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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire.

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, Father Joseph Breen of Saint Edward's Catholic Church in Nashville, TN.

PRAYER

The guest Chaplain offered the following prayer:

As we gather this morning in this solemn hall of the Senate, considered by those who formed the Constitution to be the great "anchor" of the Government, let us call upon God, sovereign Lord of our Nation, to deepen our hearts and our minds to the truth about life, its dignity, and its reflection of the Eternal God. Help us to appreciate the truth that life is always good and that every life is of equal dignity.

We are thankful for the eyes we have to see, hearts to understand, the depth to think, and the concern to care. As we take life one day at a time, we ask for guidance and strength. We do not have yesterday or tomorrow, only today. Help us to remember the problems we encounter are but opportunities that are put before us to use creative energies, making a better world for everyone.

Lord, thank You for giving me this opportunity to express the love and the gratitude of the people of our great Nation to our lawmakers who so willingly have given themselves to public service.

Bless our Senators now and always. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOHN E. SUNUNU led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 22, 2005.

To the Senate:

Under the provisions of rule I, paragraph 3 of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. SUNUNU thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 2744, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2744) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

Pending:

Dayton modified amendment No. 1844, to condition the use of funds for carrying out a provision relating to prevented planting payments, with an offset.

Bingaman (for Jeffords) amendment No. 1796, to provide funds to carry out the historic barn preservation program, with an offset.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a vote in relation to the Dayton amendment, No. 1844.

The Senator from Utah.

Mr. BENNETT. Mr. President, I see Senator DAYTON is here. The yeas and nays have not been ordered. There have been discussions during the evening about this amendment. I wonder whether the Senator wants the yeas and nays. I would say the Jeffords amendment, which under the previous order is the next pending business, will be withdrawn.

AMENDMENT NO. 1796 WITHDRAWN

I ask unanimous consent that it be withdrawn, after conferring with Senator JEFFORDS and his staff.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 1844, AS MODIFIED

Mr. BENNETT. We are now on the Dayton amendment.

The ACTING PRESIDENT pro tempore. The vote occurs in relation to the Dayton amendment, No. 1844, as modified.

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

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment. 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 result was announced—yeas 47, nays 52, as follows:

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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