in my State. This is a bipartisan bill, and I compliment my colleagues for bringing forward a bill that we can get enacted into law.

In Maryland, we started a program on July 1, 1998. About 38,000 children were enrolled at first, and we are up to 101,000 children enrolled today. Maryland will get an increase in this bill from $67 million to $189 million. We will be able to enroll 42,000 more children in the State of Maryland. It is an important program.

I also compliment the committee for including outreach so that we can reach families who don't know how to enroll, or whether they are qualified to enroll, so we can get more families and children enrolled in the children's health care program.

Mr. President, I urge my colleagues to take advantage of the opportunity that we currently have before us. This is an opportunity in which we can make major progress in dealing with those children in our community who will either lose their coverage because we take no action, and those who currently have no insurance whom we can get enrolled in this program. It is a valuable program. We have an opportunity to move forward. So I urge my colleagues to support the fine effort of the Senate Finance Committee in bringing forward this legislation.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

ETHICS AND LOBBYING REFORM

Mrs. MCCASKILL. Mr. President, I rise today to say I am proud, very proud. I came to Washington hoping that we could make a difference in terms of the way business is done here. And I will be honest, I had some moments of doubt over the last 6 months. There were times that I wandered around the floor of the Senate, and even among my own party and the other party, and I heard kind of a murmuring of discontent over the ethics reform that we passed back in January. I got nervous that we weren't serious about it, that we really weren't going to push the kind of cleansing of things that we have done in the legislation before us on which we are about to vote.

This isn't hard, what we are doing. We are trying to live like everybody else in America. Most Americans don't have a corporation they can call for a ride on a jet plane. Most Americans don't have somebody who wants to pay for a fancy trip. Most Americans really don't have the ability to decide that one group in their State gets money when others don't. But we did here. That was wrong.

That is why I am so proud of this legislation. Is it perfect? No. I will wait—probably in vain—for that piece of legislation that we pass that is perfect. But because of our process, because of the glorious nature of a democracy, it is always a matter of give and take, always a matter of finding compromise to find that piece of legislation that can get enough votes so that we can send it to the President's desk. That is what this process was.

Now, I have some friends—and, frankly, some people I agree with—on the other side of the aisle who are unhappy with some of the provisions in this bill. They are willing to look at the bundling provisions, the ban on travel and gifts, and the ban on corporate jets. They are willing to overlook the revolving door reforms—reforms in terms of sneaking provisions into conference bills without them ever being in either piece of legislation in the House and Senate, and focus in on just the inadequacies of the earmark reform.

Well, would I have liked it to be a 67-vote point of order rather than a 60-vote point of order? Yes, I would have. Would I have wished for a system maybe that was even more transparent? Yes. But this is major reform. I will tell you that there are a few Senators who do not participate in the earmarking process, and I am not here to pat them or myself on the back for the fact that we do not do that.

I will say I think it is interesting that the phrase ''the fox in the henhouse'' was used as to the provisions in this bill. You know, there is a saying, ''all hat and no cattle.'' Well, I think that maybe this is the time to use the phrase ''all foxes and no hens,'' because if you step back from this issue of earmark reform, it is not complicated. It is pretty easy. As one of the cartoons said, ''We have met the enemy and it is us.''

All we have to do to achieve the transparency that we need is for every Senator to put every earmark request that they are making on their Web site. I will say it again. All we have to do is have every Senator put every earmark request they are making on their own Web site. And then it won't be hard to make sure that the chairman of the committee or the majority floor leader have, in fact, certified all of the earmarks. I am a little offended that there is some assumption that these chairmen and the majority leader would go out of their way to not tell the public there is a congressionally directed expenditure in the bill and will try to hide it. They are going to be caught if they do that. It is going to become public.

Then you will have the kind of accountability that really works around here. So I was disappointed when I heard that one of the Members of the other Chamber said he thought he could put earmarks in this conference report because we needed to vet it. It is not our job to vet them. It is not the Parliamentarian's job. They don't have the staff to do this. That is the job of the people of the United States because, guess what. It is their money.

This is a strong ethics bill. Even though I was a cosponsor along with the Senators who spoke against this on the earmark reform, I want to say this goes a long way in the right direction. It is a great effort. I am proud of Senator REID, Senator FEINSTEIN, Senator FEINGOLD, Senator OBAMA, and all of the other Senators who worked on this bill, and many on the Republican side have as well. I think we are going to pass it by a big number today. It is a moment we should all be proud of, an accomplishment we should herald, and we should remember that if we are worried about foxes, we ought to check in our own closet for that fox outfit before we start pointing the finger at anybody.

I yield back the remainder of my time.

LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT OF 2007—Continued

The PRESIDING OFFICER. Under the previous order, the question now occurs on the motion offered by the majority leader to concur in the House amendment to S. 1.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant journal clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) and the Senator from Minnesota (Ms. KLOBUCHAR) are necessarily absent.

I further announce that, if present and voting, the Senator from Minnesota (Ms. KLOBUCHAR), would vote ''aye.''

Mr. LOTT. The following Senator is necessarily absent: the Senator from Minnesota (Mr. COLEMAN).

Further, if present and voting, the Senator from Minnesota (Mr. COLEMAN) would have voted ''yea.''

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

The result was announced—yeas 83, nays 14, as follows:

[Rollcall Vote No. 294 Leg.]

YEAS—83

Akaka	Dole	Lugar
Alexander	Domenici	Martinez
Allard	Dorgan	McCaskill
Barrasso	Durbin	McConnell
Baucus	Enzi	Menendez
Bayh	Feingold	Mikulski
Biden	Feinstein	Murkowski
Bingaman	Grassley	Murray
Bond	Gregg	Nelson (FL)
Boxer	Hagel	Nelson (NE)
Brown	Harkin	Obama
Brownback	Hatch	Pryor
Bunning	Hutchison	Reed
Byrd	Inouye	Reid
Cantwell	Isakson	Roberts
Cardin	Kennedy	Rockefeller
Carper	Kerry	Salazar
Casey	Kohl	Sanders
Chambliss	Landrieu	Schumer
Clinton	Lautenberg	Sessions
Collins	Leahy	Shelby
Conrad	Levin	Smith
Corker	Lieberman	Snowe
Dodd	Lincoln	Specter

Stabenow	Thune	Webb
Stevens	Vitter	Whitehouse
Sununu	Voinovich	Wyden
Tester	Warner	

NAYS—14

Bennett	Craig	Inhofe
Burr	Crapo	Kyl
Coburn	DeMint	Lott
Cochran	Ensign	McCain
Cornyn	Graham	

NOT VOTING—3

Coleman	Johnson	Klobuchar

The motion was agreed to.

Mr. CONRAD. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mrs. MURRAY. I move to lay that motion on the table.

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

SMALL BUSINESS TAX RELIEF ACT OF 2007—Continued

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Senator from Virginia, Senator WEBB, be recognized for 1 minute; and then following him, the Senator from Oregon would like 3 minutes on the bill, and then Senator VITTER would be No. 3, with no time for Senator VITTER.

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

The Senator from Virginia.

AMENDMENT NO. 2618

Mr. WEBB. Mr. President, I ask for regular order with respect to my amendment No. 2618, which is a pending amendment to the Children's Health Insurance Program bill.

The PRESIDING OFFICER. The amendment is pending.

AMENDMENT NO. 2618, AS MODIFIED

Mr. WEBB. Mr. President, I ask unanimous consent to modify my amendment, and I now send the modification to the desk.

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

The amendment, as modified, is as follows:

Strike Section 701 and insert the following:

SEC. ___. ELIMINATION OF DEFERRAL OF TAXATION OF CERTAIN INCOME OF CONTROLLED FOREIGN CORPORATIONS.

(a) IN GENERAL.—Section 952 (relating to subpart F income defined) is amended by adding at the end the following new subsection:

''(e) SPECIAL APPLICATION OF SUBPART.—

''(1) IN GENERAL.—For taxable years beginning after December 31, 2007, notwithstanding any other provision of this subpart, the term 'subpart F income' means, in the case of any controlled foreign corporation, the income of such corporation derived from any foreign country.

''(2) APPLICABLE RULES.—Rules similar to the rules under the last sentence of subsection (a) and subsection (d) shall apply to this subsection.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years of controlled foreign corporations beginning after December 31, 2007, and to taxable years of United States shareholders with or within which such taxable years of such corporations end.

Mr. WEBB. Mr. President, the technical modification to my amendment simply makes clear that the amendment strikes section 701 of the bill, which is the tobacco tax revenue-raising section, and replaces section 701 with a section eliminating the current law on tax deferral of foreign corporate income.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

AMENDMENT NO. 2934 WITHDRAWN

Mr. DORGAN. Mr. President, early in the consideration of the children's health insurance bill we are now considering, I offered an amendment, No. 2534. The amendment was to reauthorize the Indian Health Care Improvement Act, a piece of legislation we have moved through the Indian Affairs Committee, an authorization for Indian health care matters that has been proposed 11 times before in the last 8 years but has not passed the Congress.

We have a full-scale emergency and crisis with respect to Indian health care. I will not go on at great length except to say this: This Government has a responsibility for health care for Federal prisoners, and we also have a trust responsibility for health care for American Indians. We spend twice as much per person on health care for Federal prisoners as we do to meet our trust responsibility to provide health care for American Indians. I believe I can say without hesitation that there will be people who will die today and tomorrow in this country because we do not have adequate health care and have not kept our promise to the American Indians with respect to the trust responsibility for health care on Indian reservations.

I have determined we are going to pass this legislation this year. With the cooperation of my colleague from Montana, Senator BAUCUS, who indicated yesterday the Finance Committee will mark up this bill on September 12—it is a very important commitment from someone who shares my passion on this and who is a very strong supporter of American Indians and Indian health care—and with a commitment from Senator REID, who similarly is a very strong supporter of these issues, that he will bring that bill to the floor of the Senate in this session of the Congress—with those commitments, I believe we will now, finally, in the Senate, pass the Indian Health Care Improvement Act, at long last.

With those commitments, I am confident we are on the road to getting done what we need to get done to meet our responsibility. Because of that, I will withdraw my amendment to reauthorize the Indian Health Care Improvement Act on this Children's Health Insurance Program bill, and I ask unanimous consent to withdraw amendment No. 2534.

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

The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, I very much compliment the Senator from North Dakota. He is absolutely correct. This legislation is on a must-pass list. I have given my commitment to mark the bill up on September 12 in the Finance Committee. The leader has indicated he will give every assurance to try to get the legislation up on the Senate floor and go on to pass it. It has passed before, but it got hung up in the last Congress. It is high time we get this legislation passed, and I thank the Senator for, first, pushing the issue so hard and, second, working with the Senate to find an expeditious way to get this legislation passed.

Mr. President, I ask unanimous consent that after Senator VITTER is recognized, Senator KOHL be recognized for 5 minutes and Senator ALLARD be recognized for 10 minutes.

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

The Senator from Louisiana is recognized.

AMENDMENT NO. 2596, AS MODIFIED, TO AMENDMENT NO. 2530

Mr. VITTER. Mr. President, I ask unanimous consent to set aside any pending business so that amendment No. 2596 may be called up.

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

Mr. VITTER. Now I send a technical modification to the desk.

The PRESIDING OFFICER. The Senator will suspend. The clerk will report.

The Senator from Louisiana [Mr. VITTER], for himself and Mr. DEMINT, proposes an amendment No. 2596, as modified, to amendment No. 2530.

Mr. VITTER. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment (No. 2596), as modified, is as follows:

At the end of title I, insert the following:

SEC. _____. REQUIREMENT THAT INDIVIDUALS WHO ARE ELIGIBLE FOR CHIP AND EMPLOYER-SPONSORED COVERAGE USE THE EMPLOYER-SPONSORED COVERAGE INSTEAD OF CHIP.

(a) IN GENERAL.—Section 2105(c) (42 U.S.C. 1397ee(c)), as amended by section 401(a), is amended by adding at the end the following new paragraph:

''(12) REQUIREMENT REGARDING EMPLOYER-SPONSORED COVERAGE.—

''(A) IN GENERAL.—No payment may be made under this title with respect to an individual who is eligible for coverage under qualified employer-sponsored coverage, either as an individual or as part of family coverage, except with respect to expenditures for providing a premium assistance subsidy for such coverage in accordance with the requirements of this paragraph.

''(B) QUALIFIED EMPLOYER SPONSORED COVERAGE.—

''(i) IN GENERAL.—In this paragraph, the term 'qualified employer sponsored coverage' means a group health plan or health insurance coverage offered through an employer that is—

''(I) substantially equivalent to the benefits coverage in a benchmark benefit package described in section 2103(b) or benchmark-equivalent coverage that meets the requirements of section 2103(a)(2);