

Ensign	Inhofe	Murkowski
Frist	Kyl	Roberts
Grassley	Lugar	Sununu
Gregg	McCain	Thomas
Hagel	McConnell	

## NOT VOTING—9

Biden	Chambliss	Isakson
Boxer	Dodd	Santorum
Cantwell	Graham	Vitter

The motion was agreed to.

## CHANGE OF VOTE

Mr. ROBERTS. Mr. President, on rollcall vote 354, I voted "yea." It was my intention to vote "nay." Therefore, I ask unanimous consent that I be permitted to change my vote since it will not affect the outcome.

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

(The foregoing tally has been changed to reflect the above order.)

• Mr. VITTER. Mr. President, I ask that the RECORD show that I would have voted "aye" on rollcall vote 354, the DeWine motion to instruct conferees on S. 1932. I continue to support the Continued Dumping and Subsidy Offset Act, and I agree that its repeal should not be included in the conference report. •

Mr. SANTORUM. Mr. President, I regret that I was unable to vote this afternoon on the DeWine motion to instruct conferees with respect to S. 1932, the deficit reduction bill.

The DeWine motion to instruct conferees was crafted with the goal of preventing Senate conferees to S. 1932 from agreeing with the House provision that repeals the Continued Dumping and Subsidy Offset Act of 2000 (CDSOA) during conference deliberations. Despite widespread support for this provision of law, the House companion bill repeals CDSOA. I have been a supporter of CDSOA since it was first crafted by Senator MIKE DEWINE of Ohio.

Mr. President, I ask that the RECORD reflect that, had I been here, I would have voted in favor of Senator DEWINE's motion to instruct conferees to not repeal CDSOA during conference deliberations on S. 1932.

I ask unanimous consent that my letter of November 29, 2005, to the Honorable CHARLES GRASSLEY, Chairman, Committee on Finance, on the need to maintain CDSOA, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEAR CHAIRMAN GRASSLEY: I write today concerning a provision contained in H.R. 4241, the House-passed savings reconciliation bill, that repeals the Continued Dumping and Subsidy Offset Act of 2000 [P.L. 106-387]. The Senate companion bill, S. 1932, does not include this repeal. I am optimistic that the Senate will not concur with the House action during conference deliberations on this bill. Please know that I was a cosponsor of the free-standing bill introduced by Senator Mike DeWine that was the blueprint for this amendment.

Over two years ago, the World Trade Organization (WTO) ruled that the Byrd Amendment is inconsistent with the United States' WTO obligations. The WTO has since authorized eight WTO members to retaliate against

the United States. Canada, the European Union, Japan and Mexico have imposed about \$115 million in retaliation on U.S. exports after the United States failed to meet a December 2003 WTO deadline for repealing the act.

However, in H.R. 2673, the Fiscal Year 2004 Consolidated Appropriations Act, Congress included a provision that directs the Bush Administration to immediately initiate WTO negotiations to recognize the ability of WTO members to distribute monies collected from antidumping and countervailing duties, and to provide regular reports on such negotiations.

Earlier this year, 25 Republican Senators wrote to Majority Leader Frist urging that the Senate not agree to any provisions that would repeal CDSOA. Prior to that letter, over 70 Senators wrote to President Bush expressing the view that U.S. negotiators needed to re-engage WTO members and to continue to push for maintaining CDSOA. It was the view of these Members that U.S. trade laws are designed to insure a level playing field for U.S. industries and their workers that are being harmed by unfair trade.

As you may recall, the Bush administration stated in its November 2002 appeal "[T]he Panel in this case has created obligations that do not exist in the WTO Agreements cited. The errors committed are serious and many about a statute which, in the end, creates a payment program that is not challenged as a subsidy."

With this in mind, I urge you to oppose efforts to repeal CDSOA during House-Senate conference negotiations on H.R. 4241 and S. 1932, the spending reconciliation bills.

Thank you for your kind consideration of this request.

Sincerely,

RICK SANTORUM,  
*United States Senate.*

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

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

The motion to lay on the table was agreed to.

## MOTION TO INSTRUCT CONFEREES

Mr. GREGG. Mr. President, what is the regular order?

The PRESIDING OFFICER (Mr. CHAFEE). There is 2 minutes evenly divided.

Mr. GREGG. Is that on the Kohl proposal?

The PRESIDING OFFICER. That is correct.

Mr. KOHL. Mr. President, I call up my motion, which is at the desk, to reject the \$16 billion cut to the child support program which is in the House bill but which is not in the Senate bill. The House position will result in \$24 billion in child support payments going uncollected, and would impact families in every single State. The child support program is a proven success and it has won high praise in the President's 2006 budget for providing a \$4 return on every dollar invested in the program.

The House conference report is opposed by a wide range of interests, including the National Governors' Association and the National Conference of State Legislatures. I strongly urge my colleagues to join me in sending a message to the conferees that the Senate will not support cutting benefits for over 17 million children.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. The motion of the Senator from Wisconsin is not binding so I am sure they will vote as they please. It is well-intentioned and I agree with the concept. However, there are issues within the child support questions which should be subject to conference and which, if you read the motion literally and which if it had any binding effect, would undermine our capacity to have flexibility in conference.

Specifically, for example, under the law today, you can use Federal money and make the State match, so what is happening is States are taking Federal money, and instead of using their State dollars to match, they are using Federal money to get more Federal money. That makes no sense at all.

The House has corrected this program. This language would undermine that. I hope we do not support the motion to instruct. The conference will do a good job on this. It does not need this instruction.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from South Carolina (Mr. GRAHAM), the Senator from Georgia (Mr. ISAKSON), the Senator from Pennsylvania (Mr. SANTORUM), and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from California (Mrs. BOXER), the Senator from Washington (Ms. CANTWELL), and the Senator from Connecticut (Mr. DODD) are necessarily absent.

I further announce that, if present and voting, the Senator from California (Mrs. BOXER) would vote "yea."

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

The result was announced—yeas 75, nays 16, as follows:

[Rollcall Vote No. 355 Leg.]

## YEAS—75

Akaka	Enzi	Murray
Alexander	Feingold	Nelson (FL)
Baucus	Feinstein	Nelson (NE)
Bayh	Frist	Obama
Bennett	Grassley	Pryor
Bingaman	Harkin	Reed
Burns	Hatch	Reid
Byrd	Hutchison	Roberts
Carper	Inouye	Rockefeller
Chafee	Jeffords	Salazar
Clinton	Johnson	Sarbanes
Coburn	Kennedy	Schumer
Coleman	Kerry	Sessions
Collins	Kohl	Shelby
Conrad	Kyl	Smith
Cornyn	Landrieu	Snowe
Corzine	Lautenberg	Specter
Craig	Leahy	Stabenow
Crapo	Levin	Stevens
Dayton	Lieberman	Talent
DeWine	Lincoln	Thomas
Dole	Lugar	Thune
Domenici	McCain	Voivovich
Dorgan	Mikulski	Warner
Durbin	Murkowski	Wyden