not limit the Secretary to specific actions, such as direct purchases or reverse auctions but could include other actions, such as a more direct recapitalization of the financial system or other alternatives that the Secretary deems are in the taxpayers' best interest and that of the Nation's economy.

Section 129 requires the Federal Reserve to submit regular written reports to the Senate Banking and House Financial Services Committees whenever it uses its authority under section 13(3) of the Federal Reserve Act. The periodic updates to the reports are meant to keep the committees informed of the specific details of any loans or the aggregate details concerning programs the Federal Reserve establishes that are covered by this requirement.

Section 131 requires the Treasury to reimburse the Exchange Stabilization Fund, ESF, for any losses that result from the temporary guaranty program that they recently established. It is the intent of the Treasury that the temporary guaranty program that they recently established will not last longer than 1 year, and while the final version of the act does not mention this timeframe, it was because the Treasury Department has publicly stated that this temporary program will last no longer than 1 year, which is consistent with the intent of this legislation. Further, the act forbids the Secretary from using the ESF for the establishment of any similar fund in the future. The ESF has never been used for loans or guarantees for domestic purposes, and it is important that the money in the fund continue to be available for the ESF's stated purpose.

Section 136 provides a temporary increase in the coverage limit for nonretirement accounts in insured depository institutions. It is the intention of the legislation that this increase be temporary and this increase is not a statement of any intent for changes in the permanent deposit insurance level.

Mr. President, I ask unanimous consent that a letter from the Treasury Department be printed in the RECORD.

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

(See Exhibit 1.)

Mr. DODD. Mr. President, I first thank my colleagues for their generous comments. This has been an incredible 2 weeks. It began exactly 2 weeks ago tomorrow night when the Chairman of the Federal Reserve and the Secretary of the Treasury, in words that were as chilling as any I have heard in 28 years here, describing the condition of our economy.

We heard the words ''credit crunch.'' I was educated in high school by Jesuits, and the word ''credit,'' the derivative, comes from the Latin word ''to believe.'' What is more important to me at this moment than any financial loss that Wall Street suffers or other institutions or shareholders, as much as I am concerned about it, but the biggest loss we run the risk of is Americans believing in their country, that sense of confidence and optimism that has been at the base of our success for more than two centuries.

I say to my colleagues who are wondering whether at this moment we ought to embrace this plan to move us to the right footing, this is the moment which we must take this opportunity to get back our economy, and simultaneously, more important than anything else we achieve, to restore Americans' confidence, their optimism, and their belief that this country can provide a better day for their children and their grandchildren than the one in which they were raised.

Nothing less than that, in my view, is at stake in the vote we will take in a matter of minutes; maybe the most important vote any one of us will ever cast in this body. It will determine the future and the well being of our country. I beseech my colleagues, not as Democrats or as Republicans, but as Americans, and as Members of this remarkable institution, to cast a vote for the future believability in our economy and our country.

I urge a ''yes'' vote.

EXHIBIT 1

DEPARTMENT OF THE TREASURY,
Washington, DC, October 1, 2008.

Hon. CHRISTOPHER DODD,
Chairman, Committee on Banking, Housing and Urban Affairs, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN, I am writing regarding the Emergency Economic Stabilization Act of 2008.

It is the intention of the Department of the Treasury that all mortgages or mortgage-related assets purchased in the Troubled Asset Relief Program will be based on or related to properties in the United States.

Sincerely,

KEVIN I. FROMER,
Assistant Secretary for Legislative Affairs.

FEDERAL RAILROAD SAFETY IMPROVEMENT ACT OF 2007

The PRESIDING OFFICER. The Senate will now resume consideration of the House message on H.R. 2095, which the clerk will report.

The bill clerk read as follows:

Message from the House of Representatives to accompany H.R. 2095, entitled an Act to amend title 49, United States Code, to prevent railroad fatalities, injuries, and hazardous materials releases, to authorize the Federal Railroad Safety Administration, and for other purposes.

Pending:

Reid amendment No. 5677 (to the motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill), to establish the enactment date.

Reid amendment No. 5678 (to amendment No. 5677), of a perfecting nature.

The PRESIDING OFFICER. There will be 15 minutes for the majority and 15 minutes for the minority.

The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I wanted to make sure everyone knows we have 30 minutes allocated for Amtrak, and then the majority leader, Senator REID, also intends to go back, before the vote starts, and use his leader time at his discretion.

I rise to talk about the Amtrak reauthorization bill which will be the first vote tonight. I start out by thanking my colleague, Senator SMITH from Oregon, for all of the good work he has done on the rail safety portion of this bill; also Senator LAUTENBERG, the majority member who has worked so hard on the Amtrak portion; and Senators INOUYE and Senator STEVENS, the chairman and ranking member of our committee during most of the negotiations on this big, very important bill.

I think we have come to a very good position on Amtrak and on rail safety, and the legislation before us combines these two important bills that were written with separate subcommittees. I have worked on rail safety since I came to the Senate in 2004 when Union Pacific was going through a rash of accidents. The Department of Transportation initiated a compliance review at the request of myself and all the members of the Texas Congressional delegation.

The rail safety component of this legislation will reduce driver fatigue by ensuring that train employees receive adequate rest between shifts. The recent accident in California has led many to call for the implementation of new safety technologies on trains. Our legislation requires the Department of Transportation to develop a plan for implementation of positive train control systems on trains by the end of 2015.

I urge my colleagues to vote in favor of this very important bipartisan legislation.

FINANCIAL BAILOUT

Mr. President, the later votes we will take tonight are on another major piece of legislation. We have been hearing the debate on it all afternoon, really for the last 2 weeks. I want to start by saying that stabilizing our economy is the most important responsibility our Congress has right now. I did not vote for the Fannie Mae, Freddie Mac bailout. I did not. I did not vote for that because I did not think there was enough taxpayer protection, nor were there limits on executive compensation packages.

When Secretary Paulson came before us last week and said he wanted to have the power to spend up to $700 billion, I would not have supported that package, because, again, there were not enough taxpayer protections, there were not enough limits on executive compensation, and there was not enough oversight.

But in my 15 years in the Senate, I have never seen a more bipartisan effort in Congress to sit down and come to a real conclusion for the good of our country, putting Republican and Democratic labels aside, to say: We know it is our responsibility to save the financial integrity of our country for every person who has a pension

fund, for every person who has a lifetime savings in a bank, for every person who has worked hard all their lives to buy their homes, and to want to be able to own that home and pay off their mortgage.

I am speaking for every person who has gone to the bank for a loan in the last 4 days, because they are being told there is no ability to loan right now. I am talking about a State that goes to the markets for municipal funding and does not get one bid despite a triple A rating. Do we have the option of sitting here and seeing this happen in our country and saying: You know, I do not like this part of that bill or that part of that bill, so I am going to vote no?

I do not say that any person voting no is not doing it because of their own convictions, but I am saying that from my standpoint, the people who have elected me to represent them in the Senate, I have worked in every way I could to get the taxpayer protections, to get the oversight of Congress, to have the board that would make a difference in maybe what could be done by the Treasury, the way they put together these packages, to make sure there is an upside for the taxpayer, which there is in this bill, that the taxpayers will have an ownership stake if there is an upside, and that it will pay down debt. It is not going anywhere else but paying down debt to start getting our fiscal house in order. Then the House put in a provision that I thought was very sound. After 5 years, if the Government is facing a loss in the program, the President will be required to submit a plan to determine how we recoup from the financial companies that have been benefited, whatever the loss might be to the taxpayer.

This legislation also increases the FDIC limits to protect those people who have their life savings in a bank, so they will not worry they might be wiped out when it is announced, when they wake up in the morning, that their bank has gone under.

There is very important tax policy in this bill that was added since the House turned down the bill, that was agreed to by the bipartisan working group, very important tax policies. It will give relief of the AMT to 23 million more low- and middle-income taxpayers in our country. AMT is eating up the ability for families to be able to save for their college education for their children.

It also extends the tax incentives that will spur energy production and innovation, wind energy, production tax credit, research and development tax credits, sales tax deductions for States that do not have an income tax.

It also includes help for our disaster areas, to give tax credits to developers who will help build low-income housing in the 29 Texas counties that still have not even been able to clean up their streets yet from Hurricane Ike.

We have added much to this bill from the original proposal. I agree with something the Senator from California said a few minutes ago: People think this is the same proffer that was made a week ago that had no oversight, no taxpayer protections, no upside for the taxpayer, no limits on executive compensation. That is not what we are talking up tonight. What we are talking up tonight does have improvements made by Congress, doing everything we can, that if this is passed and it is run right, the taxpayers will actually benefit, and we will start paying down the debt of our country.

Senators REID and MCCONNELL, Senators DODD and JUDD GREGG, Speaker PELOSI, Congressman FRANK, Congressman BOEHNER, Congressman BLUNT, have been a bipartisan working group with the President of the United States and the Secretary of the Treasury, to attempt to do all that we laid out to the Secretary that we wanted to see in the legislation that was not there when he first came forward. He has bent over backwards to try to make sure that we have those protections in place. I urge my colleagues to remember they have been elected by the people of their State to make the tough decisions. They have been elected not to go on what would be their preference for one part of the bill that might not have gotten in. None of us would have written this exactly the way it is written. But we all did have the basic standards of taxpayer protection, giving the taxpayers an upside, of limiting executive compensation when somebody has run a financial institution into the ground, increasing the FDIC limits so that people who have their life savings in a bank will be able to know that is safe.

If anything, the Government of the United States of America ought to be able to stabilize its financial markets to show the world that we are the most stable and leading democracy in the world, and that we can get our house in order. I hope every one of us will think carefully about a tough vote, yes, but a vote that is right for the long term of our country.

If the program is done correctly, it provides every possibility for taxpayers to have an upside. It also provides every possibility that there will be the oversight that will make sure everything is done with transparency.

This isn't a $700 billion package. This is a $250 billion package with contingencies and strings, if we have to go beyond that, strings the President would have to agree to, strings Congress would have to agree to. That is a much more measured and responsible approach than what was presented by the Secretary early on—a $700 billion bailout. It is not that anymore. It is a responsible, bipartisan effort to stand up for the economy of the United States and for every banker and every small investor and every saver and every working person who depends on that stability and depends on their elected officials to do the right thing in the toughest of times. That is what we promised when every one of us ran for election. I hope we will deliver it tonight.

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

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, we are about to take up a vote that is going to decide whether our country is committed to a 21st-century transportation system. This is a vote that was considered under the cloture process earlier this week. This is a decision that is going to give a real option to travelers from frustrating lines at the airport, high gas prices at the pump, one that is going to make trains safer for rail passengers and rail workers, and a decision that will expand energy-efficient train travel to more of our cities.

Much of the industrialized world has already made such a commitment. France, China, Japan, Spain, Germany, and Korea are all focused on connecting major cities of 500 miles or less by fast and efficient trains. A 210-mile trip from Brussels, Belgium, to Paris, France, takes only 85 minutes—an hour and 25 minutes—compared to our 3 hours from New York to Washington, DC. The question is, Why can't we have something comparable to that in this country? Even now, more people take the trains between Washington and New York on a regular basis than those who fly. It is time to bring reliable, fast train service to other regions of the country as well. The American public wants this option.

Yesterday, the Secretary of Transportation announced that Americans are driving less and taking trains more frequently. In fact, according to Amtrak, the fiscal year that ended yesterday carried over 28 million riders. That is a record for the sixth straight year.

Our bill provides $13 billion over 5 years for Amtrak and various States so they can explore their corridor opportunities. This is over a 5-year period for Amtrak and those States, so we can modernize and expand our network of trains, tracks, and stations.

With all the demand for rail travel, one thing we also have to make sure of is that trains are safe. Unfortunately, we have been reminded recently of the acute need for safety improvements.

Last month, America experienced the worst train collision in 15 years. This took place at Chatsworth, CA, on September 12 of this year. Twenty-five people died and over 130 were injured when two trains collided in Chatsworth. What made this dreadful crash all the more tragic was that it might have been avoided had the necessary investments in technology been made. As we mourn the victims of the Chatsworth crash, our vote today will demonstrate the seriousness of our being here, about making sure this can't happen again.

The State of South Carolina, for instance, not very long ago, in Graniteville, saw the rail catastrophe shown here. In 2005, this collision resulted in the release of chlorine gas

that killed 9 people, and over 5,400 people were evacuated from the surroundings that day.

In Luther, OK, in August, the community witnessed this massive fireball after a train derailed and caused ethanol tank cars to explode. We can't even see the train because it was so engulfed by flames.

One of the major reasons for train crashes is human error. Our bill addresses that problem with vital improvements.

Thanks in part to Senators FEINSTEIN and BOXER, our bill mandates that major railroads use positive train control or PTC systems. This technology is available today to keep two trains from colliding, to stop a train if the train is passing a red light, as we saw in Chatsworth.

Secondly, our legislation limits the daily number of workhours per railroad employee. Laws now allow them to work 100 hours each and every week. It is wrong. Our bill is going to change those laws so that people who operate and maintain our trains get enough rest between shifts and remain alert on the job.

Third, our bill is going to give inspectors the tools they need to better oversee the railroad industry's safety practices. The FRA—the Federal Railroad Administration—could punish infractions with fines of up to $100,000 when railroad companies disobey our safety laws.

As I mentioned on Monday, this bill is long overdue. Since we last passed rail safety legislation in 1994, more than 9,000 people have been killed and more than 100,000 have been injured in train-related incidents. Since we last passed Amtrak legislation in 1997, gas prices have tripled. Congestion has grown substantially on the highways. We have suffered two of the worst years ever for flight delays, and everyone knows it is time to modernize our Nation's underfunded and outdated passenger rail system. In doing so, we will help solve many of today's challenges, such as energy independence, overcrowded highways, runways that are overcrowded, and global warming. To prevent tragedies like the Chatsworth crash from ever happening again, we must complete this bipartisan legislation today and send it to the President for his signature.

The Senate has already passed our bills on Amtrak and railroad safety with overwhelming majorities. On this past Monday, 69 of us voted for cloture for this package, obviously meaning that debate was to be cut off and get on with business. I urge my colleagues to finish the job and support this landmark legislation for the sake of America's travelers.

How much time do we have on our side?

The PRESIDING OFFICER. There is 7½ minutes.

Mr. LAUTENBERG. I wish to thank some of my colleagues for their vital support for this critical legislation. This is truly a bipartisan bill. I wish to take a minute and thank those who worked so hard to put this package together. First and foremost, I thank Senate majority leader HARRY REID for his leadership. I also thank a former colleague, Senator Trent Lott, for his hard work and longstanding commitment to passenger rail service. From the Commerce Committee, I thank chairman DAN INOUYE and ranking member KAY BAILEY HUTCHISON. I thank her for her cooperation. It has been terrific working with Senator HUTCHISON. I thank Senator STEVENS as well, and my subcommittee ranking member, Senator SMITH, and all of our cosponsors, particularly Senators CARPER, FEINSTEIN, CLINTON, MENENDEZ, SPECTER, SCHUMER, and WARNER, for their dedication and commitment to improving travel in America.

To our partners in the House Committee on Transportation and Infrastructure, I thank Committee Chairman OBERSTAR, Ranking Member MICA, Railroads Subcommittee leaders Chairman BROWN and Ranking Member SHUSTER. These people in the House were all exceptional champions, and we thank them.

Everybody I mentioned and many more legislative staff and experts contributed to this bill. We look forward to it becoming law and making a difference for our rail industry and travelers everywhere. I note that it has been several years that this Senator has been working on this. I am so pleased to see that we will have an opportunity to pass it.

I thank again my dear friend and colleague, whom we will all miss. He leaves with our admiration and affection—Senator JOHN WARNER. He and I each served in the war. I don't want to tell which war. It goes back a long way. But we did serve in the war together, not in the same theater but we served. He will be missed.

At this point, I yield the floor to the Senator from California, Mrs. FEINSTEIN.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I wish to begin by thanking Senator LAUTENBERG and Senator HUTCHISON for their work on this bill. It is very a good bill. I am very proud of it. I am proud of them. I hope all Members will support it.

This bill does much to benefit rail. I deeply believe that rail has a future. My own State, California, has a $10 billion bond issue on the ballot this November to begin the funding of a high-speed rail down the center of California. So rail can be very important in the future.

The bill has many good points. I want to concentrate on just one thing and what I just learned from the National Transportation and Safety Board. That one thing is that this bill would give the rail administration the ability to prohibit cell phone use.

I would like the chairman and the ranking member to know what I just learned through an NTSB press conference. The engineer on the Metrolink train, the day of the accident, from about a quarter of 7 to a quarter of 9 in the morning, as he was an engineer on the train, sent and received 45 text messages on his cell phone in a little more than an hour. In the afternoon, when he was on duty from 2 p.m. to about 3:30, he sent and received 12 messages on his cell phone. One of them was 22 seconds before the accident. With this kind of cell phone use while an active engineer on a Metrolink train right around the time of an accident, you can see the kind of problem it is. There is no second set of eyes on this train. So this National Transportation Safety Board press release this afternoon is a revelation.

This cannot be happening on other trains. A great deal of our track in California is single track. It has both freight and passenger rail on it, sometimes in opposite directions. To have an engineer in an hour and 15 minutes sending or being part of 45 text messages on a cell phone is not what an operating engineer should be doing on a train.

I thank the chairman. He has done a great job. My pal Senator HUTCHISON has done a great job. This is a bill that will stand the test of time. It is an important bill for Amtrak, for the rail administration, and for rail safety and positive train controls.

I thank them all for their work and yield the floor.

The PRESIDING OFFICER. The Senator from Texas has 4 minutes remaining.

Mrs. HUTCHISON. Mr. President, is there time left on the majority side?

The PRESIDING OFFICER. A minute and a half on the majority side.

The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, again, I rise to reiterate the fact that this is a chance to make a huge difference in the way we travel in this country. We know you cannot get there from here if you get on the roads, whether they be major highways or streets. Airplanes are ever more delinquent in their ability to deliver service on time. So this is a chance for everybody to step up and declare we are going to have a refined, up-to-date, modern system that enables us to carry the passenger load that is available for us.

I ask my colleagues to vote for this legislation and hope we will see its passage very shortly.

Mr. President, I yield any time remaining.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I want to reiterate something the Senator from California mentioned, and that is, the rail safety part of this bill is actually a bill that was negotiated separately from the Amtrak bill. We put them together because time was of the essence. After that terrible crash in California, I think it spurred us to be

able to put these together and go forward. The positive train control that will be required for every rail carrier by the year 2015 is going to also have a major impact on safety and stop the crashes that are preventable that we have seen in the past. So I think there are a number of rail safety issues that are so important here that can make a difference.

At this time, Mr. President, I wish to yield up to 2 minutes to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I thank my good friend and colleague from Texas. And I thank my good friend, the senior Senator from New Jersey, for his gracious remarks. I also commend the cooperation of both of these managers, together with Senators WEBB, CARDIN, and MIKULSKI, in bringing together in this bill the lifeline of the Metro system in the Nation's Capital. We are a region, and we speak for the District of Columbia, as spokesmen tonight, and for the States of Maryland and Virginia, all of which are essential partners in this system which supports this institution, the Congress.

RAILROAD SAFETY

Mrs. BOXER. Mr. President, I rise today to address the railroad safety legislation, H. Res. 1492 providing for agreement by the House of Representatives to the Senate amendment to the bill, H.R. 2095, with an amendment. First, I must emphasize the importance of strengthening our safeguards for railroads, to protect the lives and safety of our citizens. We have just been reminded of how critical it is for us to pay attention to this issue by the tragedy in my home State of California on September 12, 2008. On that day, a Metrolink train crashed head on into a Union Pacific freight train in Chatsworth, northwest of downtown Los Angeles, killing 25 people and injuring at least 135 in the most deadly commuter rail accident in modern California history, and one of the worst rail accidents in recent U.S. history. The families of all of those killed or injured in that accident are in our thoughts and our prayers.

I also would like to enter into a colloquy one aspect in this legislation, the provisions entitled the ''Clean Railroads Act of 2008,'' with my good friend, Senator LAUTENBERG, the distinguished chairman of the Commerce, Science, and Transportation Committee's Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security, and the lead author of this legislation.

Mr. Chairman, this legislation makes clear that any solid waste rail transfer facility must comply with all applicable Federal and State requirements, both substantive and procedural, including judicial and administrative orders and fines, respecting the prevention and abatement of pollution, the protection and restoration of the environment, and the protection of public health and safety, including laws governing solid waste, to the same extent as required for any similar solid waste management facility, as defined under the Solid Waste Disposal Act, or SWDA, that is not owned or operated by or on behalf of a rail carrier. There is an exception in section 604 of this bill, which creates a new section 10909 of title 49 of the United States Code allowing the Surface Transportation Board to issue a land-use exemption for a solid waste rail transfer facility operated by or on behalf of a rail carrier if the Board finds that a State, local, or municipal requirement affecting the siting of such facility meets certain specific criteria.

For these purposes, the bill defines several terms, including ''commercial and retail waste,'' ''construction and demolition debris,'' ''household waste,'' ''industrial waste,'' ''institutional waste,'' ''municipal solid waste,'' and ''solid waste.'' The bill explicitly excludes hazardous waste regulated under subtitle C of the SWDA, mining or oil and gas waste from being covered under this law and leaves in place the structure under which these substances are currently regulated.

Mr. Chairman, is my understanding correct that, by clarifying that any solid waste rail transfer facility must comply with all applicable Federal and State requirements, both substantive and procedural, in the same manner as any other solid waste management facility as defined under the SWDA, and by expressly excluding such hazardous waste, and mining or oil and gas waste, from this law, that this legislation ensures that the Environmental Protection Agency's and States' authorities dealing with hazardous waste, mining or oil and gas wastes are not impacted by this law or by the jurisdiction of the Surface Transportation Board?

Mr. LAUTENBERG. Mr. President, the distinguished Chairman of the Committee on Environment and Public Works, and my colleague as a senior member of the Committee on Commerce, Science, and Transportation, is correct. This legislation ensures that solid waste rail transfer facilities must fully comply with the substantive and procedural requirements in State and Federal environmental and public health and safety laws, including all permitting requirements, and generally allows the Surface Transportation Board to issue land-use exemptions so that the Board may continue to be the single agency to guide our country's policies concerning the placement of railroad facilities, which enables a unified national rail system and promotes energy-efficient interstate rail transportation. In addition, the distinguished chairman is correct that the legislation does not diminish the authority of the Environmental Protection Agency or the States with respect to hazardous wastes, mining or oil and gas wastes. This legislation also does not affect in any way the application of the statutory definition of solid waste under the SWDA. This legislation also does not intend to affect any preexisting authority to respond to imminent hazards under Sections 7002 and 7003 of the RCRA. Lastly, this bill ensures that solid waste rail transfer facilities, as defined in this legislation, obtain the State permits that any other similar solid waste management facility is required to obtain and comply in full with State law, as described in Sections 603 and 604 of Division A of the bill, and this bill affirms the States' traditional police powers to require rail carriers to comply with State and local environmental, public health, and public safety standards as described in Section 605 of Division A.

Mr. LEVIN. Mr. President, I support H.R. 2095, the Amtrak reauthorization bill, which was passed by the House of Representatives and is expected to pass the Senate today. I believe the economic strength of our Nation and the State of Michigan is dependent on our transportation infrastructure. Reliable passenger rail service is an important component of that infrastructure.

I have been a strong supporter of Amtrak and have voted repeatedly to give Amtrak the funds it needs to continue to operate safely and effectively. I am a cosponsor of the Passenger Rail Investment & Improvement Act which reauthorizes and increases funding for Amtrak, the national passenger rail system. A version of that bill is included in the package we are voting on today.

Also included in this legislation are important railroad safety improvements designed to avoid tragic rail crashes such as the recent horrible collision between a commuter train and a freight train that killed 25 people in California. Federal investigators have said that a collision warning system could have prevented that crash. This legislation would require that new technology to prevent crashes be installed in high-risk tracks. In addition, it would limit the amount of hours train crews can work each month. Both the funding and the safety components of this bill are urgently needed to ensure the viability of our nation's passenger rail transportation system in the years to come.

A healthy and adequately funded Amtrak benefits Michigan and the nation as a whole. Amtrak service in Michigan includes the Pere Marquette which provides daily service between Grand Rapids and Chicago, the Wolverine which provides daily service between Pontiac/Detroit and Chicago, and the Blue Water which provides daily service between Port Huron and Chicago. Amtrak gives travelers and commuters more transportation options, relieves crowding on highways and in airports, and reduces oil consumption and greenhouse gas emissions. This legislation would strengthen Amtrak by authorizing $13 billion for Amtrak over 5 years and require oversight, management, and accounting improvements.

This legislation is long overdue as Congress has not passed Amtrak legislation since 1997. Unfortunately, in 2005, bipartisan attempts by the Senate to improve and modernize Amtrak's operations were blocked by Republican leadership in the House of Representatives. That same year, President Bush actually proposed sending the railroad into bankruptcy, and in other years he has proposed killing off Amtrak service by underfunding the railroad. In the interim, Amtrak has been muddling through with barely enough funds to keep operating and certainly not enough funding to significantly improve service or expand into new towns and cities. This bill would address past neglect and improve our Nation's passenger rail system.

An improved national passenger rail system means people who are accustomed to commuting in their cars will be able to rely on train service, reducing congestion and stress for those who choose to continue to drive and offering an alternative for those who would prefer to take the train. Those who take the train will be able to relax while someone else does the driving. Improved Amtrak service also provides people who do not drive or do not have access to cars with a viable transportation alternative, especially for medium-distance trips. Rather than relying on friends and family to drive them from place to place, these people will be able to depend on Amtrak for their middle-distance transportation needs. This is especially important for elderly individuals who were once accustomed to driving but, because of age or illness, have become unable to drive safely. For example, two grandparents who live in Michigan and who no longer drive will be able to more easily visit their grandchildren in Chicago because of Amtrak's improved service in Michigan. Amtrak's train service is important to the cities and communities of Michigan because it reduces congestion on the roads, reduces pollution and commuting stress, and because it improves middle-distance transportation alternatives for the citizens of Michigan.

Also important for Michigan and other States, this legislation establishes a $1.5 billion grant program for the construction of high-speed rail projects in any of the 11 designated high-speed rail corridors, one of which is the Midwest High-Speed Rail Corridor, also known as the Chicago hub corridor. This grant program would assist Michigan in the development of its portion of the Midwest Regional Rail Initiative which includes making investments in high-speed rail capabilities in the Chicago-Detroit corridor.

I support this bill because it provides a much needed boost to Amtrak and makes and important commitment to preserving and strengthening our national passenger rail system.

Mr. CARPER. Mr. President, this bill represents years of hard work and partnership between Members of Congress from both sides of the aisle and across the country. I am so pleased that we will finally be able to send it to the President for his signature.

Amtrak has enjoyed a huge resurgence in recent years. Infrastructure has been repaired, ontime performance has surpassed the airlines, and people are coming back to the train.

When the final numbers for fiscal year 2008, which ended yesterday, are calculated, ridership is expected to reach over 28.7 million passengers and revenues over $1.7 billion for the year. That represents an increase of almost 3 million riders and $200 million in revenues over the previous year.

Passing this bill today will capitalize on this enthusiasm for passenger rail and will show that Congress hears the demand for more.

Today, Amtrak operates approximately 44 routes over 22,000 miles of track, 97 percent of which is owned by freight rail companies. Those freight tracks are increasingly congested and not built with modern passenger rail in mind. Where the Federal Government does own the tracks, we have failed to maintain them as we should.

Amtrak was created in 1970 after the freight railroads asked the Federal Government to take over passenger rail service because they were losing so much money.

Some in the Nixon administration believed they were temporary caretakers for a railroad that would be dead within a few years. So there was little effort to repair the rails or cars or to create a true modern passenger rail system.

But Amtrak limped along for decades. In spite of the lack of commitment at the Federal level, the American people were unwilling to give up on rail. Amtrak was a lifeline for people in remote rural communities that were not served by airports and for business and other travelers in the Northeast corridor.

Then, starting in the late 1990s, interest in rail began to grow. People got tired of sitting in traffic or waiting at airports for delayed flights. Local governments realized rail stations often increased property values and attracted people to their community.

New leadership at Amtrak put the focus on repairing old cars and rail, leading to smoother, ontime travel.

Still, Washington was slow to catch on. President Bush proposed no funding for Amtrak for years and even suggested putting the railroad into bankruptcy and letting a judge determine what to do with it. He also failed to make bipartisan appointments to the Amtrak Board, leaving it without a quorum for a time.

Congress, however, recognized the importance of investing in age rail infrastructure and joined with Presidents David Gunn and, later, Alex Kummant to increase the Federal investment.

But without an authorization, like the bill we will pass soon, there was no clear, consistent direction. Amtrak had to wait for the yearly spending bills to get funding and a sense of where Congress wanted that investment to go.

Passenger Rail Investment and Improvement Act—this legislation changes that. It authorizes Amtrak through 2013. It also represents a fundamental shift away from the Federal Government providing operating support more toward providing capital investment in rail.

The Passenger Rail Investment and Improvement Act creates a funding model for new rail infrastructure much like the one we have used so successfully for highways and airports.

Right now, State and local governments have to shoulder all the costs if they want to build or expand passenger rail within their boundaries.

When I was Governor of Delaware, we might consider several approaches to relieving congestion along a corridor. We would quickly realize that if we built or expanded a roadway, the Federal Government would pay 80 percent of the cost. If we built a transit line, we could secure around 50 percent of the cost from the Federal Government.

But if we chose to invest in intercity passenger rail—even if it was the most effective, cheapest option—the Federal Government would provide no support at all. I have to imagine that this policy has led more than one State to choose the wrong project.

Under the new model in the legislation before us today, the Federal Government could fund up to 80 percent of the cost of new passenger rail service. With this increased Federal commitment comes a requirement for renewed State commitment.

The Passenger Rail Investment and Improvement Act establishes advisory commissions for the Northeast corridor and State-supported routes with representatives from Amtrak, the States along the route, and the Federal Railroad Commission.

These commissions will provide advice and oversight of the corridor and determine the proper costs and access fees for the routes they oversee.

I understand that some of my colleagues expressed some criticism for Amtrak on Monday. Just like them, I would like to see Amtrak perform better. That is why I am happy that this bill includes so many reforms, which I will get into in a minute. But the criticisms issued on Monday deserve some attention.

It is important to recognize that we have spent more than a generation watching passenger rail infrastructure fall into disrepair and reducing or canceling train service across the Nation.

Some are happy to utilize this neglect, and the inevitable reduction in the quality of train service, against the railroad. That very neglect becomes an excuse for some elected officials to further neglect and eventually abandon passenger rail altogether.

At the same time, I have always found it interesting how many of our constituents are willing to put up with

trains that come infrequently, at inconvenient times, and move slowly. It shows that even a train that sometimes doesn't run as well as it should is needed in an era of extreme traffic congestion and high oil prices.

The junior Senator from Alabama spoke against this bill on Monday, indicating that he did not think Amtrak would ever work in his State. He mentioned that the train from Birmingham to Washington, DC, came but once a day, moved slowly, and cost $440 round trip. The Crescent train does, in fact, come infrequently and move more slowly than it should. And there are parts of this bill that will address both issues—from the Federal-State partnership to invest in new rail corridors to the reevaluation of the route system to the language ensuring that passenger trains can move faster on freight tracks.

But I asked a member of my staff to look into the cost of this train and found two interesting pieces of information. First, if you buy a ticket with a week's notice, a round-trip ticket from Birmingham to DC is not $440 but $286. And with 2 week's notice, it goes down to $228. The second interesting fact that I learned about the train from Birmingham to Washington was today's train is sold out.

My colleague also mentioned that his constituents are spending a larger percentage of their income on gasoline than other Americans. The high cost of gasoline is a burden we are all facing and one that deserves our utmost attention and focus. But walking away from Amtrak and other alternatives to driving will only make the situation worse.

A report called ''Driven to Spend,'' written by the Surface Transportation Policy Project and the Center for Neighborhood Technology in 2006, found that metropolitan areas with fewer transportation options tended to impose higher transportation costs on their residents.

For example, at a time when gas was around $2.50 per gallon, the average family in the Wilmington-Philadelphia area spent $3,381 less per year—or 5 percent less of their income—than a family in Houston.

We should work together to offer all of our constituents more convenient, cheaper transportation options that includes roads, passenger rail, and transit.

As I alluded to earlier, the Passenger Rail Investment and Improvement Act includes several reforms aimed at reducing Amtrak's operating costs and creating a more efficient system.

Amtrak's long-distance trains would be subject to a review process based on new standards for financial performance, ontime performance, and customer satisfaction, laid out by the Federal Railroad Administration. Based on those standards, Amtrak will be required to create and implement performance improvement plans for the 5 long-distance routes with the worst performance.

In future years, the remaining 10 long-distance routes would undergo the same restructuring process.

Additionally, this legislation would look at the cause of poor ontime performance outside of the Northeast corridor. If it is found that the problem is caused by a freight railroad, the Surface Transportation Board is given new authority to address the issue.

The Passenger Rail Investment and Improvement Act also allows the Federal Government to explore competition for providing passenger rail service in a responsible way. One provision in the bill permits freight railroads to bid to operate some passenger trains that run on their tracks.

Another provision allows a private entity to bid to provide service on a corridor, though Congress would have to act again before that bid could be acted on.

Moreover, States wishing to use operators other than Amtrak for State-supported services would be permitted to do so and would have access to Amtrak facilities and equipment for that particular route.

This important bill has been combined with another very important bill, the Rail Safety Improvement Act of 2008. This is the first major reform of the rail safety program since the Federal Railroad Safety Authorization Act expired in 1998.

This bill requires railroads to install positive train control systems by 2015. These systems are designed to prevent train derailments and collisions, like the one that occurred in southern California last month, taking the lives of 25 people.

The package would also limit the amount that certain rail employees, such as locomotive engineers, can work to 276 hours a month. Current law allows railroads to require more than 400 hours of work per month, or approximately 13 hours every single day.

This package—the Amtrak reauthorization and rail safety bill—is truly bipartisan and shows that Congress is catching up to our constituents. Americans have been pleading for more rail service for years, and their need only increased with the recent spike in oil prices.

A recent study by Reconnecting America finds that 30 percent of those living within half a mile of a rail station use it regularly. Unfortunately, only 1 in 20 people lives that close to a rail station.

With the passage of this bill, Congress is showing that we understand the need for convenient, reliable passenger rail service across this country, and we are renewing our commitment to giving Americans affordable alternatives to driving.

With a modern passenger rail system, we can get people out of traffic, prevent a few trips to the gas station and reduce the amount of pollution in our air. Not bad for one bill.

Mr. WARNER. Mr. President, I am pleased to support the Rail Safety—Amtrak package under consideration today.

Of highest importance to me though is a much-needed authorization for the Washington Metropolitan Area Transit Authority, WMATA, the metro system that probably brought a majority of our staffers to work this morning.

I thank the many Members with whom I worked to obtain passage of this authorization legislation, leading with my area colleagues, Senators WEBB, CARDIN, and MIKULSKI. I also thank the Commerce Committee leadership of Senators LAUTENBERG and HUTCHISON and the leadership of the Homeland Security and Government Affairs Committee, Senators LIEBERMAN and COLLINS.

WMATA has been one of the greater metropolitan area's most successful partnerships with the Federal Government.

In 1960, President Eisenhower signed legislation to provide for the development of a regional rail system for the Nation's Capital and to support the Federal Government. Since 1960, Congress has continually reaffirmed the Federal Government's commitment to Metro by passing periodic reauthorizing bills.

Over 50 Federal agencies in the National Capital region are located adjacent to Metro stations. Federal agencies rely on WMATA to get their employees to and from the workplace year-round, in all types of weather.

Based on Metro's 2007 rail ridership survey, approximately 40 percent of respondents identified themselves as Federal workers who ride Metrorail to work.

We are talking about thousands of cars taken off the major roadways each day because of our area's metro system.

The Railway Safety—Amtrak bill includes funding over 10 years for capital and preventative maintenance projects for WMATA. This language was added by voice vote to the Amtrak bill by Congressman TOM DAVIS during the House's Amtrak debate this summer.

This critical investment will help provide for much-needed improvements to this stressed transit system. Projects such as station and facility rehabilitation, tunnel repairs, and addition of new rail cars and buses will help ease congestion during peak hours.

This legislation, which would authorize much-needed Federal funding, contingent on State and local dedicated matches, recognizes how vital Metro is to the region and the Federal Government. Let me repeat: these dollars will be matched by the Commonwealth of Virginia, Washington, DC, and the State of Maryland.

Such legislation is integral to the well being of the area's transportation system, as we struggle to address traffic congestion, skyrocketing gas prices, global climate change, and the local quality of life concerns.

From its inception, the Federal Government has played a significant role in funding the construction and operation of the Metrorail system. I hope this Congress will continue to show that support.

Ms. MIKULSKI. Mr. President, I rise in strong support of the Federal Railroad Safety Improvement Act. This bill is long overdue. It authorizes funding for Amtrak and improves rail safety. It also includes the National Capital Transportation Amendments Act, which authorizes funding for the Washington Metro system—America's Metro.

More funding for America's Metro is important for several reasons. First, Federal employees, visitors to our Nation's Capital, and residents all depend on Metro. Mr. President, I don't know how your staff gets to work, but more than half of mine take Metro. In fact, Federal employees make up over 40 percent of commuters and nearly half of all Metro stations are located at Federal facilities. If you remember, Metro also evacuated everyone during September 11. Metro makes it easier for visitors from across the country to learn about our Nation's history and be a part of history. During Presidential inaugurations, funerals, celebrations, and demonstrations on the National Mall, Metro extends its hours. Metro also helps working families eliminate costly bills at the gas pump. During this period of high gas prices, my constituents are choosing Metro and leaving their cars at home. Because of this, Metro has seen recordbreaking ridership.

Second, the Washington metro area must expand its transportation infrastructure to handle base realignment and closure, BRAC, growth. In Maryland, we are planning for 40,000 new jobs. I know Virginia is planning for BRAC growth too. The Metro funding in this bill will BRAC-ready our region's largest transit system.

Third, it is estimated that Metro needs $11 million for capital improvements over 10 years. The authorized and dedicated funding in this bill will help Metro meet these needs. Metro will be able to grow as the region grows instead of cutting service.

Fourth, Metro is safe for the commuter and environmentally sound. We all know commuting in the region has become increasingly difficult. I have been commuting to Washington from Baltimore for 31 years. I have to budget an hour and a half to 2 hours to get to work. There always seems to be some tie-up on the highway and increasing levels of road rage. Driving a car in the National Capital Region is serious business whether you are on the Capital Beltway, Route 50, or Central Avenue. Yet I see many drivers multitasking at high speeds. Drivers are talking on cell phones, sending text messages, and putting on makeup. This Metro funding will make our lives a little safer and saner and help the environment by reducing air pollution.

Metro means more than just transportation. It means residents and visitors to our Nation's Capital can live, work, worship, and play without ever getting in a car. It means more jobs and access to jobs and improved neighborhoods and economic development.

I commend Senator CARDIN for his hard work and leadership on this Metro bill. I thank Senators WARNER and WEBB for partnering with Senator CARDIN and me to get this done. Senator WARNER and I have been regional allies for many years. I am going to miss working with him. I thank Majority Leader REID and Senator LAUTENBERG for helping us bring the Metro bill to the Senate floor and their hard work on the underlying bill. I urge all my colleagues to get on board and vote for this bill.

Mr. KYL. Mr. President, in what has become a frequent occurrence in this Congress, the majority has unnecessarily combined two bills—one that I support and one that I don't—in order to ensure quick passage of both bills. As a result, I must weigh the two bills together. Of course, I want to improve rail safety. However, I cannot support a rail safety bill when it is combined with a bill that is essentially a $13.1 billion taxpayer subsidy to Amtrak.

The need for rail safety was recently highlighted after the tragic rail accident in California on September 12 that killed 25 people. Clearly, we need to ensure that Americans are safe traveling to work and moving the Nation's freight. This bill does augment rail safety by revamping the Federal Railroad Administration and providing over $1.6 billion for rail safety programs. It also mandates many much needed safety changes, including: installing positive train controls; amending the hours of service requirements so operators are not overworked; requiring a risk reduction program, which includes a technology implementation and fatigue management for all Class I and rail carriers with poor safety records; requiring certain mandatory training; and making changes to grade crossing safety management practices. A similar version of the rail safety legislation passed the Senate by unanimous consent on August 1. I suspect that if the majority were to allow a vote on final passage of the rail safety bill, it would easily pass the Senate.

The majority, however, decided to take a different route. Instead of quickly passing the final version of the rail safety legislation by unanimous consent, it attached the bill to a more controversial piece of legislation—the Amtrak reauthorization bill. This maneuver was obviously done so that the Amtrak reauthorization bill would pass. Unfortunately, the Amtrak reauthorization bill is riddled with bad policy. Since its inception in 1971, Amtrak has required over $30 billion in taxpayer subsidies. According to the Congressional Research Service, Amtrak runs over a billion dollar deficit each year, and requires Federal assistance to cover operating losses and capital investment. Without a yearly Federal grant to cover operating losses, Amtrak would not survive as currently configured. This bill extends Amtrak's dependency on the Federal Government by authorizing $13.1 billion for Amtrak through fiscal year 2013, more than double the amount authorized in the previous Amtrak bill that expired in 2002. Rather than keep Amtrak dependent on taxpayer support, I believe the rail carrier should modify its financial strategy to become self-sufficient and profitable.

This bill also includes five new provisions that expand the Davis-Bacon Act requirements. These provisions would force Amtrak to ensure that laborers and mechanics employed by contractors and subcontractors in construction work financed under this bill are paid wages no less than the prevailing wages on similar construction projects. The Davis-Bacon requirement seems harmless enough, but in practice, forcing contractors to pay their laborers a wage standard, which many argue is set on a flawed wage determination, only raises construction costs for that locality. Why would American taxpayers want to set a floor on the cost of construction if it can be done more efficiently and inexpensively? Again, this is just bad policy.

It is with regret that I will be forced to register a ''no'' vote on this bill.

Mr. BOND. Mr. President, I regrettably do not support H.R. 2095. The bill we have before us packages together three bills into one vote with no amendments dealing with Rail Safety, Amtrak, and capital and preventive maintenance grants for the Washington Metropolitan Area Transit Authority, WMATA.

The Rail Safety provisions of the package by themselves would have had my support. I fully support efforts to address hours of service requirements for train operators and positive train control for our freight and passenger railroads. However, I remain concerned about both Amtrak provisions and the WMATA portion of the full package that we are voting on tonight. The majority leader has filled the amendment tree so that no amendments can be offered on this package, and we are faced with an up or down vote on some very key funding areas under the jurisdiction of Transportation Appropriations.

This extra spending will place a strain in excess of what our current budget allows. I understand the need to have passenger rail service as an alternative mode of transportation. However, I feel strongly that Amtrak should undertake the reforms necessary to be worthy of taxpayer dollars by tying funding to certain expectations and benchmarks.

As the Appropriations Subcommittee ranking member for the Transportation and Housing and Urban Development, THUD, I am not given enough of an allocation to meet all of our funding needs. This authorization package provides levels of appropriations that can

not be realized, including both Amtrak and WMATA, and will further strain our subcommittee funding decisions.

Regrettably, the Amtrak provision in this bill offers none of the key reforms in Amtrak's governance or operations that link resource allocation to consumer demand. With no reforms and an authorization level of $13.3 billion over the next 5 years, I find it hard to support these levels when the money will not be there.

With regard to funding for WMATA, the bill includes an authorization level of $1.5 billion over 10 years for capital and maintenance projects. These grants would be over and above the grants for which WMATA is otherwise eligible. The authorized grants would not be available to any other jurisdiction. Although WMATA should be encouraged to make necessary reforms in its governance and financing, such encouragement should not require the creation of an entirely new Federal funding program which excludes other jurisdictions which have long since taken such prudent steps to upgrade and maintain their existing capital.

Mr. INOUYE. Mr. President, I fully support passage of H.R. 2095, a bill that will help move America's railroads into the 21st century. The reauthorizations of the Federal rail safety programs and Amtrak are long overdue and this bill will give direction to Amtrak and the Federal Railroad Administration, FRA, to help them both better accomplish their missions. Given the higher price of oil, continuing climate change concerns, and our challenging economic times, it is more important than ever that we ensure that our Nation's passenger and freight rail systems are adequately prepared to safely accommodate our transportation needs.

Safety is a key element if we are to continue to expand our Nation's use of trains. H.R. 2095 will improve railroad safety and provide the resources we need to develop our rail network into the first-class system our Nation deserves. Key improvements include reforming the hours of service requirements for train and signal workers, requiring risk-based safety programs for large railroad companies, mandating the installation of positive train control systems and other safety technology, and encouraging and funding grade crossing and pedestrian safety and trespasser prevention programs.

This bill will also encourage the further development of passenger rail corridors, provide incentives for Amtrak to operate more efficiently, and strengthen the relationship between Amtrak and the States in which it operates. These improvements will help Amtrak further increase its ridership, which has reached record levels this year and last, and will allow Amtrak to better serve its customers. I believe this bill will further fortify Amtrak as an important, necessary, and viable option in our nation's transportation landscape.

I congratulate Senator LAUTENBERG for crafting his railroad safety and Amtrak bills, working hard to move them through the Senate, and developing this bipartisan compromise with the House. I call on my colleagues in the Senate to pass H.R. 2095 as soon as possible and send it to the President for his signature.

Mrs. BOXER. Mr. President, I want to take a moment to express my gratitude to Chairman INOUYE and Senator LAUTENBERG for their support and efforts in working to pass this important piece of rail safety legislation, the Federal Railroad Safety Improvement Act.

As many of my colleagues know, southern California and the community of Chatsworth suffered the worst train collision in California's modern history last month when a Union Pacific freight train and a Metrolink commuter train collided head on during rush hour.

This tragedy claimed 25 lives, and injured 135 people, many of whom have sustained lifelong injuries.

Last month's deadly Metrolink accident made clear the urgent need to fix our rail system and ensure the safety of passengers.

While Senator FEINSTEIN and I will continue to push for the rapid deployment of positive train control technology, this legislation includes important safety provisions that will immediately help improve rail safety and help prevent accidents.

I am pleased this legislation included grant funding for positive train control systems, anti-fatigue measures for train crews, increased penalties for violators, and grant funding for grade crossings.

In addition to these safety measures, this bill also provides much needed funding for Amtrak and authorizes more than $1.5 billion in grants to States to fund the construction of high-speed rail projects in designated corridors, including a California corridor.

This is an important piece of legislation and I thank my colleagues for their support. I urge the President to take action immediately to sign this bill into law.

The PRESIDING OFFICER. The Senator from New Jersey.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Under the previous order, the motion to concur with an amendment is withdrawn.

Under the previous order, the question occurs on agreeing to the motion to concur in the House amendment to the Senate amendment to H.R. 2095.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

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

The result was announced—yeas 74, nays 24, as follows:

[Rollcall Vote No. 210 Leg.]

YEAS—74

Akaka	Durbin	Murkowski
Alexander	Feingold	Murray
Baucus	Feinstein	Nelson (FL)
Bayh	Grassley	Nelson (NE)
Bennett	Hagel	Obama
Bingaman	Harkin	Pryor
Boxer	Hatch	Reed
Brown	Hutchison	Reid
Byrd	Inouye	Roberts
Cantwell	Isakson	Rockefeller
Cardin	Johnson	Salazar
Carper	Kerry	Sanders
Casey	Klobuchar	Schumer
Clinton	Kohl	Smith
Cochran	Landrieu	Snowe
Coleman	Lautenberg	Specter
Collins	Leahy	Stabenow
Conrad	Levin	Stevens
Corker	Lieberman	Tester
Cornyn	Lincoln	Warner
Crapo	Lugar	Webb
Dodd	McCaskill	Whitehouse
Dole	McConnell	Wicker
Domenici	Menendez	Wyden
Dorgan	Mikulski	

NAYS—24

Allard	Craig	Martinez
Barrasso	DeMint	McCain
Bond	Ensign	Sessions
Brownback	Enzi	Shelby
Bunning	Graham	Sununu
Burr	Gregg	Thune
Chambliss	Inhofe	Vitter
Coburn	Kyl	Voinovich

NOT VOTING—2

Biden	Kennedy

The motion was agreed to.

Mr. LAUTENBERG. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

UNITED STATES-INDIA NUCLEAR COOPERATION APPROVAL AND NONPROLIFERATION ENHANCEMENT ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 7081, the United States-India agreement.

AMENDMENT NO. 5683

There is 2 minutes equally divided prior to a vote on the Bingaman-Dorgan amendment No. 5683.

The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, I ask unanimous consent that the 60-vote threshold on the Dorgan-Bingaman amendment No. 5683 be vitiated, unless the yeas and nays are ordered.