

not be realized, including both Amtrak and WMATA, and will further strain our subcommittee funding decisions.

Regrettably, the Amtrak provision in this bill offers none of the key reforms in Amtrak's governance or operations that link resource allocation to consumer demand. With no reforms and an authorization level of \$13.3 billion over the next 5 years, I find it hard to support these levels when the money will not be there.

With regard to funding for WMATA, the bill includes an authorization level of \$1.5 billion over 10 years for capital and maintenance projects. These grants would be over and above the grants for which WMATA is otherwise eligible. The authorized grants would not be available to any other jurisdiction. Although WMATA should be encouraged to make necessary reforms in its governance and financing, such encouragement should not require the creation of an entirely new Federal funding program which excludes other jurisdictions which have long since taken such prudent steps to upgrade and maintain their existing capital.

Mr. INOUE. Mr. President, I fully support passage of H.R. 2095, a bill that will help move America's railroads into the 21st century. The reauthorizations of the Federal rail safety programs and Amtrak are long overdue and this bill will give direction to Amtrak and the Federal Railroad Administration, FRA, to help them both better accomplish their missions. Given the higher price of oil, continuing climate change concerns, and our challenging economic times, it is more important than ever that we ensure that our Nation's passenger and freight rail systems are adequately prepared to safely accommodate our transportation needs.

Safety is a key element if we are to continue to expand our Nation's use of trains. H.R. 2095 will improve railroad safety and provide the resources we need to develop our rail network into the first-class system our Nation deserves. Key improvements include reforming the hours of service requirements for train and signal workers, requiring risk-based safety programs for large railroad companies, mandating the installation of positive train control systems and other safety technology, and encouraging and funding grade crossing and pedestrian safety and trespasser prevention programs.

This bill will also encourage the further development of passenger rail corridors, provide incentives for Amtrak to operate more efficiently, and strengthen the relationship between Amtrak and the States in which it operates. These improvements will help Amtrak further increase its ridership, which has reached record levels this year and last, and will allow Amtrak to better serve its customers. I believe this bill will further fortify Amtrak as an important, necessary, and viable option in our nation's transportation landscape.

I congratulate Senator LAUTENBERG for crafting his railroad safety and Am-

trak bills, working hard to move them through the Senate, and developing this bipartisan compromise with the House. I call on my colleagues in the Senate to pass H.R. 2095 as soon as possible and send it to the President for his signature.

Mrs. BOXER. Mr. President, I want to take a moment to express my gratitude to Chairman INOUE and Senator LAUTENBERG for their support and efforts in working to pass this important piece of rail safety legislation, the Federal Railroad Safety Improvement Act.

As many of my colleagues know, southern California and the community of Chatsworth suffered the worst train collision in California's modern history last month when a Union Pacific freight train and a Metrolink commuter train collided head on during rush hour.

This tragedy claimed 25 lives, and injured 135 people, many of whom have sustained lifelong injuries.

Last month's deadly Metrolink accident made clear the urgent need to fix our rail system and ensure the safety of passengers.

While Senator FEINSTEIN and I will continue to push for the rapid deployment of positive train control technology, this legislation includes important safety provisions that will immediately help improve rail safety and help prevent accidents.

I am pleased this legislation included grant funding for positive train control systems, anti-fatigue measures for train crews, increased penalties for violators, and grant funding for grade crossings.

In addition to these safety measures, this bill also provides much needed funding for Amtrak and authorizes more than \$1.5 billion in grants to States to fund the construction of high-speed rail projects in designated corridors, including a California corridor.

This is an important piece of legislation and I thank my colleagues for their support. I urge the President to take action immediately to sign this bill into law.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. REID. Mr. President, 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. 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.

Under the previous order, the motion to concur with an amendment is withdrawn.

Under the previous order, the question occurs on agreeing to the motion to concur in the House amendment to the Senate amendment to H.R. 2095.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

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

The result was announced—yeas 74, nays 24, as follows:

[Rollcall Vote No. 210 Leg.]

YEAS—74

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

NAYS—24

Allard	Craig	Martinez
Barrasso	DeMint	McCain
Bond	Ensign	Sessions
Brownback	Enzi	Shelby
Bunning	Graham	Sununu
Burr	Gregg	Thune
Chambliss	Inhofe	Vitter
Coburn	Kyl	Voinovich

NOT VOTING—2

Biden Kennedy

The motion was agreed to.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

UNITED STATES-INDIA NUCLEAR COOPERATION APPROVAL AND NONPROLIFERATION ENHANCEMENT ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 7081, the United States-India agreement.

AMENDMENT NO. 5683

There is 2 minutes equally divided prior to a vote on the Bingaman-Dorgan amendment No. 5683.

The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, I ask unanimous consent that the 60-vote threshold on the Dorgan-Bingaman amendment No. 5683 be vitiated, unless the yeas and nays are ordered.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DORGAN. Mr. President, the amendment I and Senator BINGAMAN have offered is to the India nuclear agreement. We both feel it is a flawed agreement that would result in the production of additional nuclear weapons on this planet, exactly the last thing we need. But I understand—and I think Senator BINGAMAN understands—that this Senate will likely approve this agreement by a wide margin this evening.

Our amendment is relatively simple. It says that if India tests nuclear weapons, this agreement is nullified and we work to try to shut off supplies from the other supplier groups. The last thing we ought to allow is to have India begin testing nuclear weapons without consequence to the agreement that has been negotiated with India. Once again, let me point out that this agreement, I believe, will result in the production of additional nuclear weapons on this planet—the last thing we need.

Our amendment is a very important amendment dealing with the prohibition of nuclear testing, and we hope our colleagues will be supportive.

The PRESIDING OFFICER. Who seeks time?

The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, first of all, I wish to thank Senator RICHARD LUGAR and Senator JOSEPH BIDEN. JOE BIDEN is the chairman of the Foreign Relations Committee and he and Senator LUGAR have worked on this for a long time. We have had five congressional hearings on that committee on the subject matter.

I greatly respect my colleagues, Senator DORGAN and Senator BINGAMAN. However, I would point out to my colleagues that on this particular amendment they offer, the Atomic Energy Act, the Arms Support Control Act, the Hyde amendment, and this bill all have provisions in them that would allow us to respond should India decide to detonate a nuclear weapon.

No one anywhere wants to see a further proliferation of nuclear weapons. India and the United States are the two largest democracies in the world. India is in a very tough and fragile neighborhood. It is important we develop and improve that relationship that has been a tense one since 1974.

This agreement began with the work of President Clinton and was concluded by President Bush. We think it is an agreement worth supporting, and we urge our colleagues to do so and respectfully reject this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 5683) was rejected.

The PRESIDING OFFICER. Under the previous order, there is 2 minutes equally divided prior to a vote on passage of the bill.

Who yields time? The Senator from Indiana.

Mr. LUGAR. Mr. President, I ask all Senators to participate in a historic moment. This is an opportunity for the United States and India to come together in a way that historically is important for the world.

India is a very important country for us, and this relationship is sealed in a very significant way by this agreement. We have tested it in the Foreign Relations Committee for 3 years, back and forth on the nonproliferation qualities. We had great testimony from our Secretary of State, strong advocacy from our President.

We ask Senators to vote on this historic moment for a partnership that will be enduring, in my judgment, and will make a big difference in the history of the world.

The PRESIDING OFFICER. Who yields time?

The Senator from Connecticut.

Mr. DODD. Mr. President, I have spoken. This is a very worthwhile bill. I commend Senator LUGAR and Senator BIDEN for the tremendous work they have done on this legislation over an extended period of time.

I ask for the yeas and nays and urge the adoption of the legislation.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on the third reading of the bill.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

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

The result was announced—yeas 86, nays 13, as follows:

[Rollcall Vote No. 211 Leg.]

YEAS—86

Alexander	Dole	McCain
Allard	Domenici	McCaskill
Barrasso	Durbin	McConnell
Baucus	Ensign	Menendez
Bayh	Enzi	Mikulski
Bennett	Feinstein	Murkowski
Biden	Graham	Murray
Bond	Grassley	Nelson (FL)
Brownback	Gregg	Nelson (NE)
Bunning	Hagel	Obama
Burr	Hatch	Pryor
Cantwell	Hutchison	Reid
Cardin	Inhofe	Roberts
Carper	Inouye	Rockefeller
Casey	Isakson	Salazar
Chambliss	Johnson	Schumer
Clinton	Kerry	Sessions
Coburn	Klobuchar	Shelby
Cochran	Kohl	Smith
Coleman	Kyl	Snowe
Collins	Landrieu	Specter
Corker	Lautenberg	Stabenow
Cornyn	Levin	Stevens
Craig	Lieberman	Sununu
Crapo	Lincoln	Tester
DeMint	Lugar	Thune
Dodd	Martinez	

Vitter
Voinovich

Warner
Webb

Wicker
Wyden

NAYS—13

Akaka
Bingaman
Boxer
Brown
Byrd

Conrad
Dorgan
Feingold
Harkin
Leahy

Reed
Sanders
Whitehouse

NOT VOTING—1

Kennedy

The PRESIDING OFFICER. Pursuant to the previous order, the bill having attained 60 votes in the affirmative, the bill is passed.

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

The motion to lay on the table was agreed to.

PAUL WELLSTONE MENTAL HEALTH AND ADDICTION EQUITY ACT OF 2008—Continued

The PRESIDING OFFICER. Under the previous order, the Senate resumes consideration of H.R. 1424. There are 2 minutes of debate equally divided prior to a vote in relation to the Sanders amendment No. 5687.

The Senator from Vermont.

Mr. SANDERS. Mr. President, this bailout, caused by Wall Street's greed and irresponsibility, may cost as much as \$700 billion. The simple question is: Who is going to be paying for it?

Today, in America, the top 1 percent earn more income than the bottom 50 percent. The top 1 percent have more wealth than the bottom 90 percent. Since President Bush has been in office, the middle class has seen a significant decline in their standard of living while the top 400 individuals have seen a \$670 billion increase in their wealth.

What this amendment does is impose a 10-percent surtax on a household that makes \$1 million a year, which raises over \$300 billion in 5 years. Under this amendment, the bottom 99.7 percent of Americans will not pay 1 penny for this bailout.

The middle class has had nothing to do with causing this crisis. They should not have to pay for it, and I ask for a "yes" vote on this amendment.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, this agreement was reached after considerable effort and negotiation by a lot of different parties—Senate Democrats and Senate Republicans; House Democrats and House Republicans. It is a good agreement. It is basically an agreement which, hopefully, will cost the taxpayers virtually no money. It protects the taxpayers, it protects mortgagees, it is directed at making sure there are no golden parachutes or undue benefits to the people who run these companies, and it has aggressive regulation.

It is a balanced approach which was reached through a lot of effort, and it is absolutely necessary that we pass it now in order to help Main Street, which is about to be crushed by the