

Viewed as a whole, budget reconciliation would increase the deficit by more than \$30 billion. After 5 years under their budget, our national debt would exceed \$11 trillion.

But the problems with their budget go well beyond its fiscal irresponsibility. This budget reflects the wrong values. It puts more burdens on those already struggling. And if that isn't bad enough, it takes the sacrifices it demands of the less fortunate to partially pay for another round of large tax breaks for the elite of this country.

Let's look at what is in the bill before us.

The budget increases burdens on America's seniors by increasing Medicare premiums, and we have not seen what the House is going to give us.

It cuts health care, both Medicare and Medicaid, by a total of \$27 billion.

It cuts support for our farmers by \$3 billion.

It cuts housing.

It allows drilling in an Alaskan wildlife refuge, at the behest of the oil and gas industry, even though this year they are going to make a \$100 billion profit.

If we take a look at what is happening in the House of Representatives, we can see what is likely coming down the pike from them:

Student loan cuts, food stamp cuts, cuts in child support enforcement, deeper and more painful cuts in health care.

Why? Why are we using expedited procedures for cuts that will harm millions of seniors and working Americans? Is it to reduce the deficit or to pay for Katrina? No; no on both counts. Is it to prepare for the avian flu? No. It is to provide congressional Republicans fiscal cover today so they can turn around tomorrow to provide tax breaks to special interests and multimillionaires.

Let me be more specific. The capital gains and dividend tax breaks in the Republican budget would provide 53 percent of its benefits to those with incomes greater than \$1 million. Those lucky few would get an average tax break of about \$35,000.

What about those with incomes between, say, \$50,000 and \$200,000? Well, they will get an average cut of \$112. How about those with incomes of less than \$50,000? Six dollars—\$35,000 for those with incomes of more than \$1 million, \$6 for those earning less than \$50,000. And to partially pay for these tax breaks, many Republicans now want to cut Medicare, cut Medicaid, cut agriculture, cut housing, cut student loans, cut child support enforcement, cut services on which Katrina survivors should be relying, cut benefits needed by our Nation's most vulnerable Americans.

Now you know why some of our Nation's most respected religious leaders call this budget immoral. These choices do not reflect the best of American values. That is not what Americans would want. America can do better.

Finally, beyond the fiscal irresponsibility of this budget and the disturbing choices it makes, there are other more important priorities the Senate should be addressing. Take, for example, skyrocketing prices of fuel. Families are struggling to fuel their vehicles and heat their homes. Farmers and businesses are feeling the pinch. Democrats have a plan to respond, to address price gouging, and ultimately make our Nation energy independent. That is more important than harming the vulnerable to provide tax breaks to special interests while increasing the deficit.

Hurricane survivors are still struggling. Thousands lack health care coverage. More than 200,000 still live in motel and hotel rooms. Devastated communities have been forced into massive layoffs and are unable to provide even basic services, such as a place for kids to go to school. And many survivors who have lost everything are facing the threats of foreclosure and bankruptcy in homes that do not even exist. Democrats have a plan to address these urgent needs. That is more important than harming the vulnerable to provide tax breaks to special interests and multimillionaires while increasing the deficit.

The Iraq war is not going well, as we all know. We were promised by this administration that it would. Mr. President, 2,036 American soldiers have been killed in Iraq. Tens of thousands have been wounded, badly injured; 150,000 more are still in harm's way in Iraq, while the administration still has no plan to end the conflict and bring them home. Instead of being greeted as liberators, the violence continues nearly 3 years after the start of this conflict. Our Nation badly needs a strategy for success, and that, too, is more important than harming the vulnerable to provide tax breaks to special interests and multimillionaires while increasing the deficit.

I urge my colleagues to defeat this budget piece by piece. It is fiscally irresponsible. It is based on the wrong values and reflects the wrong priorities. I would hope together we could do better. Let's reject this budget, and let's focus on the real needs of the middle class and our Nation.

#### APPROPRIATIONS FOR AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2006—CONFERENCE REPORT—Resumed

Mr. KERRY. Mr. President, while I recognize there are good things in this bill, today I will be voting against the Agriculture appropriations conference report for two primary reasons. One, it delays the implementation of the country-of-origin labeling for beef and other foods. U.S. consumers deserve to know where their food is grown and

processed, and domestic producers deserve the opportunity to differentiate their products from foreign imports. While mandatory country-of-origin food labeling passed as part of the 2002 farm law, its implementation continues to be delayed and this bill would delay it an additional 2 years.

My other primary concern is that the bill cuts funding for many important conservation programs, such as the Conservation Security Program. Since the farm bill was enacted in 2002, the USDA conservation programs have taken hits year after year. They have been used repeatedly as a source of off-sets to fund other needs. Including this conference report, the annual appropriations measures from fiscal year 2003 through fiscal year 2006 have cut \$1.13 billion in mandatory funds that we dedicated to conservation in the farm bill.

I appreciate the hard work of the chairman and the ranking member, but what came back from the House is not good for our Nation's farmers, it is not good for consumers, and it is not good for conservation. I will, therefore, be voting against it.

Mr. MCCAIN. Mr. President, today the Senate will vote on the conference report to H.R. 2744, the Agriculture Appropriations bill for fiscal year 2006. Unfortunately, I cannot support final passage of this bill.

The conference agreement to H.R. 2744 appropriates about \$100.9 billion in spending, an amount that is approximately \$848 million over the administration's request, \$258 million more than the Senate-approved bill and \$660 million more than the House-passed bill. As is the case with many of the appropriations bills that come to the floor, this bill and its accompanying report contain earmarks and pork projects which have not been authorized or requested.

I believe that some Federal involvement is necessary to assist low-income families under the Food Stamp Program and that we ensure that our farmers stay out of the red. And to this end, many of the programs under the Agriculture Department are worthwhile and I support their funding. I know that many of my colleagues have spoken before the Senate about the economic struggles of America's farmers, but as Congress looks ahead towards legislating a new farm bill in the near future, we once again conform to the practice of diverting taxpayer dollars into an array of special interest pork projects.

Let's take a look at some of the earmarks that are in this bill: \$350,000 for a report on the economic development of the sheep industry in the United States; \$1,250,000 for the National Sheep Industry Improvement Center; \$210,000 to the Little Red River Irrigation project, Arkansas; \$1,800,000 for the Muskingum River Watershed, Mochican River, Jerome and Muddy Fork obstruction removal projects, Ohio; \$1,000,000 for a flood prevention project

in Kane County, Illinois; \$200,000 for a grant to administer a private lands wildlife management program in Alaska; \$1,000,000 for a grant to the Ohio Livestock Expo Center in Springfield, OH; \$2,250,000 for a grant to the Wisconsin Federation of Cooperatives for pilot Wisconsin-Minnesota health care cooperative purchasing alliance; \$200,000 for a grant to the Utah State University for a farming and dairy training initiative; and \$500,000 for a grant to the Nueces County, Texas Regional Fairground.

It is a violation of Senate rules to legislate on an appropriations bill, and this fact is far too often overlooked. Authorizing policy is a function reserved for the authorizing committees, not the appropriations committee. As is done far too frequently, this appropriations bill includes a variety of policy changes. Examples include:

The conference agreement authorizes the purchase of land by the Agriculture Research Service in Florence, SC.

The conference agreement authorizes the lease of 40 acres of Federal ARS land to the Colorado State University system.

The conference agreement authorizes the ARS to convey 19 acres of Federal land to Oktibbeha County, MS.

The conference agreement allows for the granting of easements at the Beltsville, MD, Agricultural Research Center.

The conference agreement amends the Rural Electrification Act of 1936 regarding Federal loans.

The conference agreement amends the Immigration and Nationality Act.

The conference agreement amends the Organic Food Production Act of 1990.

The conference agreement amends the Federal Meat Inspection Act.

The statement of managers that accompanies this conference report also includes hundreds of earmarks and questionable projects. Here are some examples: \$300,000 for beaver management in North Carolina; \$625,000 for game bird predation work with the University of Georgia; \$50,000 for control of feral hogs in Missouri; \$50,000 for animal tracking projects in the State of Washington; \$380,000 to continue control measures for minimizing blackbird damage to sunflowers in North Dakota and South Dakota; \$196,000 for geese control in the State of New York; \$75,000 for research into peanut production, Dawson, GA; \$75,000 for research into seafood waste, Fairbanks, AK; and \$250,000 for turf grass research, Beaver, WV.

Despite high gas prices, despite a swelling budget deficit, despite our military operations overseas, and despite our domestic emergencies, pork continues to thrive in good times and bad. The cumulative effect of these earmarks erode the integrity of the appropriations process and, by extension, our responsibility to the taxpayers. We can do better for our farmers and the American people.

Mr. DORGAN. Mr. President, I voted to reject the conference committee's report on the fiscal year 2006 Agriculture appropriations bill. There is much about this bill that I support. It funds important research in North Dakota and across the country that will greatly benefit American agriculture.

I voted against the conference report because of how it treats an important issue called country-of-origin labeling. The 2002 farm bill required that fruits, vegetables, seafood, and meat sold in grocery stores and supermarkets be labeled with its country of origin. This is a consumer-friendly, farmer-friendly, rancher-friendly law, and I strongly supported it. After all, if we can look at a label on our T-shirt and know where it came from, we should be able to do the same with the T-bone steak on our dinner plate.

Country-of-origin labeling, or COOL, was supposed to begin in September 2004. If we had followed the law we passed in the farm bill, American consumers would today be able to know where their food comes from, and our farmers and ranchers would be reaping the benefits. Unfortunately, 2 years ago, opponents of this commonsense law hid a provision in a massive spending bill that delayed the start date for COOL until 2006.

COOL is the law of the land. The Senate has voted overwhelmingly in favor of it. It should have gone into effect years ago. So I was outraged to learn there was another 2-year delay of COOL in this year's Agriculture Appropriations bill.

I knew some opponents of COOL wanted to delay this important program. But I expected that when the conference committee met to write a final version of the Agriculture appropriations bill, we would get a chance to debate this issue and vote on it, in public. Instead, a handful of Republican Senators and Representatives went behind closed doors and decided on their own to delay the program for an additional 2 years.

That is an outrage. I voted no today because I think we should send this bill back to the conference committee and force the conference committee to vote on this issue.

Mrs. CLINTON. Mr. President, today I discuss the Agricultural Appropriations conference report, which recently passed the Senate. Though I was not pleased with all aspects of the final report, I voted in favor of this bill because I support New York farmers and consumers.

I am proud to support the increases made to the Food Stamp Program, which is vital to feeding New York families and children.

The Food Stamp Program plays a critical role in fighting hunger and ameliorating poverty in both our urban and rural communities. This program provides critical resources to millions of low-income families with children, seniors and individuals with disabilities.

In addition, hundreds of thousands of displaced evacuees are currently in need of critical food assistance due to Hurricanes Katrina and Rita. As the Nation works to recover and rebuild from these devastating natural disasters, the widespread need for increased assistance demands that Federal Government food relief efforts be expanded, not cut.

I also welcomed increased funding to child nutrition programs, though I was upset to see that New York State was not included in the USDA's Fruit and Vegetable Program this year. I will continue to work with my Senate colleagues on the Agriculture Committee to ensure that New York is added next year. New York children deserve to have access to fresh produce in their lunch lines and in their schools.

These positive aspects of the bill won my support for the bill as a whole. However, the bill has several important flaws that I must make note of. I am dismayed by the decision to cut funds to the Conservation Security Program, CSP, which provides voluntary incentives for farmers and ranchers to participate in efforts to preserve and enhance their farmland, their natural resources and the environment.

Five watersheds in New York State are currently eligible for CSP sign up in FY 2005—Ausable, Northern and Southern Long Island, Buffalo and Niagara—and about 2,860 farms and over 436,000 acres are enrolled. Two additional New York State watersheds have been proposed to be added to CSP for FY 2006—East Branch Delaware and Oak Orchard—which would add an estimated 1,800 new farms and almost 390,000 acres to the program. Due to the drastic nature of the cuts to the Conservation Security Program, these contracts to New York State farmers are in jeopardy.

I am also extremely disappointed by several of the provisions that were included in the conference report, particularly the decision to once again delay mandatory country-of-origin labeling. This provision was inserted behind closed doors and does not serve the interests of producers and consumers in my state of New York.

The 2002 farm bill required that the U.S. Department of Agriculture write rules and implement mandatory country-of-origin labeling, COOL, of meat products, seafood, fresh and frozen fruits and vegetables, and peanuts by September 2004.

My producers want mandatory COOL because it will give them a competitive advantage over foreign goods, particularly for the fresh market specialty crops that New York produces. It is also good for consumers, who will be able to make an informed choice and buy food produced closer to home. In addition, mandatory COOL will enhance food safety through increased traceability of our food products and will better protect animal and human health.

Despite practical suggestions from small farmers and ranchers for streamlining the country-of-origin labeling process, I am disheartened to see that the decision has instead been made by agribusiness, which doesn't want consumers to know where food comes from.

While I voted for this bill because I feel that it is imperative to keep agriculture and nutrition programs moving forward, I hope to continue to work with my Senate colleagues to address some of the shortcomings in the future.

Mr. CONRAD. Mr. President, the fiscal year 2006 Agriculture appropriations conference report was written under some very difficult spending constraints compared to the needs of U.S. agriculture. Because the bill contains many positive elements for North Dakota agriculture, I intend to vote for its passage. However, I am deeply concerned that the appropriators have again adopted a delay in the implementation of the mandatory country-of-origin labeling for U.S. agricultural products. This provision is broadly supported by U.S. farmers and livestock producers who wish to be able to differentiate their products in the marketplace. It is also supported by our consumers who desire to know where their food is produced. It is unfortunate the conference failed to represent those interests.

Mr. SALAZAR. Mr. President, I rise to speak about the fiscal year 2006 Agriculture appropriations bill. I want to thank Chairman BENNETT and Ranking Member KOHL for their long, hard work on this important bill. In the current fiscal environment, it is extremely difficult to put together an Agriculture appropriations bill that meets the needs of rural communities across the U.S., and I believe that Senators BENNETT and KOHL have done an admirable job.

I am very pleased that two of my amendments that were adopted during Senate consideration of this bill were included in the final conference report—specifically, my first amendment will result in a thorough review of the impact the increased cost of gas, natural gas, and diesel is having on farmers, ranchers, and rural communities; and my second amendment will help to address ongoing bark beetle infestation problems.

In addition, I am pleased that Colorado State University will receive funding for several important agricultural research programs such as infectious disease research, Russian wheat aphid research, and beef cattle genetics research.

Unfortunately, I am still concerned about the rural communities this conference report is primarily designed to assist. I am concerned that we are not doing everything we can on behalf of those farmers, ranchers and agribusinesses that continue to play a vital role in our Nation's rural communities. We are not making the necessary investments to keep our young people in

these communities, and we are not making the necessary investments in research and development that will allow those communities to compete economically.

I am also concerned that this bill includes yet another delay for country-of-origin labeling. I believe this is a commonsense provision that will provide American consumers with information about where their food is coming from—information they need and deserve. Common sense dictates that if we can label where our shirts and socks are made, we can surely label where our meat and other kinds of food come from. I was disappointed to see this provision in the conference report, one that I believe will prevent our consumers from receiving the information they need to make an informed choice—the choice to buy American meat.

We can do more. Here is what I am hearing from my State: During harvest, agricultural producers are some of the largest fuel consumers in the U.S., and producers are facing enormous fuel costs. In Grand Junction, CO, diesel prices are over \$3.00.

I have heard from one Colorado farmer in Kit Carson County who has estimated that, in order to harvest this year, he will need an additional \$46,000 to cover fuel costs alone.

I have also heard from a farmer in northeastern Colorado who, in order to cover the increasing price of fuel, has applied for additional loans at his bank—only to be turned down because he is already overextended with existing loans.

That is why I am so pleased this bill now includes my amendment to require the Secretary of Agriculture to work with the Secretary of Energy to produce a comprehensive report on the impact of high gas prices on our farmers, ranchers, and rural communities across the country. That data is the first step toward a comprehensive solution that will help these communities address these terrible prices.

When you consider that these increasing fuel costs come on top of both natural disasters and an overall budget picture that has resulted in \$3 billion worth of cuts to important agricultural programs, it is painfully clear that we must do more to help our producers. I believe we must cooperate to provide our rural residents with increased rural development and sustainable agricultural opportunities as well as reasonable commodity supports and eligibility guidelines to ensure that Federal supports go to the family farmers who are the intended beneficiaries.

Our family farmers, ranchers, and rural business people deserve fair farm, rural development, and conservation programs. They also deserve a safe food supply and other policies that help create more successful communities. I will support this bill, which is a step in the right direction. However, I do so with the recognition that it is not the whole answer, and that we must con-

tinue to fight—fight for the important investments that will assure our rural communities that we have not forgotten them.

The PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a vote on the adoption of the conference report to accompany H.R. 2744.

Mr. GREGG. Mr. President, have the yeas and nays been ordered?

The PRESIDENT pro tempore. They have not.

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

The PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

Mr. FEINGOLD. Mr. President, in September I was pleased to support the Senate version of H.R. 2744, the fiscal year 2006 appropriations bill providing funding for the Department of Agriculture, Food and Drug Administration, and related agencies. I want to thank Senators BENNETT and KOHL for their hard work in crafting that legislation. While I may not have supported every provision, on balance, the Senate bill provided important funding to support our Nation's farmers, rural communities, and conservation programs and to provide nutritious food for seniors, children, and those in need. While I still support many of the provisions that remained in the conference report, there were significant changes and new provisions added that prevent me from supporting the final conference report.

After years of delay, I was encouraged that the Senate bill included funds to implement mandatory country-of-origin labeling, COOL, for meat, vegetables, and fruits. Unfortunately the conference report delays COOL for another 2 years, which is unacceptable for a provision that was part of the 2002 farm bill. Country-of-origin labeling is vitally important to enable our farmers to show their pride in the quality of their products, from ginseng to cheese to cranberries. Wisconsin farmers are proud of their work, and many consumers want to support American products—with country-of-origin labeling, both farmers and consumers benefit.

The strength of the organic certification and labeling program through USDA has been the ability of organic consumers, farmers, processors, and retailers to work together to create a seal that everyone has confidence in. The Harvey court decision challenged some of the procedures in place for organic farming and food processing. This situation should have caused the organic community to again come together, openly discuss the issues, and more than likely propose consensus changes to the law to both ensure the reputation of the organic label and allow for the continued record growth of the organic market. The Senate had included an amendment to require the USDA to report on the effects of the Harvey decision as part of this open process.

Unfortunately, some powerful corporate interests who see organic foods simply through the lens of potential profit were able to have language inserted in conference. While some of the inserted changes might ultimately have been adopted after open discussions with interested parties, back-room deals in the dead of night are not the way to go and have the potential for undermining confidence in the entire organic program.

This closed-door process extended to other provisions that were changed in conference to the detriment of the final report, including reductions in conservation funding and the removal of a provision proposed by Senator HARKIN that would have prevented the privatization of food stamp offices.

I am also disappointed that there are not stronger protections against the politicization of decisions made by the Food and Drug Administration. There is no room for politics in science, yet the FDA has demonstrated an alarming indifference to scientific integrity in its unprecedented decision preventing emergency contraception, or Plan B, from being offered over the counter. I strongly believe women should have access to all available contraceptive methods so that they can make choices regarding their personal health. I have supported scientific integrity in the past, and I must express my displeasure that stronger language was not included in the final conference report to prevent the FDA from allowing politics to affect its decision making.

By highlighting the problems with the conference report's process and policy I don't mean to suggest that nothing good remains from the Senate bill. The conference report still rejects a number of administration proposals to reduce or eliminate important programs such as funds for research at our land-grant colleges and universities, conservation partnerships through resource conservation and development councils, and funds to combat John's disease in our dairy industry. I was also heartened that the conferees included critical funds to address chronic wasting disease, and an amendment I proposed with Senator ALLARD to speed USDA's development of uniform regulations governing captive deer and elk. But, on balance, I simply cannot support the detrimental changes made in conference to the Senate bill.

Mrs. FEINSTEIN. Mr. President, as a member of the Agriculture Appropriations Subcommittee, I rise today to speak in support of the Agriculture appropriations conference report.

I would particularly like to thank the chairman and ranking member of the Subcommittee, Senators BENNETT and KOHL, for including \$7 million in the bill for specialty crop funding.

Americans tend to forget that California is the largest agricultural producing State in the Nation. Of the top 10 agricultural producing counties nationwide, 8 are located in California. We export more crops than any other

State, and I am proud to say that 97 percent of our farms are family owned.

As a result, I supported the Specialty Crop Competitiveness Act, legislation to boost the marketing of highly nutritious fruits, vegetables and other specialty crops to American consumers and international markets. The legislation provided, for the first time, a dedicated source of funding to promote the marketing of specialty crop products.

Specialty crops are fruits and vegetables, tree nuts, dried fruits, and nursery crops, including floriculture. Farms in the Golden State produce more than half of the Nation's fruits, vegetables and nuts from just 3 percent of the Nation's farmland. While California accounts for about 13 percent of national cash receipts from agriculture, it receives only about 3 percent of direct government payments to agriculture. These funds, while open to all 50 States, will help California specialty crop farmers.

As the globalization of markets continues, it is becoming increasingly difficult for United States producers to compete against heavily subsidized foreign producers in both the domestic and foreign markets. United States specialty crop producers also continue to face serious tariff and nontariff trade barriers in many export markets. The funding for specialty crops will promote the marketing of specialty crops and improve access to foreign markets and competitiveness.

I am extremely pleased that we were able to include \$7 million for crops that are so vital to our Nation's food supply.

In addition, I would like to thank the chairman and ranking member for including other projects that will benefit California.

They include: \$1.35 million for the California County Pest Detection Augmentation Program. These funds will help California counties increase high-risk pest exclusion inspection activities of new shipments of plants, seeds, fruits, vegetables, and animals. Pest exclusion is critical to a successful agricultural industry because it is more effective and less costly to prevent the introduction and establishment of potentially harmful exotic pests from the local environment than it is to eliminate them;

\$24.25 million for the Glassy-winged Sharpshooter/Pierce's Disease Control Program. The glassy-winged sharpshooter is an invasive pest that spreads bacteria that kills grapes, almonds and tree fruits. This funding will be used to develop the resources to eliminate the spread of the disease;

\$200 million for the Market Access Program. This nationwide program provides funding to promote the export of American agricultural products;

\$1.929 million for Exotic Pest Disease Research at the University of California. The Exotic Pest and Disease Research Program funds research to combat a wide variety of exotic organisms that have invaded or could invade Cali-

fornia. Recent successes in the program include determining the origin of avocado thrips found in Ventura and Orange counties—causing an \$8.7 million annual loss to growers—and identifying natural enemies to control the thrips and replace pesticides previously in use. A similar approach is being developed for the Avocado Lace Bug. In addition, the program has funded work on such organisms as Sudden Oak Death, red imported fire ant, and Mediterranean fruitfly;

\$20 million for the Farmers' Market Nutrition Program. The program provides nutritional information and supplements as well as healthcare referrals to low-income mothers and pregnant women. The Farmers Market Nutrition Program provides coupons to participants to use to buy produce from small farmers, and nutrition information is provided through the local Farmers Market Nutrition Program agency;

\$3.076 million for the Sudden Oak Death Control Program. Funding will be used to continue researching Sudden Oak Death Disease, which infects and destroys oak and tanoak trees;

\$401,000 for Ozone Air Quality Research by the San Joaquin Valleywide Air Pollution Study Agency. A multi-year, intensive air quality study is needed to meet the requirements of Regional Haze State Implementation Plans anticipated after 2008. This study would build upon the Central California Ozone Study and the California Regional Air Quality Study. These new studies will include an ozone filed study, data analysis, modeling performance evaluations, air quality and meteorological modeling improvements, and a retrospective look at previous State Implementation Plan modeling.

This bill is extremely important to ensuring a safe and secure domestic food supply. I would like to again thank the chairman and the ranking member for all of their hard work on this bill.

The question is on agreeing to the conference report. The clerk will call the roll.

The assistant journal clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. CORZINE) is necessarily absent.

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

The result was announced—yeas 81, nays 18, as follows:

[Rollcall Vote No. 282 Leg.]

YEAS—81

Akaka	Burr	Cornyn
Alexander	Byrd	Craig
Allard	Cantwell	Crapo
Allen	Carper	Dayton
Bennett	Chafee	DeMint
Biden	Chambliss	DeWine
Bingaman	Clinton	Dole
Bond	Cochran	Domenici
Boxer	Coleman	Durbin
Brownback	Collins	Feinstein
Bunning	Conrad	Frist

Graham	Lincoln	Salazar
Gregg	Lott	Santorum
Hagel	Lugar	Sarbanes
Hatch	Martinez	Schumer
Hutchison	McConnell	Sessions
Inhofe	Mikulski	Shelby
Inouye	Murkowski	Smith
Isakson	Murray	Snowe
Jeffords	Nelson (FL)	Specter
Kennedy	Nelson (NE)	Stabenow
Kohl	Obama	Stevens
Landrieu	Pryor	Talent
Lautenberg	Reed	Vitter
Leahy	Reid	Voinovich
Levin	Roberts	Warner
Lieberman	Rockefeller	Wyden

## NAYS—18

Baucus	Ensign	Kerry
Bayh	Enzi	Kyl
Burns	Feingold	McCain
Coburn	Grassley	Sununu
Dodd	Harkin	Thomas
Dorgan	Johnson	Thune

## NOT VOTING—1

Corzine

The conference report was agreed to. Mr. BENNETT. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

# DEFICIT REDUCTION OMNIBUS RECONCILIATION ACT OF 2005—RESUMED

## AMENDMENT NO. 2351

The PRESIDING OFFICER. It is now in order to consider the Conrad amendment. There is 2 minutes equally divided.

Mr. CONRAD. Mr. President, I ask unanimous consent that Senator BIDEN be added as a cosponsor.

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

Mr. CONRAD. Mr. President, the best argument made for my amendment, which is to restore fiscal responsibility, is the argument made by the chairman of the Budget Committee in 2002. Here is what he said:

The second budget discipline, which is pay-go, essentially says if you are going to add a new entitlement program, or you are going to cut taxes, you must offset that event so that it becomes a budget neutral event. If we don't do this, if we don't put back in place caps and pay-go, we will have no budget discipline, and as a result we will dramatically aggravate the deficit, which, of course, impacts a lot of important issues but especially impacts Social Security.

The budget chairman was right then. It is the right position now. Support the restoration of the budget discipline of pay-go.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, I was correct then, and that is why we put pay-go into this resolution. The budget resolution does have pay-go in it, and it is the appropriate approach to pay-go because it recognizes there is a difference between tax relief and raising spending. The other side of the aisle has always looked on people's taxes as their

money. We don't look at it that way on this side of the aisle. We look at it as the people's money, and they should be able to keep it. We should not have a rule that arbitrarily takes it from them.

For that reason, I oppose the amendment.

I make a point of order that the pending amendment is not germane before the Senate, and I raise a point of order under section 305 of the Budget Act.

Mr. CONRAD. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive the applicable section of the act for the consideration of the pending amendment.

I ask for the yeas and nays, and I ask my colleagues to support this budget discipline.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. CORZINE) is necessarily absent.

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

The yeas and nays resulted—yeas 50, nays 49, as follows:

[Rollcall Vote No. 283 Leg.]

## YEAS—50

Akaka	Durbin	Mikulski
Baucus	Feingold	Murray
Bayh	Feinstein	Nelson (FL)
Biden	Harkin	Nelson (NE)
Bingaman	Inouye	Obama
Boxer	Jeffords	Pryor
Byrd	Johnson	Reed
Cantwell	Kennedy	Reid
Carper	Kerry	Rockefeller
Chafee	Kohl	Salazar
Clinton	Landrieu	Sarbanes
Coburn	Lautenberg	Schumer
Collins	Leahy	Snowe
Conrad	Levin	Stabenow
Dayton	Lieberman	Voinovich
Dodd	Lincoln	Wyden
Dorgan	McCain	

## NAYS—49

Alexander	Dole	McConnell
Allard	Domenici	Murkowski
Allen	Ensign	Roberts
Bennett	Enzi	Santorum
Bond	Frist	Sessions
Brownback	Graham	Shelby
Bunning	Grassley	Smith
Burns	Gregg	Specter
Burr	Hagel	Stevens
Chambliss	Hatch	Sununu
Cochran	Hutchison	Talent
Coleman	Inhofe	Thomas
Cornyn	Isakson	Thune
Craig	Kyl	Vitter
Crapo	Lott	Warner
DeMint	Lugar	
DeWine	Martinez	

## NOT VOTING—1

Corzine

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 49. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

Mr. OBAMA. Madam President, I rise today to speak in favor of fiscal respon-

sibility. This pay-go amendment introduced by Ranking Member CONRAD of the Budget Committee, of which I am a cosponsor, seeks to fully reinstate the pay-as-you-go requirement for direct spending and revenue legislation in the Senate through 2010.

This is about restoring responsible budgeting. Previously, pay-go rules applied equally to increases in mandatory spending and decreases in revenue. New spending or tax cuts could only become law if they were offset or found 60 votes in support. This enforced a badly needed budget discipline. It said, either pay for your priorities whether entitlement spending or tax cuts or both or find a supermajority of colleagues willing to override the rule. Simple logic. Simple balance. Common sense. Pay-go worked well in the 1990s to reduce deficits and it can work well today.

Unfortunately, the rules were changed, and the balance was overturned. Now, the requirements of budget discipline apply to only half of the budget. Tax breaks are exempt from the logic and balance and common sense of budget discipline.

The problem is that there is no such thing as half a budget. Budget discipline requires enforcing control over both sides of the ledger. You can't fill a bath tub just by plugging the drain. You can't drive a car just by pressing on the brakes.

The original pay-go rules were abandoned to provide for a series of unfunded tax breaks. And since the tax breaks were unfunded, the Government had to borrow money to pay for them. So we borrowed from countries like Japan and China. And we borrowed from the Social Security trust fund. In the process, our national debt shot up to \$8 trillion, and it is still rising. Last year, for example, our national commitments exceeded our national resources by more than \$550 billion. And we continue to borrow.

Some have argued that this first chapter of reconciliation is an effort to reduce the deficit. They tout the reductions in spending, many of which I would support. But later this month, the Senate will get to chapter two of reconciliation, which proposes further unfunded tax breaks and guarantees additional deficits and growing debt. So much debt, in fact, that the third chapter of budget reconciliation, which no one really wants to talk about, will involve raising our country's debt ceiling to almost \$9 trillion.

Americans deserve better financial leadership. The people I talk to in Illinois are not fooled by what is going on. They know what is happening with higher deficits and reduced levels of government service. They understand that, in this life, you get what you pay for and if you don't pay for it today, it will cost you more tomorrow.

Washington could learn a lot from the American people about fiscal responsibility. The people I have met with know that if you need to spend more money on something, you also