

keep faith to the promises we made to our veterans. I look forward to working with the majority leader on this issue as it moves through the legislative process and I would ask that my colleagues to support this amendment.

Mr. CONRAD. Mr. President, next we go to the Thomas amendment.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I note on this amendment, when we get into the rollcall, Senator STEVENS and Senator INOUE wish to be deemed as paired.

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

Mr. CONRAD. Mr. President, did the desk get that?

On this next amendment, Senator STEVENS and Senator INOUE are paired?

The PRESIDING OFFICER. The desk got that.

The Senator from Wyoming.

AMENDMENT NO. 515

Mr. THOMAS. Mr. President, I send an amendment to the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Wyoming [Mr. THOMAS] proposes amendment No. 515.

Mr. THOMAS. Mr. President, I ask that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prevent the adding of extraneous earmarks to an emergency war supplemental)

On page 34, line 9, after the period insert "In a nonregular appropriations bill designated to supplement funding for ongoing combat operations, the authority to designate under this subsection shall only apply to war-related items that meet the criteria provided in subsection (f)."

Mr. THOMAS. Mr. President, very quickly, this is a very simple vote, actually. What it has to do with is limiting the amount of additions that can be put on supplementals that are designed for Defense spending. The amendment I am offering would attempt to bring some discipline back into the emergency spending process.

It simply holds to a supplemental those things that a supplemental was designed for. The very nature of emergency spending is above and beyond the approved budget. If we want to control spending and control the deficit, then we need to control what we put on these kinds of supplemental bills we are seeing worked out right as we speak.

However, too often the emergency supplementals are larded with all kinds of pet projects and spending that Members cannot pass in the regular process or others put it in there to get theirs passed.

It is an abuse of the process. We are going to end up holding our troops hostage because of extraneous spending. I

ask that Members support the amendment, that we hold spending in the supplemental to the military for which it is designed.

The PRESIDING OFFICER (Mr. TESTER). The Senator from North Dakota.

Mr. CONRAD. Mr. President, this amendment, while well intended, would create a serious problem for the body. This amendment prevents the Appropriations Committee from reporting a bill with more than one type of emergency designation. Let me give my colleagues a concrete example. Last year Congress enacted an appropriations bill that included funding for the war effort in Afghanistan and Iraq, as well as disaster relief for the gulf coast. This amendment would prevent that kind of legislation. That would reduce the effectiveness and efficiency of this Chamber already noted for lacking efficiency. I urge my colleagues to vote no.

The PRESIDING OFFICER. The question is agreeing to amendment No. 515.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant journal clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHN-SON) is necessarily absent.

Mr. MCCONNELL. The following Senator is necessarily absent: the Senator from Mississippi (Mr. LOTT).

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

The result was announced—yeas 39, nays 59, as follows:

[Rollcall Vote No. 106 Leg.]

YEAS—39

Alexander	Crapo	Isakson
Allard	DeMint	Kyl
Bayh	Dole	Martinez
Bennett	Domenici	McCain
Brownback	Ensign	McConnell
Bunning	Enzi	Murkowski
Burr	Graham	Roberts
Chambliss	Grassley	Sessions
Coburn	Gregg	Stevens
Cochran	Hagel	Sununu
Corker	Hatch	Thomas
Cornyn	Hutchison	Voinovich
Craig	Inhofe	Warner

NAYS—59

Akaka	Durbin	Mikulski
Baucus	Feingold	Murray
Biden	Feinstein	Nelson (FL)
Bingaman	Harkin	Nelson (NE)
Bond	Inouye	Obama
Boxer	Kennedy	Pryor
Brown	Kerry	Reed
Byrd	Klobuchar	Reid
Cantwell	Kohl	Rockefeller
Cardin	Landriau	Salazar
Carper	Lautenberg	Sanders
Casey	Leahy	Schumer
Clinton	Levin	Shelby
Coleman	Lieberman	Smith
Collins	Lincoln	Snowe
Conrad	Lugar	Specter
Dodd	McCaskill	Stabenow
Dorgan	Menendez	

Tester Thune Vitter Webb Whitehouse Wyden

NOT VOTING—2

Johnson Lott

The amendment (No. 515) was rejected.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, was the last vote announced?

The PRESIDING OFFICER. Yes.

Mr. GREGG. Then I believe we are going to Senator SPECTER.

The PRESIDING OFFICER. The Senator from Pennsylvania.

AMENDMENT NO. 613, AS MODIFIED

Mr. SPECTER. Mr. President, I call up amendment No. 613, as modified.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER] proposes an amendment numbered 613, as modified.

The amendment is as follows:

On page 63, after line 24, insert the following:

SEC. 326. DEFICIT-NEUTRAL RESERVE FOR ASBESTOS REFORM LEGISLATION.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report regarding asbestos reform, that (i) either provides monetary compensation to impaired victims of mesothelioma or provides monetary compensation to impaired victims of asbestos-related disease who can establish that asbestos exposure is a substantial contributing factor in causing their condition, (ii) does not provide monetary compensation to unimpaired claimants or those suffering from a disease who cannot establish that asbestos exposure was a substantial contributing factor in causing their condition, and (iii) is estimated to remain funded from non-taxpayer sources for the life of the fund, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2057.

Mr. SPECTER. Mr. President, after very considerable negotiation, it is my understanding this amendment is acceptable. I thank Senator CONRAD, Senator GREGG, Senator REID, and Senator ENSIGN for their cooperation.

What this amendment does is eliminate a highly technical point of order that might have been available on asbestos reform legislation, to give the discretion to the chairman of the Budget Committee to approve a reserve fund. The bill will have to be revenue neutral. There are other points of order which could lie, but I think we will be able to establish revenue neutrality when we produce the bill.

It has been necessary because some \$30 billion to \$40 billion have been lost on bankruptcy proceedings to retool the reform bill to cover mesothelioma and other deadly illnesses. We are in the process of working it out.

I also thank my colleagues Senators LEAHY, FEINSTEIN, and CARPER for their work on this issue.

The PRESIDING OFFICER. The Senator from North Dakota.