

sick. We passed again, following the Clinton example, a balanced budget where we said we believed if we are going to have new programs, they should be paid for. It is called pay-go. We said if there are going to be cuts in taxes, they should be paid for.

The Speaker followed this, and we now have a bill from the House that takes care of the patch, but it pays for it. Isn't that what the American people want? Isn't that the example we should set for them—that if we spend some money, we have to make provisions to pay for it? If you have a home and you suddenly decide you need something, such as a new refrigerator, and your credit card is at its maximum, then you cannot buy that refrigerator. There has to be some ability in this Congress to treat this body just as a family treats its own budget.

The wailing and crying we are hearing here is that they "find it offensive"—those were the words of my distinguished Republican colleague, Senator McCONNELL, yesterday—to have to pay for these tax cuts. Well, I hope everyone understands that we are trying to do what is right, that we are trying to have the Government of the United States not be one that is buried in red ink all of the time.

This is a \$50 billion patch. Should it not be paid for? The answer is, obviously, yes. I hope everybody votes for cloture on this most important piece of legislation.

#### CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the clerk will report the motion to invoke cloture.

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, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 487, H.R. 3996, the AMT tax bill.

Harry Reid, Dick Durbin, Patty Murray, Max Baucus, Jay Rockefeller, Patrick Leahy, Daniel K. Inouye, Herb Kohl, Benjamin L. Cardin, Jeff Bingaman, Ted Kennedy, Carl Levin, B.A. Mikulski, Barbara Boxer, Debbie Stabenow, Maria Cantwell, Bill Nelson.

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 the motion to proceed to H.R. 3996, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, 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 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), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

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

Mr. LOTT. The following Senators are necessarily absent: the Senator from Arizona (Mr. McCAIN) and the Senator from Ohio (Mr. VOINOVICH).

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

The result was announced—yeas 46, nays 48, as follows:

[Rollcall Vote No. 414 Leg.]

#### YEAS—46

Akaka	Harkin	Murray
Baucus	Inouye	Nelson (FL)
Bayh	Johnson	Nelson (NE)
Bingaman	Kennedy	Pryor
Boxer	Kerry	Reed
Brown	Klobuchar	Rockefeller
Byrd	Kohl	Salazar
Cantwell	Landrieu	Sanders
Cardin	Lautenberg	Schumer
Carper	Leahy	Stabenow
Casey	Levin	Tester
Conrad	Lieberman	Webb
Dorgan	Lincoln	Whitehouse
Durbin	McCaskill	Wyden
Feingold	Menendez	
Feinstein	Mikulski	

#### NAYS—48

Alexander	Crapo	Lugar
Allard	DeMint	Martinez
Barrasso	Dole	McConnell
Bennett	Domenici	Murkowski
Bond	Ensign	Reid
Brownback	Enzi	Roberts
Bunning	Graham	Sessions
Burr	Grassley	Shelby
Chambliss	Gregg	Smith
Coburn	Hagel	Snowe
Cochran	Hatch	Specter
Coleman	Hutchison	Stevens
Collins	Inhofe	Sununu
Corker	Isakson	Thune
Cornyn	Kyl	Vitter
Craig	Lott	Warner

#### NOT VOTING—6

Biden	Dodd	Obama
	McCain	Voinovich

The PRESIDING OFFICER (Mr. CARDIN). On this vote, the yeas are 46, the nays are 48. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. REID. Mr. President, I enter a motion to reconsider the cloture vote.

The PRESIDING OFFICER. The motion to reconsider is entered.

#### CONGRATULATIONS TO NEW REPUBLICAN LEADERS

Mr. REID. Mr. President, I have a unanimous consent request I am going to enter in just a minute, but I would like to say that I extend my congratulations to LAMAR ALEXANDER in his recent victory to be part of the Republican leadership. I respect and admire him. He will do a wonderful job.

I also extend my appreciation to Mr. JON KYL, a Senator from Arizona, a neighboring State of Nevada's, who is going to replace TRENT LOTT. I have expressed to Senator KYL personally—I haven't had that opportunity with Senator ALEXANDER because we didn't know how that vote would turn out, but I expressed to Senator KYL my admiration and respect for him. I know he will do a good job for the State of

Arizona, the country, and the Senate, and I look forward to working with both of them.

As we often do on the Senate floor, as Senator KYL knows—before coming here he was a distinguished lawyer, and I spent a lot of time in the courtroom myself—it is totally appropriate that we on the Senate floor advocate for our constituency, for our party, and for individual Senators in the best way we know how. But it is also very important that we maintain cordial relationships.

As we learned in our court experiences, no matter how difficult the case might be, no matter how tense it might be arguing to a jury or to a judge, when that courtroom is adjourned, the attorneys walk out, shake hands, go have a sandwich, have a drink, and go on and prepare for the next case. And that is what I say to my friends, LAMAR ALEXANDER and JON KYL. We are going to have some debates on the Senate floor. That is what the Senate is all about. Some say it is the greatest debating organization in the history of the world. I don't know whether that is the case, but I have been involved in a few debates and a few tense times on the floor, but I always try—and I haven't always been totally successful at this—to put my emotions aside and walk off the Senate floor and try to be friends with those I was advocating against.

So I say to these two fine Senators from the States of Tennessee and Arizona, I wish them the very best in their new duties.

#### UNANIMOUS-CONSENT REQUEST—H.R. 3996

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of the House AMT bill, H.R. 3996; that all after the enacting clause be stricken, and the text of Senator BAUCUS's amendment, No. 3804, providing for a 1-year unpaid patch for AMT extension be substituted in lieu thereof; the bill be read a third time and passed and the motion to reconsider be laid upon the table.

So for everyone here, Mr. President, in nonlegal words, what I have asked for is that we proceed in spite of how I would rather we do this, that we proceed to vote for AMT, a 1-year patch that is not paid for. I have already given a speech prior to the vote on the motion to invoke cloture how wrong I think this is, but I also understand how important it is we have the patch. This patch would affect people who make from \$75,000 to \$500,000 a year, the average tax of some \$2,000. This tax was not meant to cover those people and, therefore, we should do the patch. I would rather it were paid for.

So I am asking unanimous consent that we be allowed to vote on this by simply accepting this. There wouldn't need to be a vote; no debate. If we get no objections to this, then the AMT would be patched for 1 year, and we would send it on to the House for their concurrence.

The PRESIDING OFFICER. Is there objection?

Mr. GREGG. Reserving the right to object, I suspect at a later time this will, hopefully, be worked out—hopefully sooner rather than later—but at this time I am going to have to object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, I would simply say to my friend, I hope that is the case. I hope we can move to this. I am a little suspect because we have been trying to work something out for quite a long time now. I will renew this request sometime later today, and I hope we can accomplish what we need to get accomplished.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I think most of us are a little distressed that the other side is objecting to a request which is a huge concession on the part of this Senator, as well as most of the Senators on this side of the aisle, and that would be helping the other side, and that is that we are agreeing to pass AMT not paid for. Why? Because we need to get the AMT patch fixed. We don't want the American taxpayers to have to pay additional taxes under the alternative minimum. We want to get this fixed right away.

It is also important to remind us that time is of the essence because the IRS has to get out the correct forms. The computer programs have to be written properly. So I very much hope that very quickly the other side will no longer object and we can get this passed.

Mr. President, this reminds me of an old joke, and the joke goes like this: There was a big flood, and a man of faith heard about it on the radio. But he did not flee to higher ground. He said: No, I'll put my trust in God. I am not going to flee to higher ground, even though there is this big flood, which I heard about on the radio. I'll put my trust in God.

Well, the waters surrounded the man's home. And as he was standing on his front porch, a boat came up and the skipper said: Jump in, I'll take you to safety. And the man said: No, I'm going to put my trust in God.

Well, the boat went away, and the water rose up to the roof. So the man stood on the roof, and a helicopter came and dropped a ladder, and the pilot yelled down: Climb up the ladder, I'll save you. But the man, said: No, I'm going to stay. I'll put my trust in God.

So the helicopter flew away, and the water continued to rise, and the man drowned. The man went to Heaven, and God asked him: What are you doing here? The man said: I put my trust in you, and you let me down.

Well, God said: What do you mean I let you down? I sent you a message, I sent you a boat, I sent you a helicopter. I tried to save you three times.

I think that is what the Republican caucus has done to the AMT. The

House passed a bill to prevent the AMT from hitting 19 million more taxpayers, but the Republican caucus said, no, we will wait for our own legislation. The majority leader asked unanimous consent to consider a compromise amendment that did not pay for the AMT but just paid for the extenders. The Republican caucus said, no, we will wait for our own legislation. And now the majority leader has once again asked consent to allow us to consider an amendment that does nothing but prevent new taxpayers from being hit by the AMT, and once again the Republican caucus said, no, we will wait for our own legislation.

Mr. President, at this point I want everyone to know if the AMT hits more taxpayers next year, it is not because of the House of Representatives. If the AMT hits more taxpayers next year, it is not because of the majority leader. If the AMT hits more taxpayers next year, it is not because of the Democratic caucus. If the AMT hits more taxpayers next year, it is because of the Republican caucus. That is clear. They cannot take yes for an answer.

We are trying to set it up so we can vote on a unanimous consent request to fix the AMT, unpaid for, and get it done now, but the Republican caucus says, no. They cannot take yes for an answer.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we now proceed to a period of morning business for debate only; that Senators be allowed to speak for up to 10 minutes each.

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

#### ORDER OF BUSINESS

Mr. REID. Mr. President, I would hope that everyone understands we have a lot of balls in the air, and we are trying to grab a few of them to see if in the next few days we can work through some of them.

We have AMT, which hasn't been completed. The farm bill and spending bills have to be completed. We have many different bills we are trying to complete. If everyone will be patient and speak to their heart's content, we will try to have something legislatively that we can work on.

The PRESIDING OFFICER. The Senator from Arizona.

#### NEW LEADERSHIP POSITION

Mr. KYL. Mr. President, I was called off the floor just as the majority leader was saying some very nice things about me. I heard most of them, but I regret I didn't hear them all. I will ask him to repeat them privately. But in any event, it is true we are neighbors and

as a result have had an opportunity to work together on a lot of items. It doesn't matter which side of the aisle we are on, we can certainly do that.

I also appreciated the old story about the lawyers who fight for their clients' interest during the day, going at it tooth and nail, but when the day is over they get together. But as I heard the story it wasn't that they got together for a sandwich, I always thought they got together for a drink at the end of the day. But recognizing the majority leader's bent, I appreciate the story, and he certainly has my assurance that I will approach the position, which eventually I will take in a matter of a few days, in that same spirit.

Again, I appreciate the comments he made.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I have come to the floor today with my colleague, Senator SMITH.

The PRESIDING OFFICER. Does the Republican leader wish to be recognized?

Mr. McCONNELL. Let me say to my friend from Oregon that I will not be long, and I appreciate the opportunity to pay tribute to a fallen soldier from my State.

#### HONORING OUR ARMED FORCES

STAFF SERGEANT JOE L. DUNIGAN, JR.

Mr. McCONNELL. The Commonwealth of Kentucky is mourning today because of the loss of one of our finest soldiers, and I am speaking of SSG Joe L. Dunigan, Jr., of Benton. He was 37 years old.

Staff Sergeant Dunigan's assignment was guarding a convoy of U.S. marines near Fallujah in Iraq when on March 11, 2004, an explosive device, set by terrorists, detonated near his humvee, tragically taking his life.

For the valor and bravery he displayed over two decades of service, the U.S. Army honored Staff Sergeant Dunigan with numerous medals and awards, including the Bronze Star, the Purple Heart, and the Meritorious Service Medal.

Staff Sergeant Dunigan, who will always be remembered by his family as Joey, wore his country's uniform for 20 years because he was proud to serve. Joey "lived his life the way he served his country—he was gung-ho about everything," says his stepfather, Sammie Bryant. And Joey was gung-ho from a very early age.

His family remembers that growing up Joey loved playing army. His favorite toy was GI Joe. In fact, family members often called him GI Joey. As a young boy, he participated in Cub Scouting and was an avid player of baseball and football.

Joey was also musically inclined, playing the trombone in the Marshall County High School Marching Marshals band. He enjoyed watching NASCAR races and was a big fan of