The bill clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

HIGHWAY TRUST FUND EXTENSION

Mr. INHOFE. Mr. President, I cannot express how frustrated I am with Washington politics, as a result of, I believe, irresponsible behavior on the part of Democrats and Republicans, in the House and in the Senate. The Federal Highway Administration shut its doors on Monday, furloughing 2,000 employees, putting projects across the country at risk and stopping the highway program from paying States the money they are owed.

I have been in constant communication with Gary Ridley, Oklahoma's transportation secretary—I think the best one in the country. He flew here this week to help resolve this crisis. He told me if it is not worked out by Friday, there will be very serious consequences in my State of Oklahoma. There will be jobs that will be shut down, work that has already been contracted out that will be under default. I understand some of the Democrats are trying to make political hay out of this, but I want to set the record straight that a lone Republican Senator is being singled out for the blame, but in reality there is plenty of blame to go around.

Last week the Senate passed a jobs bill that included a number of tax cuts and long-term extension for the highway program. The House Democrats were divided on the bill and their leadership could not pass the bill. Given the chaos in their caucus, they passed a 30-day extension of the highway bill late last week. Because of this 30-day extension, it would add about $10 billion to the outrageous $13.2 trillion national debt.

A Republican Senator said he would only agree to it if it was offset. Senate Democrats refused to offset the package. Nobody was willing to back down. We find ourselves in this situation today.

Not only is there ample blame to go around on why Congress allowed the highway program and the FHWA to shut down, I think there is equal blame to go around on why it has taken us 6 months to pass a long-term extension.

We tried on numerous occasions to pass the extension. Frankly, this should not come as a surprise to anyone. I have been sounding the alarm for this ever since last July. We learned in July that there are a couple of Senators who are, frankly, opposed to the Federal Highway Program and want to see it underfunded, as has been the case this fiscal year.

I often said—there is no secret to this, even though I am considered to be quite a conservative—in some areas I have been a big spender. One is national defense. The other is infrastructure. That is what we are supposed to be doing here.

On the last day of the fiscal year before the 2005 highway bill expired, Senator BOXER and I, right here on the floor, attempted to pass a long-term extension of the highway program. Unfortunately, we were not successful. The same group of Senators who opposed the highway program demanded that the bill be offset. They suggested unobligated stimulus funds, but the Democrats objected to this. The chairman, that is BARBARA BOXER, and I were working hard to find offset. Senator BOXER got Democratic leadership to agree to use TARP as an offset.

I was very excited about this. I remember I thought that night—it was a Wednesday night, it was getting close to midnight. We had to do something or everything was going to fall apart. I thought we had it resolved. Unfortunately, many Republicans and some Democratic Senators object to this offset. As a result, we were stuck with a 30-day extension on the continuing resolution which funded the program at $1 billion a month more than 2009 levels.

I have to say—and I now blame Republicans for this—I have often said one of the bad things that happened to this Senate happened on October 1 of 2008, when they passed the $700 billion bank bailout bill. That is the TARP funds we are talking about. A lot of conservative Republicans objected to offsetting the TARP because that would be an admission that that money probably was not going to be repaid anyway. I think a lot of Republicans were trying to tell people back home—I didn't vote for this, by the way, but they did. Those who did—don't worry, everything is going to get paid back. It is all going to get paid back. I think we all should have known better. All you had to do was read that bill and that would have been the case.

So then it was the Republicans who refused to use that. The money was there. It could have been used and we wouldn't be facing this dilemma. We could have the 1-year loan extension. We would have time to put together a highway program, which is what we—we—want to do.

Unfortunately, some do not. So it is clear the only way to get a long-term highway extension done is for Senator REID to dedicate a week of floor time to overcome the objections of two or three Republicans who opposed the highway program. To that end, all the chairmen and ranking members of the committees involved sent a bipartisan letter to Senator REID pointing out the problem we were facing and asking for floor time to overcome the objections. Senator REID ignored this request until 2 weeks ago when he abandoned the bipartisan Baucus-Grassley jobs bill in favor of his own bill that included a long-term highway extension. I wish to point out that this maneuver cost the highway extension the bulk of Republican support.

I wish to caution that it is very dangerous to turn a bipartisan issue such as this into a partisan one. Because the highway bill was included with a number of other issues, it got caught up in the House Democratic and second stimulus bill politics unrelated to the highway program. This just reinforces that it should have been done as a standalone measure.

Let me conclude by reading an excerpt of a Tulsa World editorial—that is Tulsa, my hometown. It states:

> What's up with those geniuses in Congress? First they scurry around to get massive stimulus funding in the pipeline in an effort to quickly jump-start the economy, and then they fiddle around and let regular transportation funding that would further aid the recovery lapse. Not a good recipe for ensuring that the recovery will continue.

The editorial concludes:

> Inhofe blamed the funding snafu on politics, which comes as no surprise. Apparently it was just too much to ask of our leaders to put politics aside for once in favor of rescuing the economy and thousands of jobs.

Let me tell you that editorial was from October of last year. It is amazing that Congress has allowed the months to go by since that time.

Right now, what we are facing in my State of Oklahoma is about $415 million a week that is going to cost us. We have contracts that are already let, and we are in a dilemma now to know what to do. We are going to have to resolve this problem by, I would say, Thursday or Friday or it is going to be chaotic. I suggest it is not just my State of Oklahoma that has this problem; many other States do. I hope people set everything aside and try to get this thing done and do one of the things we are elected to do and do something about the infrastructure. Right now, it is in crisis. We are going to have to resolve it.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

TEMPORARY EXTENSION ACT OF 2010

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Senate now proceed to Calendar No. 278, H.R. 4691, a 30-day extension of provisions that expired Sunday, February 28; that the Bunning amendment regarding offset, which is at the desk, be the only amendment in order; that there be 60 minutes for debate with respect to the amendment, with the time equally divided and controlled between Senators REID and BUNNING or their designees; that upon the use or yielding back of time, the time until 8:30 p.m. be for debate with respect to the bill, with the

time equally divided and controlled between Senators BAUCUS and GRASSLEY or their designees; that at 8:30 p.m., the Senate proceed to vote in relation to the Bunning amendment; that no further amendments be in order; that upon disposition of the Bunning amendment, the bill, as amended, if amended, be read the third time; that prior to passage, it be in order to raise an applicable budget point of order against the bill; further, that if the point of order is raised, then a motion to waive the applicable point of order be considered made, with no further debate in order; provided that if the point of order is waived, the Senate proceed to vote on passage of the bill, as amended, if amended; further, that when the Senate resumes consideration of H.R. 4213, the next two Democratic amendments be offered by Senators MURRAY and SANDERS and the next two Republican amendments be Bunning amendments.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, briefly, I am pleased Senator BUNNING will have an opportunity to offer the amendments that he thinks are important and that he has been stressing for the last few days. I am glad we were able to work this out and move on with the business of the Senate.

I yield the floor.

The PRESIDING OFFICER. The clerk will read the title of the bill.

The bill clerk read as follows:

A bill (H.R. 4691) to provide a temporary extension of certain programs, and for other purposes.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 3355

Mr. BUNNING. Mr. President, I call up my amendment, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Kentucky [Mr. BUNNING] proposes an amendment numbered 3355.

Mr. BUNNING. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. BUNNING. Mr. President, in a minute I will speak about my amendment to pay for this bill. First, I want to talk about how we got here.

Last week, I objected to the majority leader's request for unanimous consent to pass a 30-day extension of several expiring programs that was not paid for. I offered to pass the exact same bill that was paid for, and unfortunately he objected to my request.

There was nothing stopping him from using the tools at his disposal to overcome my objection. The leader could have filed cloture on the bill and brought it to the floor last week, instead of the travel bill that is a great giveaway to his State. If he had done that, this bill would have been signed into law already. He also could have filed cloture on the bill and worked through the weekend and it would already be law. The leader could have proceeded to the bipartisan Baucus-Grassley bill that paid for these programs and it would have been signed into law by now. He could have accepted my request to pay for the bill and we would not be here tonight. Instead, the leader decided to press ahead with a bill that adds to the debt and violates the principles of pay-go that everyone claims to care about.

Just over a month ago, the majority in the Senate passed pay-go legislation that supposedly says we are going to pay for what we spend. I support that idea, but I knew at the time that the legislation would be ignored. Unfortunately, I was right.

Barely 1 week after President Obama signed the pay-go law into effect, the majority leader proposed a bill that was not paid for. That bill passed and added $10 billion to the deficit. That is $10 billion your children and my children and grandchildren will have to pay for. That is $10 billion on top of a $14 trillion national debt. After passing $10 billion more debt on to future generations, the majority leader proposed to pass another bill to add another $10 billion to the debt. That is when I said enough is enough; we cannot keep adding to the debt and passing the buck to generations of future workers and taxpayers—my children and your children and our grandchildren.

As we all know, the national debt has grown at a record pace in recent years. A large part of that has been a result of a downturn in the economy a decade ago and then during the last few years. But increased government spending has been a major factor too. Over the last few days, several Senators on the other side of the aisle have blamed Republican spending for the debt and asked why we did not pay for things when we were in charge. They have a point. I wish we would have spent less and paid for more of it when we were in charge. There are some votes I wish I could have back, and I am sure many of my colleagues on this side of the aisle feel the same way. But it is not fair to blame Republican spending for all the drastic increases in our national debt. Our side has not controlled the Congress for more than 3 years, and the current Congress is spending more and faster than ever before.

For example, last year, the majority pushed through a so-called stimulus bill, followed quickly by an omnibus spending bill that contributed to the government ending the year $1.4 trillion in the red, the largest 1-year deficit in the history of the United States of America.

Clearly, we are not headed in the right direction. I do not want to turn this into a partisan debate because it is not a partisan issue. I only make these points to show that neither side has clean hands, and what matters is we get our spending problems under control.

As every struggling family knows, we cannot solve a debt problem by spending more. We must get our debt problems under control, and there is no better time than now. That is why I have been down here demanding that this bill be paid for. I support the programs in the bill we are discussing, and if the extension of those programs were paid for, I would gladly support the bill.

The unemployment rate in my State is well over 10 percent right now. Many rural families get their television through satellite providers in Kentucky. More than half our State is bordered by rivers, and flood insurance is vital to the people who live near those borders and any of the major-minor rivers in the State. In fact, I wrote the law that enacted the current version of the Flood Insurance Program. I care about it deeply.

I am concerned about all the other programs in this bill as well, as is every other Member of this body. That is all the more reason to pay for this bill. If we cannot pay for a bill that all 100 Senators support, how can we tell the American people with a straight face that we will ever pay for anything? That is what Senators say they want, and that is what the American people want. They want us to get our budgets in order, just like they have to get their budgets in order every day. But that is not what the majority is doing.

Tonight, tomorrow, and on every spending bill in the future, we will see whether they mean business about controlling our debt or if it is just words. We will see if pay-go has any teeth.

Tonight, I am offering a substitute amendment that pays for these important programs with Democratic ideas. Tomorrow, I will offer amendments to the offset, the longer term extender bill that was on the floor earlier today. I will be back on future spending bills demanding that they be paid for so future generations of Americans will not be burdened with our overspending.

As I said, my amendment pays for this bill with Democratic ideas. The 10-year cost of extending these programs for 1 month is $10.26 billion. The offset I am offering will more than pay for this cost, and the offset should be familiar to many. It has been proposed by Senator BAUCUS in his substitute amendment to the long-term extension bill. It was also proposed in the Obama administration's budget.

The offset would prevent black liquor, which is a byproduct of the pulp and paper process, from being eligible for the cellulosic biofuels producer tax credit. This will save the Treasury almost $24 billion over 10 years, according to the Joint Tax Committee. As I said, this will more than pay for the cost of the bill, and there will be almost $14 billion left over.

Under the pay-go rules, that $14 billion will be available to be used to pay for the next bill Congress passes. I think we all expect that the next bill will be the long-term extension bill.

Some might say I am creating a $24 billion hole in the next bill by using that offset now. That is not true. First, we are removing over $10 billion in costs from that larger bill by enacting the 1-month extensions now, and we are also making $14 billion available for that bill.

Members on this side of the aisle, including myself, have offered and will offer ways to completely pay for the cost of that more expensive, longer term extension bill.

This pay-for is a proposal made by the majority, and I hope and expect every one of them to support my amendment. Anyone who does not should be prepared to answer why the Senate does not have to make the tough decisions to balance the government's budget while every American family does. We must bring an end to the out-of-control spending, and there is no better time than now.

I urge my colleagues to join me in saying enough and restoring some discipline to Washington. I urge everyone in this body to support this amendment.

I reserve the remainder of my time.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. Mr. President, I rise in opposition to the Bunning amendment. The Senator from Kentucky has decided, after 1 week, to accept exactly what was offered to him last week.

Last week, we said to the Senator from Kentucky: If you want to come up with a pay-for for unemployment benefits and health care benefits, offer an amendment. You will have your chance on the floor.

The Senator from Kentucky said: No, because I may lose. Therefore, I am not going to offer the amendment. I will only object to moving forward with temporary benefits for unemployment insurance and health care and several other things, and I stand by my objection.

The Senator from Kentucky just came to the floor and found four different ways to blame the Democratic majority leader for his objection. He made the objection. I think he was the only Senator out of 100 who objected.

I don't question his motive or his sincerity, but I think, in all candor, let's understand where we are at this moment in time.

During this 1-week period of time while the Senator from Kentucky could have offered an amendment, he did not. As a result, on Sunday night, unemployment benefits were cut off for thousands of people across America, assistance for health care insurance cut off all across America, thousands of Federal employees were furloughed, Federal contracts for construction were suspended. Why? Because he did not want to offer the amendment he is offering tonight.

I am glad he is offering it, and I will tell you why I am going to oppose it. He knows and I know that if we do not pass this bill as it passed the House of Representatives, if we make a change in it, we are destined to send it over to the House to, at a minimum, wait several days or even longer for a conference committee to resolve his amendment. What happens to those unemployed people during that period of time? They don't receive checks.

Mr. President, 15,000 people in Illinois had their unemployment insurance cut off Sunday night because of Senator BUNNING's objection. In addition to that, thousands in my State lost the helping hand to pay for their health insurance. The Senator from Kentucky tonight is suggesting just take this little amendment; it will not hurt a thing; it is something you should like. While we mull over his change and move it between the House and the Senate, those people will continue to go without unemployment insurance and without health care assistance. Mr. President, 2,000 more each day are added to those rolls of unemployed people who are going to pay the price for this procedural move by the Senator.

I know there is also pain in his own State. I know many people are aware of the fact that there is high employment across the United States, millions of people who have lost their unemployment insurance. I know it has affected his State. I have seen the numbers.

As a result of the objection of the Senator from Kentucky, 4,300 unemployment insurance claimants will lose their unemployment insurance by March 13 if we do not complete action. What he has done tonight is to delay it. What is even worse about this amendment and the reason why it should be defeated is not just because it will once again delay unemployment benefits to people across America, it will once again create problems where people will lose their health insurance that they may never be able to obtain again because of preexisting conditions in their family.

What is worse, these Federal workers who cannot go to work are going to suspend construction projects that create jobs across America, while this Senator from Kentucky offers this amendment to change.

Let's look at the heart of this amendment. Where did the Senator from Kentucky come up with the resources to pay for this unemployment insurance? He came up with it from the bill that is pending on the floor, where these revenues are already being raised to pay for unemployment insurance. He is not reducing our deficit. In this situation, we have already taken this source of money and put it in the next bill related to unemployment insurance to defray the cost of unemployment insurance. He does not reduce the deficit. He just adds a procedural hurdle that delays the payment of unemployment insurance to people across America.

This could have been done last week. He was offered this chance last week. He would not take it last week. As a result, a lot of people have suffered and a lot of them have gone through hardship.

It is his right to do it as a Senator, but I think the reaction on the floor of the Senate—I might add from both sides of the aisle—is a demonstration that sometimes just because we have the power to do things, we ought to think twice before we use that power. I have the power to put a hold on every nomination this President or any President seeks. I have the power to object to any unanimous consent request that comes to the floor of the Senate. But people elect us not just to make political judgment but to make good judgment. In this case, the political judgment was made that the unemployed people involved were expendable, they could wait, wait for days, if not weeks, until we get around to a political debate about the deficit.

I am troubled, too, by the argument that the Senator believes he is one of the few stalwarts on the floor of the Senate when it comes to deficit reduction. The record suggests he has voted for two wars under President Bush that were not paid for, costing the United States almost $1 trillion, adding directly to our debt.

The Senator also has supported eliminating the estate tax on the richest people in America. Certainly, that is going to blow a hole in any budget and add to the deficit. The same was true with the Medicare prescription drug program. The Senator voted for that without paying for it, adding at least $40 billion to the deficit.

You know, those of us who have been here for a while have cast many votes—and my critics will find plenty of things to criticize about my voting record—but before I would come to the floor and stop unemployment insurance for people who are wondering where their next meal is coming from, I would think twice about saving that debate so that the victims aren't the most helpless people in America who have lost their job through no fault of their own.

I urge my colleagues, when this amendment comes for a vote later this evening, to think twice. If you vote with the Senator from Kentucky, who takes his revenue source from another bill that we will vote on tomorrow, you will delay the unemployment checks again. We will have come up with another excuse to say no.

The Senator from Kentucky has made it clear he doesn't believe unemployment compensation is an emergency need in America. I disagree. I think we are in an emergency situation in our economy. I have met with these unemployed people in my State and other States. These are desperate people. Some have been out of work for 2 years. They may lose everything before it is all over. I hope they don't. They are training for new jobs, they have exhausted their savings and are trying to keep their families together. A family

I read about today said they put everything they own in one of those storage lockers because they lost their home. They moved from homeless shelters to live in the back of their car. Is that an economic emergency? Maybe not to Members of the Senate, because our lives are pretty comfortable, but it is certainly an emergency for those families.

The real question in this debate is who are we are as a Nation? Do we care about these people, these breadwinners who are now down on their luck; these folks who have worked for years and are now out of work through no fault of their own, and doing everything they can legally to find a way to survive or is it just another political debate, another political issue, another chance to score a political point at the expense of some people who really aren't in a very strong position to defend themselves?

I just hope tonight we will defeat the Bunning amendment. Tomorrow, we will have a chance to put a substantial downpayment on unemployment benefits and COBRA benefits in the bill that Chairman BAUCUS brings to the floor. And I hope we understand that is the right way to do this. What an empty victory if we end up voting for the Bunning amendment and stop unemployment benefits as a result while we try to work out differences between the House and the Senate.

There is a lot more we can do here to help get this economy moving again. One of the things that holds us back is when we get embroiled in these procedural parliamentary tangles that eat up day after day and week after week, which leave us frustrated on the floor of the Senate and people across America angry that we aren't dealing with the real issues that count—issues such as creating jobs, issues such as making sure that there is affordable health care for everyone in this country. We should be dealing with that.

The Senator from Kentucky said: You know, the majority leader could have filed cloture, waited 48 hours, waited another 30 hours. Then we could have gone through the weekend. For what purpose? For what purpose? We have reached the point that was offered to the Senator from Kentucky from the start. He is going to get his vote, but a week has passed. A week has been wasted—a week where we should have rolled up our sleeves and done the things the people of America send us here to do.

What about the deficit and the debt? It is serious. The majority leader has asked me to serve on the deficit commission with Senators BAUCUS and CONRAD. It is a tough assignment. I don't think it is going to be easy to figure out how to deal with a $14 trillion debt in this Nation. But I will tell you this: We will do a lot better with that national debt if we have a strong national economy and people back to work. We will be a lot better off as a nation if families can keep their kids in school and folks can get up and go to work. This notion that we are somehow going to balance our national budget on the backs of unemployed people—please. Aren't we better than that as a nation? I think we are.

Twice last year the Senator from Kentucky voted to extend unemployment benefits without paying for them. Tonight, he insists we pay for them. Everybody is entitled to change their mind. When Abraham Lincoln—who was born in Kentucky, raised in Illinois—was accused by his critics, his President, of changing his mind, he said: Yes, I did change my mind. But I would rather be right some of the time than wrong all of the time. So we do change our minds on these issues. But let's not change our minds at the expense of innocent, helpless Americans who are looking for a helping hand.

If a tornado swept across the State of Kentucky in the weeks ahead, God forbid, and the Senator from Kentucky came and said we have an emergency on our hands, I would stand up to help him, as I believe he would if it happened to my State. We do that because we care for one another in this Nation. We may have political differences—and there have been plenty of them—but they shouldn't be at the expense of our basic need to deal with the problems that we face.

The Governor of Kentucky sent Senator BUNNING a letter and a copy to me. In the letter, he says:

> Facing an unemployment rate of 10.7 percent in Kentucky and 9.7 percent across the Nation, I urge you to allow passage of H.R. 4691, a vital extension of unemployment benefits to 1.2 million Americans, including tens of thousands right here in Kentucky.

The Governor of Kentucky, who wrote to Senator BUNNING, went on to say:

> There are 119,230 Kentuckians currently receiving benefits through the Federal extension program. Without a further extension, 14,206 claimants will exhaust all extension benefits within 2 weeks.

It would take us 2 weeks, if the Bunning amendment is adopted, to finally get this done, if we get it done in that period of time. The Governor went on to write:

> By the end of March, a total of 22,797 Kentuckians will exhaust their benefits; by mid-April 31,521 will exhaust their benefits; and by July 31, the remainder of those receiving benefits will exhaust them. Beyond the number of those receiving extension benefits, another 90,000 Kentuckians currently on unemployment insurance will not be eligible for the Federal extension program at all.
>
> These unemployed Kentuckians come from hard-working families that have struggled for months to find new employment in the greatest economic recession in our lifetime. They are mothers and fathers who are trying to put food on the table for their children and seniors who are trying to pay the rent.
>
> In addition to the extension of unemployment benefits, this bill also includes important extensions of Federal subsidies to pay health premiums for those unemployed people who lost health insurance when they lost their jobs, current Medicare payment rates for doctors, flood insurance, and small business loans.

The Governor closed his letter to Senator BUNNING, saying:

> I urge you to reverse your position on this bill and would welcome any opportunity to provide you with further information on its tremendous necessity.

It is signed: Sincerely, Steven L. Beshear, Governor of Kentucky.

That letter could have come from any Governor in our Nation. That is the employment picture and the economic picture in my State and so many States across the Nation.

Please, when we get down to these budget debates, we should be sensitive to the fact that there are helpless victims to some of the procedural moves made on the floor of the Senate. It is time for us to stick together—both parties, I hope—in an effort to stand up for the unemployed and get this economy back on its feet.

I urge my colleagues to defeat the Bunning amendment. It will only slow down the unemployment benefits these people have been waiting for and are worried that they may not receive. It will mean that more and more people will fall out of coverage and health insurance, and it will mean that Medicare services won't be available to seniors across the Nation when doctors decide they are not being reimbursed enough. Those are some of the basics in this bill.

The revenue source Senator BUNNING uses is included in this jobs bill that is before us, as soon as this matter is over. If you believe that in helping to pay for unemployment benefits we should use this source, as the Finance Committee has suggested, and I certainly agree with it, you will have ample opportunity to do that immediately after we pass this bill. In the meantime, let us waste no time, waste no effort in making sure that these needy people across America get the helping hand they deserve.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. BUNNING. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Kentucky has 17 minutes 25 seconds.

Mr. BUNNING. I thank the Chair.

As the good Senator from Illinois knows, there is no need for a conference, since the House has already passed this bill and has already passed the language in this amendment. I am very sure that they would be willing to accept their own bill back and paid for.

He mentioned the fact that I objected four times. I objected more than four, but the majority leader objected four times to my request. That was nowhere in his statement.

And talking about Medicare Part D premiums and the cost of Medicare Part D, the majority party in this Senate has had 3 years to repeal Medicare Part D if it was a bad idea at the time we passed it. Certainly, with 60 full votes in the Senate, it could have repealed what they considered a bad bill. The fact it was not paid for was not to my liking. The fact that we were going

to take care of Medicare senior citizens who couldn't afford their prescription drugs took precedence.

He spoke about the letter from the Governor of Kentucky. I didn't receive it. I had no knowledge of the letter until it was brought up by the Senator from Illinois. It is amazing to me the number of misstatements, and how the Governor—a Democratic Governor of the Commonwealth—could bring all these facts out to the Senator from Illinois and not the Senator from Kentucky.

There are so many things that I can say, but I have, I guess, 11 constituent communications here—either phone calls or letters, usually e-mails—and I am going to read a couple of them because I want to reserve some time in case the Senator from Illinois gets up again.

This is from Randall in Bardstown, KY.

> Just want to thank you for your principled stand against the squandering of our country's wealth. Yes, we need to help those out of work; but no, we do not want to print more money to do it. I have two sons on unemployment at this time, yet we realize we cannot continue to spend money that doesn't exist.
>
> Thank you very much, Senator Bunning, for having the guts to stand up for your principles and oppose further spending of money we simply do not have. In particular, I am glad you stood up against extending unemployment benefits, which would put us further in debt. Regards.

That was from Bob in Burlington, KY. And here is another:

> I just want to send you some encouragement to hold your ground in the Senate on renewing unemployment extension benefits. As a Kentucky taxpayer and a Federal taxpayer, I am tired of seeing unfunded and underfunded programs pass by Congress, and I am glad you are taking a stand. As an American and a Kentuckian, I believe the government has failed the American people almost totally, but at least in this instance you are not failing us. Please keep your resolve and don't let pressure and influence sway a good decision.

That was from William in Flemingsburg, KY.

> I am surprised that you don't have more support when you are 100 percent correct; that if 100 men in agreement can't find a way to pay for a program, they will never pay for anything. Our deficit has got to stop, and now is always the best time to start. Thank you for standing up for us.

That was Mark from Independence, KY.

This will be the last one because I still have about three more pages of them:

> Thank you for holding firm last night. You are very much appreciated for being willing to say no to extended benefits that no one knows how to pay for or who will foot the bill. It takes a very special individual to stand firm when everyone around you seems to be caving in.

That is from Debbie from Somerset, KY.

These are just a few. There are more. But there are a lot of really good people in the Commonwealth of Kentucky—4.2 million—who want their Senators, their Members of the House, to stand up for themselves. I appreciate hearing from each and every one of them. I thank them for their support.

I reserve the remainder of my time.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. Mr. President, I also received some e-mail and letters from Kentuckians. It is a great State. It is the ancestral home of many Durbins—one hailed from Sunfish, KY, which is a pretty tiny town, I am told, and came up north to Illinois. It is a beautiful State, and I have enjoyed visiting there many times.

A lady named Joy from Florence, KY, contacted me and said:

> Hello, I am 50 years old and I got let go a year and a half ago from my job because I was getting older and they could pay less for the younger workers. . . .
>
> Most places I applied to won't hire by experience—they want a college degree.
>
> I have an elderly mother and handicapped child. I am behind in all my bills and if there is not another extension I will not be able to pay any bills. I am hoping you will put through another extension—hopefully things will improve come spring.

A letter from someone named J.R.—didn't give a hometown, said he is from Kentucky. I will not read some portions of this letter, but I will read this part:

> I would like to say I am unemployed and [unemployment insurance] has allowed me to keep my home etc. There still are no jobs that will allow me to live on. I have . . . cut back to just the basic needs—the Internet next. And then I will start selling my belongings to get by.
>
> I sit and wonder if everyone on unemployment gets cut off, do the Senate and Congress realize the war here in the United States will be worse than the one we are in overseas? There will be so much stealing and . . . no telling what else just for people to try and survive and feed their families.
>
> God help us all.

There is a letter of desperation. It is an unimaginable scene that we would reach in any community here in this country in any State. But I think it reflects the fact that some people who write and say ''cut them off'' and ''so what'' are pretty fortunate people. They probably have a job. They probably have a home. They may not be worried about where their next meal is coming from. But for millions of Americans, that is not the story.

I understand the Senator from Kentucky sees this differently, but I take the issue of health insurance as an example. If you have ever had the experience as a parent having a sick child and having no health insurance, it is something you will never forget as long as you live. It happened to me when I was a law student. My wife and I were newly married, and we had no health insurance and a baby with a medical problem. I try to imagine what it would be like—ours was a temporary experience—what it would be like if that is what you had to face day-in and day-out, week-in and week-out, month after month, year after year. That is what these folks are up against. The only chance they have to hang on to health insurance is this COBRA program.

The COBRA program—let me add parenthetically, that was created through reconciliation. This process that has been condemned by some created the COBRA program and said we are going to provide health insurance for the unemployed people in America, and the President's stimulus package said we will help them pay for the premiums, and the objection of the Senator from Kentucky cut off those COBRA payments for thousands of people across America. I don't know what is going to happen now. I don't know, if some of them lost their health insurance and try to get it back, whether they are going to be denied coverage because of a preexisting condition. I hope that doesn't happen, but it will mean this was not just another political debate for them; it will mean they have lost the coverage which all of us want to have for all of our families.

COBRA coverage consumes nearly 84 percent of unemployment checks if you don't get a helping hand from the government. In Illinois, monthly unemployment benefits are just over $1,300. The average monthly COBRA family health insurance premium is over $1,100. So you can see it is impossible for a family with $1,300 a month to pay a $1,100-a-month premium. So 65 percent of that cost is deferred by this program, and that program was stopped because of the objection by the Senator from Kentucky.

He said we should have gone through the cloture votes; in other words, we should have faced his filibuster head-on and taken all the time it took to resolve our way through it. And each hour of each day that we did that, more and more people would fall out of coverage of health insurance. We don't. As Members of Congress, we have a pretty generous health insurance plan. We share it with all the other Federal employees, 8 million of us and our families. It gives us the very best coverage, with the government picking up about two-thirds or three-fourths of the cost. We don't have to worry about gaps in coverage. As we receive our checks, we are going to be able to protect our families. But for the folks who are unemployed, that just is not the case.

The objection of the Senator from Kentucky also affected, as I mentioned, transportation across the United States. Federal reimbursement to States for highway and transit projects, on the order of hundreds of millions of dollars each day, is stopped because of Senator BUNNING's objection, forcing halts in construction work and layoffs of construction workers in the middle of the worst economic downturn since the Great Depression.

Today, the Secretary of Transportation, Ray LaHood, called to tell me of the need for an urgent response to get these people back to work so they can inspect projects and folks working for contractors and working across

America can get back to work. They are stopped cold, dead in their tracks because of the objection by the Senator from Kentucky.

Now he wants to let this go on a little further—amend this bill; let's send it over to the House; let's see if they accept it; maybe they won't; maybe there will be a conference; maybe in a few days or a few weeks we can get it done. It is a 30-day extension, and it defeats its purpose if we accept this amendment and delay it because of those possibilities. He can no more guarantee that it will not happen than I can guarantee that it will, but why do we want to create that uncertainty for people who have been facing this uncertainty?

The objection of the Senator from Kentucky also stopped Small Business Administration assistance to small businesses in Illinois and Kentucky as well. The SBA has an outstanding loan waiting list from small businesses totaling $140 million. Because of Senator BUNNING's objection, 3,000 small businesses this month will be denied access to loans they need to run their businesses, to pay their employees, and to create new jobs. In the middle of a recession, can we think of a worse thing to do than to cut off small businesses?

It did not have to happen. If Senator BUNNING would have taken the offer he had last week from the majority leader and offered this amendment last week, we could have avoided all of this. A week later, he has decided: All right, I will take the offer. But a lot of people have paid the price in the meantime.

We will not stop until we have provided the assistance that unemployed Americans need, that families in Illinois and Kentucky and across America desperately want us to bring. Eventually, we will prevail and we will care for those who are struggling.

In the meantime, I urge my colleagues, please do not support the amendment of the Senator from Kentucky. It is, unfortunately, a way to delay this critically needed assistance even further.

I reserve the remainder of my time and yield the floor.

Madam President, before I do, I ask unanimous consent that the last 5 minutes on the Democratic side be reserved for the chairman of the Senate Finance Committee, Senator BAUCUS.

The PRESIDING OFFICER. Without objection, it is so ordered. I note that the Senator from Illinois has 5 minutes 30 seconds.

Mr. BUNNING. I want to object.

The PRESIDING OFFICER. Objection is heard.

Mr. BUNNING. I want to understand what the Senator has proposed in plain English.

Mr. DURBIN. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 5 minutes 20 seconds.

Mr. DURBIN. I have asked unanimous consent that the last 5 minutes on the Democratic side be reserved for Senator BAUCUS, the chairman of the Senate Finance Committee.

The PRESIDING OFFICER. Is there objection?

Mr. BUNNING. Reserving the right to object, what 5 minutes is he talking about—his time or the time that is already reserved for the chairman of the Finance Committee and the ranking member of the Finance Committee?

Mr. DURBIN. All the time of debate on your amendment has been equally divided between Democrats and Republicans. I am not asking for your time. I am asking that, on the Democratic time, the last 5 minutes be given to Senator BAUCUS.

Mr. BUNNING. So I understand, on the time that is reserved for the Senator from Montana and the Senator from Iowa?

Mr. DURBIN. Yes.

Mr. BUNNING. I thank the Senator.

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

Mr. BUNNING. I yield whatever time the Senator from Alabama will consume.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, there is always an easy way to get something done in this body, and that is to spend money and not pay for it. And I am sure that gets a lot of Democratic votes and they could just pass this bill right through the body. I am sure our House Members, the majority in the House, will just pass this legislation and we will just add $10 billion more to the debt. That is what we are talking about.

Is this necessary? Senator BUNNING has made a number of suggestions about how this bill could be paid for. But it is not a question of delaying it, in my view; it is just simply a question of not wanting to use any of our existing moneys to pay for the extension of unemployment insurance. If we don't do that, if we don't pay for it, as we in the Senate are wont to say, then where does the money come from? We borrow it.

There is an interesting article in the Washington Times today, a front-page article talking about how much of our debt China owns. They say they own a good bit more of it than we have understood, that a lot of their money goes through other institutions, and then they buy U.S. Treasury bills, and really the amount owned by China is larger than we expect. Well, so be it. I don't know what that number is. But it is not healthy for the United States of America to incur the amount of debt we are now incurring. It is not healthy.

Just a few weeks ago, this very Senate, our Democratic majority, with great pride, passed the pay-go legislation saying that if we have additional expenditures, we will pay for it unless, of course, we deem it an emergency and we get a supermajority and then we don't have to pay for it.

Well, here we are just a few weeks later. We want to spend some more money to help out on unemployment insurance. I think that is a worthy goal, and I think it is something we need to do. But where do you get the money? I would suggest several places. Senator BUNNING has a place that I think my Democratic colleagues have supported—a tax credit account. I would say that has possibilities. I know he has also supported out of the unspent stimulus money—that could be a source of it.

But all of these things apparently are just being rejected. Why are they being rejected? I assume it is because my colleagues want to spend that money on something else, an additional new spending program that is not clear to us at this time; otherwise, why would there be an objection to it?

So I think the thing that has come to my mind is we can't keep going on like this. We really can't.

We just had a hearing in the Budget Committee. The witnesses—most of them were Democratically called witnesses, but every single one of them said we are on an unsustainable financial course. We are spending more money than we are taking in at an unprecedented amount each year and we cannot sustain it. At some point, we have to decide if we are going to stop. At some point, we are going to have to decide, just like our families, our cities, our counties, our States; they are having to decide they don't have the money, and they either can't borrow more or they don't want to borrow more. And they actually, amazingly, may even reduce spending for a while. Do you think those counties and cities and States are no longer going to exist? Will they fall off the face of the planet? Senator BUNNING has been around a long time. He knows that is not so. Every day, businesses are having to cut back. Families are cutting back. We can't cut back at all, but we continue to expend greater and greater amounts.

The basic budget for this year has discretionary spending, nonmandatory spending, which goes up about 10 percent. On top of that is the $800 billion stimulus package. All that is debt. The $800 billion, we had none of it in our accounts or our banks. We had to borrow it. Every penny of that we pay interest on. This will be $10 billion more.

Well, it is just $10 billion. After $800 billion, that is not very much, is it? Oh, yes, it is. Ten billion dollars is more than Alabama's State budget, and we are an average-sized State, about 4 or 5 million people. That is bigger than our State budget.

So one little whip—and Senator DURBIN, who is so eloquent, said: Well, we just need to pass it right now. We do not need to be talking about paying for it. If you say we want to pay for it, that might take an extra day to get the paperwork worked out with the House of Representatives. Somehow it is Senator BUNNING's fault that he has actually been asked to give his consent that this body would increase our debt by $10 billion and let this bill pass.

Senator BUNNING says: I am not going to do it. You asked my consent. I am a Member of the Senate. I have a right to give that consent. If I have a right to give it, I have a right to withhold it, and I am going to withhold it unless you pay for this bill. So I do not think that is anything that should subject him to criticism.

Oh, yes, it slowed down the plan. The plan was all greased. We were going to zip this right through, pop another $10 billion to the Nation's debt, and claim we have solved all our problems, at least for the moment.

But that is not a healthy approach. I think it is a healthy approach for someone with the gumption to stand and question what we are doing, to say: You have asked for my consent for something, I do not believe in it, and I am not going to give it. I think it is time for us to get on a more sound financial footing.

I just wish to say to Senator BUNNING, I respect the Senator's view on that. A lot of people do. I think it is interesting our colleagues like to quote letters from people in Kentucky, talking about that they are suffering as a result of unemployment and that is so painful.

But I am sure you got letters, as I have got letters. In my townhall meetings, people are coming up to me and saying: Are you people losing your minds? How much money do you think you can continue to spend? Time and time again, I hear that. Go through the airports: Keep fighting. Hold the line. Do not give in.

They are not talking about adding another $10 billion to the debt because we will not even slow down long enough to figure out how to pay for it. That is not what my constituents are telling me. I am sure they are not telling Senator BUNNING that. So I think this is a big deal.

So when are we going to end this process? When does it stop? I say the time to begin to stop is now. I am going to be supportive of Senator BUNNING in his plan. I feel this matter is getting out of hand.

As I explained the other night, I serve on the Budget Committee. The budget numbers are not in dispute. The budget proposed by President Obama, a 10-year budget, analyzed over 10 years by the Congressional Budget Office, would conclude this: Last year we paid, in 1 year, interest on our debt of $170 billion. According to the Congressional Budget Office, because we are tripling the national debt at the rate we are going, in 10 years the amount of interest we will pay on the debt is $799 billion.

I think the American people understand this is unacceptable. They do not need an accountant or an economist or a bureaucrat to tell them this is an unsustainable path. They know it is. They have known it is for some time. Some people say: Well, this is just a populist revival. They do not understand. We understand better. You have to borrow, borrow, borrow to make our economy go back.

Well, what an individual from Alabama told me today out in the hall was the same thing a constituent told me a few weeks ago back in Evergreen. It is, you cannot borrow your way out of debt. You cannot borrow your way out of debt. This is a fundamental principle of life. We seem to have lost sight of it.

So we are on a path that is unsustainable. We see what has happened in Greece. It is destabilizing the entire European Union or it threatens it. We have seen other countries get in the same kind of trouble. Our country is not very far behind.

Moody's is already talking about downgrading our debt rating, the amount of money you have to pay to get insurance against credit, against default against the U.S. government has tripled in the last few years. These are people who do this stuff for a profit. People are worried. So I would say to my friends and colleagues, it is not that complicated. We simply have to stop spending so much money. We have to stop spending so much money. We cannot do everything we would like to do. We do not have the money. Most people understand that in their lives, and most of our local governments understand that. But we in the Senate think we know better.

I would just say, with regard to the small business taxes and some of the things that probably would be somewhat helpful in creating economic growth, I am so disappointed we did not include more of that in the bill we passed when this stimulus bill passed. I remember coming to the floor quoting—right before the final vote—a major op-ed in the Wall Street Journal by a Nobel Prize laureate, Gary Becker, who said: This bill you are considering in the Senate does not have sufficient stimulative impact. He thought it would be much less than $1 per $1 in, and you should get well above $1 in a good stimulus package. He warned it was not going to be a job creator.

Senator MCCAIN had a better bill, at half the cost, $400 billion, targeted for jobs, targeted for economic growth, not a welfare bill, a stimulative bill, voted down by the Democratic majority.

Senator THUNE offered an amendment similar to the one Paul Ryan and others in the House of Representatives had put together, about half the cost of the bill we passed that would score, according to Christina Romer, President Obama's Chief Economic Adviser—her model of how you score these things would have created twice as many jobs for half as much money as this monstrosity we passed—others passed. My wife reminds me, do not say ''we'' when you voted against it.

So this is what we are now in. We have thrown out 400 or so billion, $400 billion not yet spent. It is not getting the impact we wanted. That is so tragic. For everybody who is unemployed today, they need to wonder why this Congress insisted on passing legislation we were warned would not be effective in creating jobs, which is the key to our economic growth and prosperity.

So I would say: I know good people can disagree. Some people think that when we are in a recession, we should keep spending, no matter how long, no matter how much, and somehow this will make us come out of it. But when you are creating an $800 billion-a-year interest payment, you realize it does not work that way.

If that was the way it worked, why did we not spend $1.6 trillion in the stimulus package instead of $800 billion? Why did we not spend $1,600 billion in stimulus rather than 800? Because obviously that is a philosophy that has its limits.

I thank the Chair and I yield the floor. I am proud to support the Senator from Kentucky.

Mr. LEVIN. Mr. President, I am relieved that we are preparing to vote on this much-needed measure. I am disappointed that we have taken so long to get to this point.

There is very little opposition in this Chamber to the extension of unemployment and COBRA benefits. Few question the crisis we would kick off in homes across this country if we fail to extend these benefits. In the State of Michigan, 135,000 of these workers face the end of their unemployment benefits. Each of these homes is already dealing with a tragedy—the loss of a job. In most cases, these are mothers and fathers who have done what we expect American families to do: work hard, do their best, try to put food on the table and a roof over their family's heads, and hopefully ensure a better life for their children. This quintessentially American quest has been derailed by forces totally outside the control of most of those affected.

This extension means more than help to workers out of a job. It means help for our entire economy. Economists tell us that payments such as unemployment benefits are the most efficient way we can increase growth in our still-struggling economy. An unemployment check is more than just help for a family. It means local grocery stores still have customers, that unemployed workers can continue paying their bills. The consequences of an extension of these benefits—or a decision not to extend them—will ripple throughout the economy.

But above all, we should keep in mind those families who are afraid: wondering, worrying, about what is going to happen. In their moment of crisis, we can choose to reach out a much-needed helping hand. Or we can turn away. To have delayed this extension has been needlessly cruel. We owe a duty to these families now, a duty not to compound the tragedy they already face.

The PRESIDING OFFICER. Who yields time?

Mr. BUNNING. How much time is left on our side?

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

There is 5 minutes 15 seconds remaining.

Mr. BUNNING. I reserve that time until the 10 minutes prior to the time expiring. In other words, the last 5 minutes is going to Senator BAUCUS. I reserve the time prior to the Baucus time. I ask unanimous consent to do that.

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

The Senator from Kentucky.

Mr. BUNNING. Mr. President, let me begin by addressing some of the arguments made by the other side of the aisle against my amendment. First, the Senator from Illinois said that this would cause a needless delay in extending these programs, potentially causing a protracted negotiation with the House. With all due respect, that is nonsense. We all know the House can act very quickly. In fact, they did so when they sent this bill, H.R. 4691, to us. The House has already passed my black liquor offset. I want everybody to understand that we pay for the extension of unemployment benefits, COBRA assistance, health care assistance so everybody is covered. The larger bill that we are dealing with on the floor, the one we took off the floor to address this amendment and this bill, also extends these provisions longer than just a month—the highway bill, the doc fix on Medicare, the small business loans that we heard about that we are destroying with our objections, and the rural satellite TV viewers.

I sincerely believe if we can't find $10 billion to pay for something that all 100 Senators support, we are in deep trouble. I think the Senator from Alabama made that very clear. I am on the Budget Committee also. I have heard those numbers over and over, not from just the Republican people who come before the Budget Committee but from the Democrats who testify before the committee. We are on an unsustainable path as far as the budget.

The question before the Senate is not whether Senators support unemployment benefits or all the other important things in this bill. The question is whether we as a Senate and as a government are going to pay for what we spend.

How much time do I have remaining?

The PRESIDING OFFICER. The Senator from Kentucky has 1 minute 15 seconds.

Mr. BUNNING. I think everybody understands why I have been on this floor for so long. I have been here for 12 years and 12 years in the House. I don't think I have spent this much time on the floor in any one-week period in my life. Usually on the floor of the House you only get 2 minutes to say whatever you have to say. In the Senate you get as much time, usually, as you need. I have never needed this much time. But something so important, particularly after pay-go, and even the larger bill we have before us, $104 billion of the $108 billion expended in that bill is emergency spending. That is emergency spending that is not paid for. So when we get to the bigger bill, we will have some amendments for that.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

SIGNATURE AUTHORIZATION

Mr. BEGICH. Mr. President, I ask unanimous consent that the majority leader be authorized to sign duly enrolled bills and joint resolutions during today's session.

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

The Senator from California.

Mrs. BOXER. How much time remains?

The PRESIDING OFFICER. There is 55 seconds remaining.

Mrs. BOXER. I want to say, on behalf of many of us on this side of the aisle, how glad we are that Senator BUNNING has changed his mind and taken the option he was presented with on Thursday; that is, to offer an amendment and then for us to get this done. Too much pain is out there with the unemployed. A lot of workers in my State and in States all across this Nation who are unemployed suffered a great deal of anxiety over this long weekend.

Mr. President, 2,000 Department of Transportation inspectors were furloughed. That led to stoppage of work on bridge and highway construction in 17 States, because Senator BUNNING didn't take the deal he is taking now. I am glad he is taking it.

I raise a point of order that the pending Bunning amendment violates section 311 of the Congressional Budget Act.

Mr. BUNNING. Mr. President, I am sorry. I wasn't on the floor. Could the Senator make her point of order.

Mrs. BOXER. I raise a point of order that the pending Bunning amendment violates section 311 of the Congressional Budget Act.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. BUNNING. Mr. President, I move to waive the applicable section of the Budget Act, and I 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 the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Texas (Mrs. HUTCHISON) and the Senator from Oklahoma (Mr. INHOFE).

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

The yeas and nays resulted—yeas 43, nays 53, as follows:

[Rollcall Vote No. 31 Leg.]

YEAS—43

Alexander	DeMint	McCain
Barrasso	Ensign	McConnell
Bennett	Enzi	Murkowski
Bond	Feingold	Nelson (NE)
Brown (MA)	Graham	Risch
Brownback	Grassley	Roberts
Bunning	Gregg	Sessions
Burr	Hatch	Shelby
Chambliss	Isakson	Snowe
Coburn	Johanns	Thune
Cochran	Kyl	Vitter
Collins	LeMieux	Voinovich
Corker	Lieberman	Wicker
Cornyn	Lincoln	
Crapo	Lugar	

NAYS—53

Akaka	Franken	Nelson (FL)
Baucus	Gillibrand	Pryor
Bayh	Hagan	Reed
Begich	Harkin	Reid
Bennet	Inouye	Rockefeller
Bingaman	Johnson	Sanders
Boxer	Kaufman	Schumer
Brown (OH)	Kerry	Shaheen
Burris	Klobuchar	Specter
Cantwell	Kohl	Stabenow
Cardin	Landrieu	Tester
Carper	Leahy	Udall (CO)
Casey	Levin	Udall (NM)
Conrad	McCaskill	Warner
Dodd	Menendez	Webb
Dorgan	Merkley	Whitehouse
Durbin	Mikulski	Wyden
Feinstein	Murray	

NOT VOTING—4

Byrd	Inhofe
Hutchison	Lautenberg

The PRESIDING OFFICER. On this vote, the yeas are 43, the nays are 53. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

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

The PRESIDING OFFICER. The Senator from Montana.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on the passage of the bill.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Texas (Mrs. HUTCHISON).

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

The result was announced—yeas 78, nays 19, as follows:

[Rollcall Vote No. 32 Leg.]

YEAS—78

Akaka	Begich	Bond
Baucus	Bennet	Boxer
Bayh	Bingaman	Brown (MA)