

have a very busy week planned with the three matters I have mentioned.

In addition, I hope we will be able to proceed with appointing conferees to the pensions bill as well. It will be a full week, and I will be updating Members as the week progresses, but it will be a week that will require votes today, Tuesday, Wednesday, Thursday, and Friday to complete our business.

Mr. REID. Mr. President, through the Chair to the distinguished majority leader, how many votes does the majority leader intend to have tonight?

Mr. FRIST. Mr. President, through the Chair in response, it really depends on how many of these motions we have. They are coming from the Democratic side of the aisle, and although a list has been provided, how many actually will require a vote—I would think we would have at least two tonight, and then if there are a lot of motions, we would have to have more tonight because we do need to complete whatever votes there are tomorrow and then get back to the asbestos bill in the morning to continue to address the waiver of the point of order.

Mr. REID. Mr. President, the distinguished majority leader mentioned the PATRIOT Act. While the Presiding Officer is in the chair, I express my personal appreciation for the many hours of work he put forth in resolving the PATRIOT Act dispute. It was a bipartisan problem. The distinguished junior Senator from New Hampshire worked long and hard to come up with a conclusion. I appreciate being advised during the process as he was visiting with the White House. Of course, as has been said, the Presiding Officer didn't get everything he wanted, certainly I didn't, but it is a much better piece of legislation than when it came back from the House. So I compliment and applaud the Senator from New Hampshire for his hard work.

I say through the Chair to the distinguished majority leader, we are ready to move forward on this legislation. As has been explained by the Senator from Tennessee, we have at least one Senator who is going to make us go through all the procedural hoops, so that will take some time. But the vast majority of the Senators over here want this matter to move forward, and we will offer help in any way we can to move this along, with the understanding that there are some who want to make sure that all of the procedural hoops are jumped.

Mr. FRIST. Mr. President, in brief response, as I outlined, we are ready pretty soon to go to the PATRIOT Act. I agree, the negotiations which have taken place under the leadership of the Presiding Officer have gone smoothly, and I think we are going to have an overwhelming vote in the Senate. The House, through their leadership, has expressed support, as I believe the administration has. So I do wish to make a request of our colleagues that although there are procedural hoops which we can be made to jump

through, I don't think it is in the best interests of the American people to unduly delay this important bill that essentially, at least by statements today, is going to have overwhelmingly, strong support.

We do have a lot to do this week, and we will use the time as effectively and efficiently as possible. But if we keep having delays such as people coming back tonight to vote on motions to instruct, on which we could argue as to how useful that actually is, or we have too many procedural roadblocks based on this bill, it is going to be impossible for us to move ahead and move the country forward when we have so much important legislation. So I think we can complete all of our business this week, but it is going to take a lot of cooperation on both sides of the aisle not to throw too many procedural roadblocks in front of us.

I yield the floor.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

#### SENATE AGENDA

Mr. REID. Mr. President, we do have eight motions to instruct. I doubt very seriously there will be any others. I will say this: This is the procedure, and if the minority wanted to stall this budget reconciliation conference, we could do that. Under the rules of the Senate, we could have, instead of the 8 motions to instruct, 80 or 800. We are not in any way trying to prevent this legislation from going through. As bad as it is, we recognize that we have had a fair shot at it on the floor on a number of occasions. But the eight instructions are instructions that are well taken, and we hope the conferees will follow these instructions. We don't know if any of them will be agreed to. We certainly hope so, but it is certainly something that is worth debating.

I was surprised to hear that the distinguished majority leader, when he announced we were going to this piece of legislation, this budget matter, did not call it what it has been called for more than a year; that is, the Budget Deficit Reduction Act of 2005. I guess everyone has come to the realization that the Budget Deficit Reduction Act does not reduce the deficit; it increases it by \$50 billion. And I guess there has been a change of name, calling it the Taxpayer Relief Act. I guess if you are rich, it is a Taxpayer Relief Act, but for the poor and middle class, it increases the deficit and it is not a fair piece of legislation.

On asbestos, I believe there are two groups of people who really need to make sure Congress takes care of them: those people who, through no fault of their own, get the dreaded mesothelioma and they die, and asbes-

tosis, which is aggravating and serious, and they die; one just takes longer than the other. The goal of the Senate should be to make sure these two groups of victims are compensated for their pain and suffering, which came about through no fault of their own. What we want to try to avoid are the bad cases, the ones that are taking too much of the court's time and taking valuable resources from these people who are really sick.

I made a commitment to the junior Senator from Texas, Mr. CORNYN, that I believe we need asbestos legislation. I really do believe that. I have told him I would be happy to work with him and Senator DURBIN, as my designee, to try to come up with legislation that is patterned after successful programs in Illinois and Texas, where there is medical criteria set up.

For example, in Illinois, they have a pleural registry where people are able to list their names if they work around asbestos, the statute of limitations is tolled, and then if something happens to them down the road, they are not prevented from going to court as a result of the statute of limitations. It would do away with the bad cases.

As I said, we are committed to coming up with legislation such as that. Senator CORNYN offered some, but there wasn't an ample amount of time to debate his suggestion, and that is too bad. But we are willing to work with him on something similar to what he came up with. I believe it is important that we do that, and I am certainly making a commitment that we will work to see what we can come up with on medical criteria legislation to, in effect, get rid of the bad cases and allow these two sets of victims to move forward.

This FAIR Act we have before the Senate is anything but fair. I have explained how this bill will harm victims by trapping them in administrative claims systems which are irreparably defective and doomed to failure.

One of the primary reasons the trust fund is doomed to fail is because of unrealistic and sloppy calculations that led to the \$140 billion trust fund in the first place. In designing this bill, the bill sponsors have not adequately assessed the number of future claims by asbestos victims, the borrowing costs necessary for the trust fund to function, and the administrative costs associated with operating the trust fund and claims system.

Last August, the Congressional Budget Office estimated the program could generate as much as \$150 billion in claims, leaving the trust fund way short, billions of dollars short. As I have explained, even that figure understates the problem because the bill does not adequately take into account the trust fund's borrowing costs, further depleting the compensation available to victims. The CBO estimates approximately \$8 billion will be borrowed before the first decade, an amount that will saddle the fund with huge debt-