

of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act: Provided further, That each amount in this paragraph is designated by Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for “Flood Control and Coastal Emergencies”, as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), for necessary expenses to prepare for flood, hurricane and other natural disasters and support emergency operations, repair and other activities in response to recent natural disasters as authorized by law, \$244,000,000, to remain available until expended: Provided, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act: Provided further, That the amount in this paragraph is designated by Congress as being for an emergency requirement pursuant to section 3(c)(1) of H. Res. 5 (112th Congress) and to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

For an additional amount for “Flood Control and Coastal Emergencies”, for expenses resulting from a major disaster designation pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)) and as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), for necessary expenses to prepare for flood, hurricane and other natural disasters and support emergency operations, repair and other activities in response to recent natural disasters as authorized by law, \$66,387,000, to remain available until expended: Provided, That the amount in this paragraph shall not become available for obligation until October 1, 2011: Provided further, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act: Provided further, That each amount in this paragraph is designated by Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended.

TITLE IV

DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY DISASTER RELIEF

For an additional amount for “Disaster Relief”, \$500,000,000, to remain available until expended: Provided, That the amount in this paragraph is designated by Congress as being for an emergency requirement pursuant to section 3(c)(1) of H. Res. 5 (112th Congress) and to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

For an additional amount for the “Disaster Relief” for expenses resulting from a major disaster designation pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)), \$4,600,000,000, to remain available until expended: Provided, That the amount in this paragraph shall not become available for obligation until October 1, 2011: Provided further, That such amount is designated by Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended. This Act may be cited as the “Emergency Supplemental

Disaster Relief Appropriations Resolution, 2011”.

TITLE V

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT COMMUNITY PLANNING AND DEVELOPMENT COMMUNITY DEVELOPMENT FUND

For an additional amount for the “Community Development Fund”, for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure, housing, and economic revitalization resulting from a major disaster designation pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)) in 2011, \$100,000,000, to remain available until expended, for activities authorized under title I of the Housing and Community Development Act of 1974 (Public Law 93-383): Provided, That the amount in this paragraph shall not become available for obligation until October 1, 2011: Provided further, That such amount is designated by Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended: Provided further, That funds shall be awarded directly to the State or unit of general local government at the discretion of the Secretary: Provided further, That prior to the obligation of funds a grantee shall submit a plan to the Secretary detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure: Provided further, That funds provided under this heading may be used by a State or locality as a matching requirement, share, or contribution for any other Federal program: Provided further, That such funds may not be used for activities reimbursable by, or for which funds are made available by, the Federal Emergency Management Agency or the Army Corps of Engineers: Provided further, That funds allocated under this heading shall not adversely affect the amount of any formula assistance received by a State or subdivision thereof under the Community Development Fund: Provided further, That a State or subdivision thereof may use up to 5 percent of its allocation for administrative costs: Provided further, That in administering the funds under this heading, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds or guarantees (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a request by a State or subdivision thereof explaining why such waiver is required to facilitate the use of such funds or guarantees, if the Secretary finds that such waiver would not be inconsistent with the overall purpose of title I of the Housing and Community Development Act of 1974: Provided further, That the Secretary shall publish in the Federal Register any waiver of any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective date of such waiver.

This division may be cited as the “Emergency Supplemental Disaster Relief Appropriations Resolution, 2011”.

SURFACE AND AIR TRANSPORTATION PROGRAMS EXTENSION ACT OF 2011

Mr. REID. Mr. President, I move to proceed to H.R. 2887 under the terms of the previous order.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2887) to provide an extension of surface and air transportation programs, and for other purposes.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that the three votes that will come soon be limited to 10 minutes each.

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

Under the previous order, there will be 10 minutes of debate equally divided between the Senator from Kentucky, Mr. PAUL, and the Senator from Nevada, Mr. REID, or their designees.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENTS NOS. 621 AND 622

Mr. PAUL. Mr. President, I ask unanimous consent to call up en bloc my amendments Nos. 621 and 622.

The PRESIDING OFFICER. Without objection, the clerk will report the amendments by number.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes en bloc amendments numbered 621 and 622.

Mr. PAUL. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

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

The amendments are as follows:

AMENDMENT NO. 621

(Purpose: To limit the amount authorized to be expended from the Highway Trust Fund in any fiscal year to the amount anticipated to be deposited into the Highway Trust Fund in that fiscal year)

On page 38, line 24, strike “(d)” and insert the following:

(d) LIMITATION ON HIGHWAY TRUST FUND EXPENDITURES.—Notwithstanding any other provision of law, the amount authorized to be expended or transferred during a fiscal year from the Highway Trust Fund, established under section 9503 of the Internal Revenue Code of 1986, may not exceed the amount appropriated, transferred, or otherwise made available to the Highway Trust Fund during such fiscal year, based on estimates made by the Congressional Budget Office.

(e)

AMENDMENT NO. 622

(Purpose: To decrease the authorization of appropriations for the Federal Aviation Administration to fiscal year 2008 levels)

At the end of title II, add the following:

SEC. 210. AUTHORIZATION OF APPROPRIATIONS FOR FEDERAL AVIATION ADMINISTRATION AT FISCAL YEAR 2008 LEVELS.

Notwithstanding the provisions of, or amendments made by, this title, or any other provision of law, there are authorized to be appropriated to the Federal Aviation Administration for the period beginning on September 17, 2011, and ending on January 31, 2012, for all purposes (other than for the Airport and Airway Trust Fund established under section 9502 of the Internal Revenue Code of 1986) amounts not to exceed the amounts authorized to be appropriated to the Administration for the period beginning on September 17, 2007, and ending on January 31, 2008, for such purposes.

Mr. PAUL. Mr. President, we are considering today the highway bill and the

FAA bill. The highway bill is a trust fund. When we hear the words “trust fund,” we should have trust that money is only spent on highways. Unfortunately, that money has been spent through the years on other items. The same applies to the Social Security trust fund and with the Medicare trust fund. It is all sent to the General Treasury, and it is not protected.

What I am asking today through this amendment to the highway bill is that we keep the trust fund separate and the trust fund spends only money that comes in from the gas tax. If we continue to spend money that is not coming in from the gas tax, this will be money borrowed from China or simply printed, and there are ramifications to borrowing \$40,000 a second.

So my amendment to the highway bill would say we only spend what comes in through taxes. I consider this to be responsible budgeting and what we should be doing and likely what we were probably obligated under the original trust agreement to do. So I urge passage of this amendment which would limit the highway trust fund to that amount of funds coming in through taxes.

My second amendment is to the FAA bill. This amendment says spending in the FAA bill go to 2008 levels. Since 2008, spending in our government has gone up 25 percent. We are mounting a deficit of \$1.5 trillion. Our Nation's debt is \$14 trillion. There are significant ramifications to incurring so much debt.

The debt does have a face—it is the face of unemployment. Economists have said our debt burden is leading to our losing 1 million jobs a year; that 1 million people are out of work because of the debt we carry. Economists have also said this debt burden, when it is paid for through the printing of money, leads to higher prices in the stores. Our gas prices have doubled not because gas is more precious but because our dollar is less precious. Our dollar is less precious because we are paying for a debt by inflating the currency.

What this amendment asks is that we go back to 2008 levels, which, believe it or not, if we did this through the entire government, will still not balance the budget. This is a modest proposal. It is the very least we can do if we believe in a responsible budget and that we must balance our budget.

The second amendment would take spending to 2008 levels, and I encourage the Senate to pass these amendments.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, the majority leader has asked that Senator ROCKEFELLER have 2½ minutes of the time that remains on our side, which shall be divided, and I will have the 2½ minutes to speak about the highway amendment, which I would share that, if he wants to, with Senator INHOFE. I ask unanimous consent that be the order.

The PRESIDING OFFICER. Senator REID has 5 minutes total under his control.

Mrs. BOXER. That is what I said, 2½ minutes and 2½ minutes.

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

Mrs. HUTCHISON. If I can clarify, I think the Senator from California is saying the highway bill will get 2½ minutes, and we will agree to split our time with the ranking members.

Mrs. BOXER. That is correct.

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

The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I rise in opposition—very strong opposition—to the Paul amendment. The Senate voted on this earlier this year and turned it down very emphatically. The Federal Aviation Administration, FAA, is taken for granted by some. They just assume there will always be money and everything can go on constantly. The Senate has rejected this.

The FAA has raised very substantial concerns publicly—but more importantly, from my point of view, to me privately—that at all levels they will have to start compromising safety, although they will not intend to, and eventually we will put FAA at risk.

It is a very bad and dangerous amendment—a mischievous amendment—and it should be defeated.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I urge my colleagues not to support the Paul amendment on FAA. Although I understand what he is trying to do, to bring it down, this is a clean extension that has been passed by the House. The House has gone out for the weekend, and the FAA authorization lapses tomorrow. We have had a shutdown of the FAA in the last 6 weeks and it disrupts airport expansions, and it disrupts the FAA itself.

We will work with Senator PAUL to make sure we are doing everything we can to cut the FAA budget, but this is a clean 2011 extension, with no additions, and I urge my colleagues to support the bill without the amendment.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, if you can tell me when I have finished with 1½ minutes, please.

The PRESIDING OFFICER. Yes.

Mr. INHOFE. Point of inquiry, Mr. President. At some point I want 30 seconds, if we can figure out how to do that.

Mrs. BOXER. I will reserve the rest of the time for the Senator to close. So tell me when I have used that 1½ minutes, and the Senator will have 1 minute left.

Today, Mr. President, was a very rough day for us to get to this moment. I thank everyone who came together to finally get this moving.

Let me tell you why we are at a critical moment. We clearly have to keep the FAA going, and we are. I think we

are going to win that amendment. On transportation, Senator PAUL has offered an amendment that technically doesn't do anything, but it is his intent, as he said, to cut the funding by one-third.

If that amendment were to pass, and if his intent was carried out, it would mean we would lose 608,000 jobs right away—608,000 jobs right away. We can't afford to do that.

The funding is in this bill. There is no need to cut this bill. It is paid for, and we are ready to go. Republicans and Democrats on the Environment and Public Works Committee are in agreement on a clean extension.

I thank my ranking member. As everyone knows, we do not see eye to eye on the environment, and that is an understatement.

The PRESIDING OFFICER. The Senator has used her allotted time.

Mrs. BOXER. On infrastructure, we are together. We want a clean extension. We fight for these jobs and these businesses.

I thank the Chair, and I yield the remainder of my time to the ranking member.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. We have two amendments we are talking about now in a short period of time. First, I will support the FAA amendment. I think Senator PAUL has a good idea.

I would only say this: I want my Republican conservatives to listen carefully. This is totally different than any other bill because what this is—there is adequate money right now in the highway trust fund to carry out the existing spending until 2013. So I would only say that money is dedicated for that purpose, and it is going to be spent for that purpose. Anything that came from a source other than a gas tax was merely paid back from money borrowed out of the trust fund. So from a moral standpoint, this should be spent on infrastructure on the highway bill—on the extension. Then we will be able to talk about something more important, which is the bill coming up, and that will be the permanent one.

So I think it is not going to make any difference. I will oppose it on concept because that money is dedicated for a purpose and paid for by people who believe we are going to improve our highways.

The PRESIDING OFFICER. The Senator from Kentucky has 2 minutes.

Mr. PAUL. Mr. President, I am satisfied, and I would ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to Amendment No. 621.

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 Wisconsin (Mr. KOHL) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

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

The result was announced—yeas 14, nays 84, as follows:

[Rollcall Vote No. 136 Leg.]

YEAS—14

Burr	Crapo	McCain
Chambliss	DeMint	Paul
Coats	Johnson (WI)	Risch
Coburn	Kyl	Toomey
Corker	Lee	

NAYS—84

Akaka	Graham	Moran
Alexander	Grassley	Murkowski
Ayotte	Hagan	Murray
Barrasso	Harkin	Nelson (NE)
Baucus	Hatch	Nelson (FL)
Begich	Heller	Portman
Bennet	Hoever	Pryor
Bingaman	Hutchison	Reed
Blumenthal	Inhofe	Reid
Blunt	Inouye	Roberts
Boozman	Isakson	Rockefeller
Boxer	Johanns	Sanders
Brown (MA)	Johnson (SD)	Schumer
Brown (OH)	Kerry	Sessions
Cantwell	Kirk	Shaheen
Cardin	Klobuchar	Shelby
Carper	Landrieu	Snowe
Casey	Lautenberg	Stabenow
Cochran	Leahy	Tester
Collins	Levin	Thune
Conrad	Lieberman	Udall (CO)
Coons	Lugar	Udall (NM)
Cornyn	Manchin	Vitter
Durbin	McCaskill	Warner
Enzi	McConnell	Webb
Feinstein	Menendez	Whitehouse
Franken	Merkley	Wicker
Gillibrand	Mikulski	Wyden

NOT VOTING—2

Kohl Rubio

The PRESIDING OFFICER. On this vote, the yeas are 14, the nays are 84. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Under the previous order, the motion to reconsider is considered made and laid upon the table.

VOTE ON AMENDMENT NO. 622

Under the previous order, the question is on agreeing to amendment No. 622, offered by the Senator from Kentucky, Mr. PAUL.

Mr. INHOFE. I ask for the yeas and nays.

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

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Wisconsin (Mr. KOHL) and the Senator from Louisiana (Ms. LANDRIEU) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted "yes."

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

The result was announced—yeas 36, nays 61, as follows:

[Rollcall Vote No. 137 Leg.]

YEAS—36

Ayotte	Graham	McConnell
Barrasso	Grassley	Moran
Blunt	Hatch	Paul
Boozman	Heller	Portman
Burr	Inhofe	Risch
Chambliss	Isakson	Roberts
Coburn	Johanns	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kirk	Thune
Crapo	Kyl	Toomey
DeMint	Lee	Vitter
Enzi	McCain	Wicker

NAYS—61

Akaka	Franken	Murray
Alexander	Gillibrand	Nelson (NE)
Baucus	Hagan	Nelson (FL)
Begich	Harkin	Pryor
Bennet	Hoever	Reed
Bingaman	Hutchison	Reid
Blumenthal	Inouye	Rockefeller
Boxer	Johnson (SD)	Sanders
Brown (MA)	Kerry	Schumer
Brown (OH)	Klobuchar	Shaheen
Cantwell	Lautenberg	Snowe
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Lieberman	Udall (CO)
Coats	Lugar	Udall (NM)
Cochran	Manchin	Warner
Collins	McCaskill	Webb
Conrad	Menendez	Whitehouse
Coons	Merkley	Wyden
Durbin	Mikulski	
Feinstein	Murkowski	

NOT VOTING—3

Kohl Landrieu Rubio

The PRESIDING OFFICER. On this vote the yeas are 36, the nays are 61. Under the previous order requiring 60 votes, the amendment is rejected.

Under the previous order, the motion to reconsider is considered made and laid upon the table.

Mr. LEVIN. Mr. President, I will vote for passage of H.R. 2887, a combined FAA and surface transportation extension bill.

This legislation averts a damaging shutdown of either program. If we fail to extend these programs, it will mean layoffs and the loss of significant revenue to fund airport and road programs.

The current FAA extension expires tomorrow and the current surface transportation extension expires at the end of the month, along with the authority to collect the Federal gas taxes that fund the Highway Trust Fund. Passing this bill quickly and extending the FAA reauthorization for 4 months and the surface transportation bill for 6 months allows Congress more time to work out the issues that are holding up completing long-term reauthorizations.

Just as important, it keeps thousands of workers on the job, supporting their families.

Mr. HATCH. Mr. President, I want to explain my vote of the FAA extension.

As I have said many times, I share House Transportation and Infrastructure Committee Chairman MICA's frustration, and the frustration of Republican leadership in both the House and the Senate, that favors to organized labor have overshadowed the prospects for long-term FAA reauthorization.

Last year the National Mediation Board changed the rules under which employees of airlines and railroads are

able to unionize. For decades the standard has been that a majority of employees would have to agree in an election to form a union. However, the new NMB rules changed that standard so that all it takes to unionize is a majority of employees voting. The NMB wants to permanently impose unionization with less than majority support.

The House passed long-term FAA reauthorization bill includes language I strongly support that eliminates this favor for big labor.

The enactment of a long-term FAA reauthorization bill is very important and is something we need to accomplish. However, the NMB issue needs to be resolved for long-term FAA reauthorization to occur. I will work with my colleagues on a resolution, but they should be on notice that avoiding the issue through 22 short-term extensions is no longer an alternative. I hope my friends have a restful weekend, but they shouldn't feel too relaxed even though we just extended the FAA for 4 months. We need to get back to work on a long-term FAA reauthorization bill right away.

Mr. LEAHY. Mr. President, Senators SANDERS, LAUTENBERG, CONRAD, GILLIBRAND and I filed an amendment to provide an additional \$2.5 billion to the Federal Highway Administration's Emergency Relief Fund, which is woefully underfunded right now. In addition, our amendment would waive the \$100 million per State cap on emergency funding, which has been done for previous disasters, and allow 100 percent Federal reimbursement for disaster repair work occurring more than 180 days after the disaster.

Nearly 3 weeks ago, Vermont bore the full brunt of then-Tropical Storm Irene as it turned gentle mountain streams and valley rivers into raging torrents of destruction. Whole towns were cut off from the outside world. Homes, businesses, farms, water systems, and miles of roads and bridges were swept away. And some Vermonters lost their lives in these devastating floods.

Roads, bridges, and rail lines all over the State have been wiped out. Flooding closed more than 300 town and State roads and damaged more than 30 bridges in Vermont, stranding people in more than a dozen towns for days. It is going to take years and years for my small State to recover.

In the aftermath, it has been extremely difficult to move emergency supplies and rebuilding materials around, as some of the washed-out roads have gaping gullies in the middle that are 30 feet or more deep, and some of the reopened roads and bridges are not yet recommended for heavy traffic.

The consequences have been harsh. Residents are forced to make 30-mile-plus detours to the nearest grocery store or doctor—on mountain roads, some of them unpaved. Businesses are struggling to reopen and find customers. Schools have been forced to remain closed until repairs are made.

And tourists are worried about traveling to Vermont this fall to see the foliage or this winter to do some skiing.

Our small State is stretched to the limit right now. Winter is fast approaching, which means the end of the construction season is near. By November it will be too cold to lay asphalt, and by December snow and ice will cover the mountains, leaving many towns dangerously isolated. We need to make more permanent repairs as soon as possible or future rains and the fall's freeze-thaw cycle will further deteriorate our roads and make them all but impassable this winter. With just weeks to accomplish so much, we need the full and immediate support of FEMA, the Department of Transportation, and many other Federal agencies.

Earlier natural disasters across the Nation have drawn down our emergency fund accounts, jeopardizing the ability to respond in those States, as well as the newly stricken States such as Vermont. FEMA has less than \$400 million in its disaster account for the rest of fiscal year 2011, and the Federal Highway Administration's disaster account is under \$200 million. On top of that, the Federal highway account already has over \$1 billion in backlogged projects waiting for funding. Since damage to Vermont's Federal-aid roads and bridges alone will exceed half a billion dollars, it is unclear whether the \$2.5 billion we propose in this amendment will even cover all of the costs for declared disasters including Irene. But it is a good start.

We must act quickly to replenish FEMA's disaster relief fund, Federal highway's emergency road fund, and a variety of other disaster accounts that are at dangerously low levels right now. Without additional funding to these and other emergency accounts, Vermont and all of the other 49 States with ongoing Federal disasters will not have the resources they need to rebuild.

Thousands of American families and businesses have been devastated by an unprecedented series of floods, tornadoes, hurricanes, wildfires, and other natural disasters this year. The people hurting out there are desperate for a helping hand from their fellow Americans. Given the breadth and depth of Irene's destruction, on top of the ongoing disasters already declared in all 50 States, we must ensure that FEMA, the Department of Transportation, and all of the other Federal agencies involved in disaster-relief efforts have the resources they need to help our citizens in their desperate time of need.

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

Mrs. FEINSTEIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Wisconsin (Mr. KOHL), is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: The Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted "yea."

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

The result was announced—yeas 92, nays 6, as follows:

[Rollcall Vote No. 138 Leg.]

YEAS—92

Akaka	Franken	Mikulski
Alexander	Gillibrand	Moran
Ayotte	Graham	Murkowski
Barrasso	Grassley	Murray
Baucus	Hagan	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bennet	Hatch	Portman
Bingaman	Heller	Pryor
Blumenthal	Hoeven	Reed
Blunt	Hutchison	Reid
Boozman	Inhofe	Risch
Boxer	Inouye	Roberts
Brown (MA)	Isakson	Rockefeller
Brown (OH)	Johanns	Sanders
Burr	Johnson (SD)	Schumer
Cantwell	Kerry	Sessions
Cardin	Kirk	Shaheen
Carper	Klobuchar	Shelby
Casey	Kyl	Snowe
Chambliss	Landrieu	Stabenow
Coats	Lautenberg	Tester
Cochran	Leahy	Thune
Collins	Levin	Udall (CO)
Conrad	Lieberman	Udall (NM)
Coons	Lugar	Vitter
Corker	Manchin	Warner
Cornyn	McCain	Webb
Crapo	McCaskill	Whitehouse
Durbin	McConnell	Wicker
Enzi	Menendez	Wyden
Feinstein	Merkley	

NAYS—6

Coburn	Johnson (WI)	Paul
DeMint	Lee	Toomey

NOT VOTING—2

Kohl	Rubio
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The bill (H.R. 2887) was passed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

The Senator from Wyoming.

MORNING BUSINESS

Mr. ENZI. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each, with an exception for myself and the other Senator from Wyoming, concerning a tribute to Malcolm Wallop, who passed away yesterday, and that we might have such time as needed.

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

RELATIVE TO THE DEATH OF THE HONORABLE MALCOLM WALLOP, FORMER SENATOR FROM THE STATE OF WYOMING

Mr. ENZI. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 268, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 268) relative to the death of the Honorable Malcolm Wallop, former Senator from the State of Wyoming.

There being no objection, the Senate proceeded to consider the resolution.

Mr. ENZI. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 268) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 268

Whereas Malcolm Wallop served in the Wyoming House of Representatives from 1969 to 1972, and in the Wyoming Senate from 1973 to 1976;

Whereas Malcolm Wallop represented the people of the State of Wyoming in the United States Senate with distinction for 18 years, from 1977 to 1995;

Whereas, while serving in the Senate, Malcolm Wallop championed the development of space-based anti-missile defense, supported legislation to reduce inheritance and gift taxes, fought to restore fish habitats in the United States, and opposed the control of the water resources of the State of Wyoming by the Federal Government;

Whereas Malcolm Wallop created the Congressional Award Program in 1979 as a challenge to young people throughout the United States to change the world around them through personal initiative, achievement, and service;

Whereas, in 1984, Malcolm Wallop coauthored section 1014 of the Tax Reform Act of 1984 (Public Law 98-369; 98 Stat. 1015), commonly known as the Wallop-Breaux Amendment, which remains today as the leading legislative initiative for sport fish restoration in the United States;

Whereas Malcolm Wallop served as chairman of the Select Committee on Ethics, ranking member of the Committee on Energy and Natural Resources and the Committee on Armed Services, chairman of the Senate Steering Committee, and was the first nonlawyer in the history of the Senate to serve on the Committee on the Judiciary;

Whereas, after retiring from the Senate, Malcolm Wallop founded the Frontiers of Freedom Institute to continue addressing the issues he championed as a Senator and to ensure that the ideals he espoused were not forgotten; and

Whereas the hallmarks of Malcolm Wallop's public service were conservatism, civility, and working for the western way of life: Now, therefore, be it

Resolved, That—

(1) the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Malcolm Wallop, former member of the Senate; and

(2) the Secretary of the Senate communicate this resolution to the House of Representatives and transmit an enrolled copy