of that, and we are not subsidizing them, except for the \$6, which we pointed out, per 1,000 miles. That comes to 6 cents a mile, by the way, versus \$21 a mile for those on Amtrak.

So my hope is we will at least look at this issue and say: OK, if you are not going to manage it, at least look at the food side of it. Measure it. Then, if we want to come back in a year and take this amendment away, saying: OK, you have done it—with this amendment, if they start breaking even on the food, it does not have any effect on them, other than reporting. If they are not going to break even on their food and beverage service, what it says is: Give us a plan to show how you are going to do it. It is very simple. But if you are not going

to do either of those, then stop losing money on food service and beverage service on Amtrak.

With that, I reserve the remainder of my time.

The PRESIDING OFFICER (Mr. CASEY). The Senator from Mississippi.

Mr. LOTT. Mr. President, I believe we have a unanimous consent request we will propound in a few moments to get a time certain for a vote on this amendment. But we want to make sure everybody is OK with that before we do it.

I say to Senator LAUTENBERG, do you want to go ahead and propound that? We understand everybody has cleared that now.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, to be sure the RECORD reflects our understanding, I ask unanimous consent that the time until 11:45 a.m. be for debate with respect to the Coburn amendment No. 3474, the time be equally divided and controlled in the usual form, no amendment be in order to the amendment prior to the vote; that upon disposition of the amendment, the Senate then proceed to vote on the motion to invoke cloture on S. 294.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Mississippi.

Mr. LOTT. Mr. President, I wish to begin by thanking Senator COBURN for getting involved in the process. He made some requests last week in terms of needing more time to actually look at this legislation and think about amendments that should be offered. Senator REID agreed to that.

Senator DEMINT and Senator COBURN have both kept their commitments. Senator DEMINT offered a number of amendments. We have cleared, I think, four of them, and we are working on some others. Senator COBURN came up with two very serious amendments he is interested in and has indicated he would agree to a limited time for debate and have a vote. So I want to acknowledge that, first of all.

I too am concerned about some of the costs we have had at Amtrak. In fact, the last time we passed Amtrak reform, I included a provision in that legislation to allow food to be contracted out. Up until that point, it could not even be contracted out. It was all done in-house with Amtrak, and there was no good reason why that should have been limited that way. They still have not gotten the costs where they should be. But the opportunity is there for them to do that.

I want them to continue to work to get better prices and cut the subsidies, cut the costs, and also while providing good food. But I do think food—whether you are on an airplane or a train—is an important part of the service. I am not going to take an Amtrak passenger train from some remote area that is going to be on the rail for a day or maybe even overnight and not have

any food service. If you wipe out food service, you might as well terminate the route.

But I think this is an amendment that deserves discussion and consideration. This amendment, as I understand it, would require Amtrak to regularly report to Congress on the profits or losses relating to the provision of food and beverage service. We ought to have that. We ought to have all kinds of reports. It ought to be transparent. We ought to know where the costs are, where the profits are. We should increase the profits and cut the costs.

But to say you should limit such service on Amtrak lines that incur losses, what you are saying is you would have to terminate the lines because if you do not have food service, what are you going to do? Have a brown bag? Bring a lunch? Raise the price? I am for that. I think you ought to pay the costs for doing this.

But if we say: "OK, if you cannot get this under control, we are going to terminate the line," what if the line is actually doing pretty good, but the food service is still costing too much? We should keep the pressure on, but I do not think we can, in good conscience, deny passengers food and beverage service on these long-distance rails.

Amtrak ought to lead more. They ought to address this question of food costs and get those costs down. I must say, we have not had particularly good success in the Senate either. We have had trouble controlling our food costs. But we have heard the stories about airline passengers stranded on planes with no food, and they could not get off the planes, and the kind of consternation that has caused.

Unlike air travelers who may deboard and maybe purchase food during layovers, rail passengers do not have time during stops to get off and come back on. Even if they could, most Amtrak stations do not have snack bars. There is the question of what, in reality, your options are.

Even in corridor service, we know providing food and beverage is essential. The improved food service, for instance, on the Acela contributed to a 20-percent increase in revenues during 2007. Of course, that is the gold standard. If all of Amtrak service was like the Acela, serving the numbers of people with the quality of service they have, and all that, then we would be a lot better off.

But the Department of Transportation inspector general found that Amtrak has reduced its food and beverage labor costs by \$12 million over the past 3 fiscal years. I think pressure from the last Amtrak bill has been leading to this. They understand they have to do a better job. We believe that number can drop even further. S. 294 will reduce subsidies by 40 percent over the life of the bill. This includes section 210, which requires Amtrak to reevaluate onboard amenities and service, including food for these long-distance rail routes.

We want reform. We are pressing on this issue, and it is in the bill. In fact, I think some people, when they actually read this bill, have been surprised there are reforms in there, there are improvements that are going to be demanded. People might say we need even more. That is a legitimate argument. But that has been our goal. We want Amtrak to provide better service. We want Amtrak to be able to not lose money, to actually make money. But we want to have the national rail passenger system.

With this amendment, if a particular rail line suffers a loss on a food service, then they would be required to renegotiate the contract relating to food and beverage, including labor contracts. You might say: Well, even that may not be bad. But if a particular rail line suffers a loss in two consecutive years, they would be required to terminate food service on that line. Therein lies the problem. Amtrak would be permitted to reinstate food and beverage service on a discounted line only after a 1-year moratorium and the Secretary certifies a profit for food and beverage service would be generated on such rail line for each of the following 5 fiscal years.

I do agree this is a problem that should be able to be addressed. They just ought to do it. There is a simple solution: You change the service. You raise your costs. You get a different contractor. There are a lot of options. We should continue to press this point, but I don't think we ought to make it such that we wind up having to terminate service if we can't get the food situation straightened out. I don't think it is necessary given the other reforms that we have included in this bill. It goes too far, but I understand the intent. I want this service—I want improvement. I want the cost to come down. But I want a national rail passenger service. I have learned from past experience, don't mess with people's stomachs or you will get in real trouble.

In that connection I will not read the entire piece, but I refer to an article from *Parade* magazine that will be printed on November 4, 2007. Some of what it says is that with plane delays and high gas prices, Americans are asking: Can we save our trains? It goes into some detail about all of the delays and inconveniences and problems now—the congestion on our highways, the delays, the discomforts on airlines—and people are asking: Is there another alternative? That alternative should be a national rail passenger system.

But, surely, the Government and Amtrak, we could all do a better job of making it a good experience and living within their means. They have not done that. This bill, hopefully, in its present form, or with additional amendments that can be added, will pressure Amtrak to provide this service because I think we are going to need it for the future transportation needs of our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. LAUTENBERG. Mr. President, everybody knows the Senator from Oklahoma is meticulous in terms of his anxiousness to reduce the costs of Government in any way we can. That certainly is what is being attempted in this bill that Senator LOTT and I have introduced.

The amendment the Senator from Oklahoma has offered will slowly but surely eliminate one crucial component of Amtrak service, and that is its food and beverage service.

Passengers who take Amtrak's long-distance trains may be in transit for as long as 2 or 3 days, and some may be diabetic.

Unlike airports, most Amtrak stations don't have restaurants or snack bars where you can pick up a bite before you get on the train.

Mr. President, how much time do we have available?

The PRESIDING OFFICER. Just a little over 1 minute.

Mr. LAUTENBERG. Mr. President, I will summarize very quickly to say that on these long rides, a person may be diabetic, may need food. It is part of what rail transportation offers, and it attracts more passengers to know that they can be comfortable and still have some nourishment along the way. If we want to reduce subsidies, then we ought to look at the airlines where we are subsidizing them to the tune of \$15 billion a year and say cut out the mini pretzels, cut out the little bag of nuts. It costs a lot of money when you multiply it by all of the passengers who get on airplanes.

The objective is to make Amtrak a more viable part of our transportation network, and I hope we will not start to pick things apart. Maybe we ought to look at what they do mechanically; see whether we can reduce a mechanic here or there. That is not what we want to do. All of this is going to be reported. I thank the Senator from Oklahoma for his amendment, but I am going to oppose it, and I hope all of our colleagues will.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, it is interesting that two-thirds of the airlines don't have pretzels anymore because they have to make a profit, and they have to report to their shareholders. So it is not there anymore.

We heard a statement that subsidies have been reduced by 40 percent. That is the operating subsidies. The total subsidies haven't been reduced at all. They are actually going up. They are actually going up by this amount over the next 5 years. These are Amtrak's numbers, based on this bill.

These are the numbers of the Department of Transportation, based on this bill.

Now, if you would break even on food service, there wouldn't be an increase in total subsidies. But none of us would

run a business with a loss leader that would continue to undermine our ability to put the capital into business and to stay in business. We would, in fact, make a change. This amendment gives them 2 years. It says, the first year—you get 2 years to lose money, so the first year if you have lost money, renegotiate it, raise your prices, cut your labor costs. The cost of food service on Amtrak is 52 percent labor costs. The average person doling out the food on Amtrak makes twice what somebody does in the private sector doing the same thing. So what we really have is a subsidy to the food service workers on Amtrak because that is 52 percent of the cost, rather than a subsidy to the food.

Again, the question the American people ought to ask is, should we be subsidizing somebody's beer and 3 Musketeers on Amtrak when we don't do it anywhere else? Isn't it common sense that if you are going to offer food service, you at least ought to break even?

What we know from the testimony of the head of Amtrak is they use it as a loss leader. The only problem is where they use it as a loss leader, they continue to lose more money. On their profitable routes, they make money on food service. So the question is, should we, in fact, subsidize food? Nobody wants a diabetic not to have food available, and that would not happen. That is why we put 2 years in here. The first year you recognize you have a problem, and the second year you fix it. This isn't an amendment that is designed to get rid of service in terms of train routes. This is an amendment that says none of us would run a business losing this kind of money. It is a quarter of a billion dollars the last 3 years lost on food, on Amtrak—a quarter of a billion dollars.

Mr. LAUTENBERG. Would the Senator yield for a quick question?

Mr. COBURN. I am happy to yield.

Mr. LAUTENBERG. Knowing the situation that we run into with the airlines where the people are stuck for hours at a time, is it a good idea to eliminate—as the Senator suggested, we are happy that we eliminated pretzels on the airlines. Is that a good idea?

Mr. COBURN. Mr. President, the difference is, that becomes a management decision of the airline, which has to compete. Amtrak has no competition. They have no competition. So, therefore, they continue to do things, because we will subsidize them, that somebody in the private sector would not do. That is a decision that is made that says—American Airlines saved \$30 million last year by their restriction of food services. It was in the paper today, \$30 million they saved on all the routes by a restriction of the food service. To them, in an airline industry that has been struggling, that is a significant amount of money. You know what. We still flew American Airlines; we just bought it before we got on.

The statement that there is no food available in all of the Amtrak stops is

not true. That is true in the most remote areas, but there is food available.

So if we, in fact, would pass this amendment, and Amtrak would run the food service like any other business would run it, this number would become a flat line. In other words, we would go up here and then we would come across, and the American taxpayer would save about \$1 billion over the next 5 years if, in fact, we would do that.

So the opposition—I want to finish my point. The opposition to this amendment is the fear that we may lose a route because we may not offer food service. I would be happy to offer—

Mr. LAUTENBERG. Mr. President, if the Senator would yield for one more question.

Mr. COBURN. Let me finish my point. I would be happy to offer the managers of this amendment, to make a second degree to this amendment that says on long-haul routes, if, in fact, there is no possibility you can never do it on a certain subsidy level, I will be happy to accept that. The purpose is that—we lose a quarter of a billion dollars subsidizing somebody's Heineken every day, every year, when we have this system where we don't make a management decision that is in the best interests.

Here is the real reason the decisions aren't made on food service. It is because they don't have to be because we are still going to put the money there. That is the real reason why it is not there.

In the private sector, it would have happened already. If there were private trains competing, I guarantee the prices would be higher for the food component of it. Nobody is going to lose it.

So it is a straightforward amendment. I have a couple of minutes left, and I am happy to yield for a question from the Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I wanted to ask the Senator if he was aware that we differ on the amount of subsidy that goes into rail service food costs. It is only \$80 million as we see it.

How would a rejection of all loss for food eliminate all subsidies, when, in fact, we subsidize the airlines that are for-profit businesses? Why should we then continue to offer them—

Mr. COBURN. Reclaiming my time, the reason we do is we subsidize for \$6 per 1,000 miles traveled on the airlines, and we subsidize \$210 per 1,000 miles of travel on the railroad. That is a significant reason we ought to be all the more efficient with what we do.

The Senator is correct. The last year, we only subsidized \$80 million worth of food, but on average, every 3 years, it is a quarter of a billion dollars. That was my statement. So ask yourself, should we be subsidizing \$80 million worth of food on Amtrak.

This is a straightforward, common-sense amendment that most Americans would say makes sense. We at least

ought to cover the cost. If we can't cover the cost, then maybe we ought to renegotiate the contracts with the food service workers who make \$43,000 a year who are selling you a bottle of water. Compare that to somebody who is working at an airport or a stewardess on an airplane who is serving you and who is making less than that.

So the consequences of our actions have great impact. Why is it important? Is it because of the subsidy we give Amtrak? Do you know what it is? It is borrowed from our grandkids. We can't deny it. We have the administration claiming a \$160 billion deficit this year, and the real deficit is going to be \$300 billion because we are going to borrow \$140 billion from Social Security to pay for Medicare, and then we are going to borrow \$200 billion to pay for a war that we are charging to our grandkids. So that is important because the subsidy isn't coming from us. It is coming from the next two generations.

I yield the floor. I understand all time has expired.

I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays are ordered.

The Senator from Oklahoma has 2 minutes remaining.

Mr. COBURN. I yield back any remaining time.

The PRESIDING OFFICER. All time is yielded back. All time has expired.

The question is on agreeing to the Coburn amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), the Senator from Illinois (Mr. OBAMA), and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Arizona (Mr. MCCAIN), the Senator from Alabama (Mr. SESSIONS), and the Senator from Louisiana (Mr. VITTER).

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

The result was announced—yeas 24, nays 67, as follows:

[Rollcall Vote No. 397 Leg.]

YEAS—24

Allard	Cornyn	Kyl
Barrasso	Crapo	McCaskill
Bayh	DeMint	McConnell
Brownback	Ensign	Roberts
Bunning	Enzi	Shelby
Burr	Gregg	Sununu
Chambliss	Inhofe	Thune
Coburn	Isakson	Voinovich

NAYS—67

Akaka	Bingaman	Byrd
Alexander	Bond	Cantwell
Baucus	Boxer	Cardin
Bennett	Brown	Carper

Casey	Johnson	Nelson (NE)
Cochran	Kennedy	Pryor
Coleman	Kerry	Reed
Collins	Klobuchar	Reid
Conrad	Kohl	Rockefeller
Corker	Landrieu	Salazar
Craig	Lautenberg	Sanders
Dole	Leahy	Schumer
Domenici	Levin	Smith
Dorgan	Lieberman	Snowe
Durbin	Lincoln	Specter
Feingold	Lott	Stabenow
Feinstein	Lugar	Stevens
Grassley	Martinez	Tester
Hagel	Menendez	Warner
Harkin	Mikulski	Webb
Hatch	Murkowski	Whitehouse
Hutchison	Murray	
Inouye	Nelson (FL)	

[Rollcall Vote No. 398 Leg.]

YEAS—79

Akaka	Feingold	Menendez
Alexander	Feinstein	Mikulski
Baucus	Graham	Murkowski
Bayh	Grassley	Murray
Bennett	Hagel	Nelson (FL)
Bingaman	Harkin	Nelson (NE)
Bond	Hatch	Pryor
Boxer	Hutchison	Reed
Brown	Inouye	Reid
Burr	Isakson	Roberts
Byrd	Johnson	Rockefeller
Cantwell	Kennedy	Salazar
Cardin	Kerry	Sanders
Carper	Klobuchar	Schumer
Casey	Kohl	Smith
Cochran	Kyl	Snowe
Coleman	Landrieu	Specter
Collins	Lautenberg	Stabenow
Conrad	Leahy	Stevens
Corker	Levin	Tester
Cornyn	Lieberman	Thune
Craig	Lincoln	Voinovich
Crapo	Lott	Warner
Dole	Lugar	Webb
Domenici	Martinez	Whitehouse
Dorgan	McCaskill	
Durbin	McConnell	

NOT VOTING—9

Biden	Graham	Sessions
Clinton	McCain	Vitter
Dodd	Obama	Wyden

The amendment (No. 3474) was rejected.

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

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

The motion to lay on the table was agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

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.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on S. 294, a bill to reauthorize Amtrak, and for other purposes, shall be brought to a close? The yeas and nays are mandatory under the rule. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), the Senator from Illinois (Mr. OBAMA), and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Arizona (Mr. MCCAIN), the Senator from Alabama (Mr. SESSIONS), and the Senator from Louisiana (Mr. VITTER).

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

The yeas and nays resulted—yeas 79, nays 13, as follows:

NAYS—13

Allard	Coburn	Inhofe
Barrasso	DeMint	Shelby
Brownback	Ensign	Sununu
Bunning	Enzi	
Chambliss	Gregg	

NOT VOTING—8

Biden	McCain	Vitter
Clinton	Obama	Wyden
Dodd	Sessions	

The PRESIDING OFFICER. On this vote, the yeas are 79, the nays are 13. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. LAUTENBERG. Mr. President, I move to reconsider the vote and move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the time during the recess period count postcloture.

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

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:32 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. SALAZAR).

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

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

The Senator from Mississippi.

PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT OF 2007—Continued

Mr. LOTT. Mr. President, we are working with the distinguished chair-

man of the subcommittee and the leadership on both sides to get an agreement worked out on how we proceed on this issue for the remainder of the afternoon. In the meantime, Senator DEMINT is here and ready to go on an amendment, and he has a committee markup underway also.

So unless there is objection, I ask Senator LAUTENBERG, could we let Senator DEMINT call up his amendment and go ahead and have a discussion on it?

Mr. LAUTENBERG. I agree.

Mr. LOTT. I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. Mr. President, I thank the Senators.

AMENDMENT NO. 3467

I would like to discuss amendment No. 3467. Before I discuss the amendment specifically, I would like to talk a little bit about rail passenger service in America and Amtrak specifically.

I think one of the best infrastructure visions we could have as a country today would be to create high-speed passenger rail service that moves people economically and efficiently around the country. The irony is, as long as we continue to pour our Federal resources into the Amtrak model, we will never get to that vision of an efficient passenger rail service in this country.

It is clear from years of working with Amtrak and the model of using freight rails and Government subsidies to support an Amtrak system, we will never have a world-class passenger rail service through the Amtrak model. So I hope we as a Congress, as a Senate, particularly, can come to terms with the fact that if we continue to throw money at Amtrak, we will never have efficient passenger rail service.

Certainly, there are a couple of lines of rail service of Amtrak, particularly in the Northeast, that work well for a number of people. But the fact is, many Americans are contributing to the few passengers who are using Amtrak today. Taxpayers all over the country are putting their money into these few lines that work, even though very few Americans actually ever use these rail services.

As we discuss this final bill, it is important we remember that in the last year the Federal Government gave Amtrak \$1.3 billion in subsidies, even though they carry less than 1 percent of the Nation's intercity passengers.

Amtrak is the most heavily subsidized mode of transportation in the country. In fact, every ticket people purchase from Amtrak has an average subsidy of over \$210 per passenger per 1,000 miles traveled. We even have some lines where the subsidy reaches as high as \$500.

My amendment does not change this. But it tells America the truth about the subsidies for each of these tickets people buy.

My amendment requires Amtrak to put on every ticket for the line they