

**SENATE—Tuesday, February 14, 2006**

The Senate met at 9:45 a.m. and was called to order by the Honorable DAVID VITTER, a Senator from the State of Louisiana.

**PRAYER**

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord of all, who rules the raging of the sea, we celebrate the works of Your love and grace; early in the morning, our songs rise to You. Thank You for giving us answers to life's most difficult questions. Thank You also for undeserved blessings we enjoy each day.

Bless the Members of our legislative branch. Give them opportunities to be Your voice of hope in a world often filled with despair. Strengthen their families and the members of their staffs. Give them the talents they need to serve You in our time. Bring us all to the purposes which You have designed for us. Give us Your peace that can keep our hearts and minds from fear.

We pray in Your Holy Name. Amen.

**PLEDGE OF ALLEGIANCE**

The Honorable DAVID VITTER 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 assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, February 14, 2006.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable DAVID VITTER, a Senator from the State of Louisiana, to perform the duties of the Chair.

TED STEVENS,  
President pro tempore.

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

**RECOGNITION OF THE MAJORITY LEADER**

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

**SCHEDULE**

Mr. FRIST. Mr. President, this morning we will start a series of votes on motions to instruct conferees with respect to the tax relief bill. There could be up to as many as 16 votes on these motions and, therefore, votes will be kept to 10 minutes in length. I hope there will be fewer votes, and we will be working this morning to see if there is any way to lessen that number. Voting will begin momentarily, and thus Members should stay close to the Chamber today during these stacked votes so that we can move expeditiously. We will be recessing for lunch to accommodate the party luncheons, and we will lock in the time for that recess later in the morning. I would expect that we would continue the voting sequence around 2:15 after the luncheons today.

Following the appointment of conferees to the tax relief bill, we will be returning to the asbestos bill. As Members know, we filed cloture on the asbestos bill last night and that vote is scheduled to occur Wednesday morning.

**FILING OF AMENDMENTS**

Under the rule, first-degree amendments need to be filed by 1 p.m. today to be considered in order postcloture. We will likely be in recess at that time, so I ask unanimous consent that the deadline be until 2:30 today.

The ACTING PRESIDENT pro tempore. Without objection, so ordered.

Mr. FRIST. Mr. President, when we return to the asbestos bill later today, we have the motion to waive pending, and we will be talking to the two managers this morning to determine the best time for that vote to occur today. Having said that, we are going to have a very busy day with votes, and Senators should not stray far from the Chamber in order to not miss any votes so that we can accomplish all that we have set out to do over the course of the day.

We are ready to start with the motions and voting. Chairman GRASSLEY is on his way. We can have the Senator from Massachusetts start, if he is ready. Senator GRASSLEY should be here within the next couple of minutes.

**RESERVATION OF LEADER TIME**

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

**TAX RELIEF EXTENSION RECONCILIATION ACT OF 2005**

The ACTING PRESIDENT pro tempore. Under the previous order, the

Senate will resume consideration of the House message to accompany H.R. 4297, which the clerk will report.

The assistant legislative clerk read as follows:

Resolved that the House disagree to the amendment of the Senate to the bill (H.R. 4297) entitled "An Act to provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006."

Pending:

Kennedy motion to instruct conferees to reject the extension of the capital gains and dividends rate reduction contained in section 203 of the bill as passed by the House of Representatives.

Reed motion to instruct conferees to insist that the final conference report include funding to strengthen America's military contained in title VI of the Senate amendment instead of any extension of the tax cuts for capital gains and dividends, which does not expire until 2009, contained in section 203 of the bill as passed by the House of Representatives.

Wyden motion to instruct conferees to insist that the final conference report include a provision that repeals accelerated depreciation for geologic and geophysical costs for oil and gas exploration by the five major oil companies.

Obama motion to instruct conferees to insist that the final conference report include tax relief for the most vulnerable members of our society, including the low-income victims of Hurricane Katrina and children in families that are too poor to benefit fully from the refundable child tax credit.

Hatch motion to instruct conferees to insist that the final conference report include a permanent extension of the credit for increasing research activities (based on section 108 of the amendment passed by the Senate), in order to improve American competitiveness.

DeWine motion to instruct conferees to insist that the final conference report accept the veterans' mortgage bonds expansion provisions contained in section 303 of the bill as passed by the House of Representatives with such revisions as are necessary to provide veterans in all 50 States with access to lower-rate mortgages.

Reid (for Menendez) motion to instruct conferees to insist that the final conference report include the Senate passed "hold-harmless" relief from the individual alternative minimum tax (AMT) in 2006, and does not include the extension of lower tax rates on capital gains and dividends.

Stabenow motion to instruct conferees to insist that the final conference report include a permanent extension of the credit for increasing research activities, and to reject any extension of the tax rate for capital gains and dividends which does not expire until 2009.

Grassley motion to instruct conferees to insist that the final conference report include the "hold-harmless" relief from the individual alternative minimum tax in 2006 (sections 106 and 107 of the amendment passed by the Senate) to protect middle class families and includes an extension of lower