

allow them to build a seminary in their country.

Vietnam has acknowledged the fact that these abuses occur. Last year they even went so far as to enter into agreement with the State Department to try to end such abuses, but unfortunately little if any real progress was made especially in the rural areas of the Central and Northwest Highlands. While there was a great deal of talk of reform, there was little action. This is at a time when Vietnam is seeking to more fully participate in the global economy and international community. I find that unacceptable.

I fear that in granting Vietnam permanent normal trade relations, PNTR, we would take away a key incentive for them to implement any type of real reform.

Vietnam is on its best behavior while it is under the international spotlight, but what will happen after this trade deal is signed? I fear that the consequences of this would be too great.

In addition to my opposition to the inclusion of the Vietnam trade provisions in this legislation, this package also includes a health component that primarily deals with the Medicare and Medicaid Programs. I am extremely disappointed that the negotiators on this bill decided to take money from the Medicare stabilization fund to pay for other spending in the bill.

When Congress created the new Medicare drug benefit in 2003, it was very important to me and other Members that all Medicare beneficiaries have access to Medicare managed-care plans. The stabilization fund was created to provide incentives for managed care plans to remain or enter the Medicare Advantage program, thereby ensuring that beneficiaries in rural areas of this country—including many parts of Kentucky—had access to Medicare managed care plans.

Some people argue that the stabilization fund is not necessary. Quite honestly, however, it is too early to tell if this fund is necessary. The Medicare Advantage program has only been up and running for 1 year. At this point, we don't know what will happen to the Medicare Advantage program 5 or 10 years down the road, and we shouldn't be spending the money from the stabilization fund before we do.

This fund was supposed to ensure that all Medicare beneficiaries have equal access to managed care plans, and it is irresponsible for Congress to view this account as a piggy bank to fund other spending.

Finally, I would be remiss if I failed to mention the budgetary impact of this bill. As Chairman GREGG of the Senate Budget Committee has already pointed out, this bill is a budget buster. It will break the budget by at least \$17 billion. The bulk of the cost of this bill is not found in the tax extenders—they represent less than a third of the cost. The cost of this bill is in the extraneous items that were added to the bill—many, I suspect, in order to ensure its passage today.

I am sorry to see that some of my colleagues are more interested in quickly going home rather than working to draft legislation that falls within our budget and is more than the Christmas tree we have here. I urge my colleagues to oppose this legislation and to continue to work to find another solution on how to pass some of the good provisions in this package.

Mr. GREGG. I yield the floor, and I yield back the remainder of my time.

The PRESIDING OFFICER. Time has expired. The question is on agreeing to the motion to waive the Budget Act. 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 Kansas (Mr. BROWNBACK), the Senator from Nebraska (Mr. HAGEL), the Senator from Utah (Mr. HATCH), the Senator from Arizona (Mr. MCCAIN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Pennsylvania (Mr. SPECTER), and the Senator from Virginia (Mr. WARNER).

Further, if present and voting, the Senator from Utah (Mr. HATCH) and the Senator from Virginia (Mr. WARNER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Connecticut (Mr. DODD), the Senator from Vermont (Mr. JEFFORDS), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

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

The yeas and nays resulted—yeas 67, nays 21, as follows:

[Rollcall Vote No. 277 Leg.]

YEAS—67

Akaka	Frist	Obama
Allard	Grassley	Pryor
Allen	Harkin	Reed
Baucus	Hutchison	Reid
Bayh	Inouye	Roberts
Bennett	Johnson	Rockefeller
Bond	Kennedy	Salazar
Boxer	Kerry	Santorum
Byrd	Kohl	Sarbanes
Cantwell	Kyl	Schumer
Carper	Landrieu	Sessions
Clinton	Leahy	Shelby
Cochran	Levin	Smith
Coleman	Lincoln	Snowe
Collins	Lott	Stabenow
Cornyn	Lugar	Stevens
Craig	Martinez	Talent
Dayton	McConnell	Thomas
DeWine	Menendez	Thune
Domenici	Mikulski	Vitter
Durbin	Murray	Wyden
Enzi	Nelson (FL)	
Feinstein	Nelson (NE)	

NAYS—21

Alexander	Coburn	Feingold
Bingaman	Conrad	Graham
Bunning	Crapo	Gregg
Burns	DeMint	Inhofe
Burr	Dole	Isakson
Chafee	Dorgan	Sununu
Chambliss	Ensign	Voinovich

NOT VOTING—12

Biden	Hatch	McCain
Brownback	Jeffords	Murkowski
Dodd	Lautenberg	Specter
Hagel	Lieberman	Warner

The PRESIDING OFFICER. On this vote, the yeas are 67, the nays are 21.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to H.R. 6111: to amend the Internal Revenue Code of 1986 to provide that the Tax Court may review claims for equitable innocent spouse relief and to suspend the running on the period of limitations while such claims are pending.

Bill Frist, Johnny Isakson, Richard Burr, Jon Kyl, R.F. Bennett, Christopher Bond, John Cornyn, Rick Santorum, Mike Crapo, Jim Talent, Pat Roberts, Chuck Grassley, Pete Domenici, Jim DeMint, John Thune, Kay Bailey Hutchison, George Allen.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to the Senate amendment to H.R. 6111, an act to amend the Internal Revenue Code of 1986 to provide that the Tax Court may review claims for equitable innocent spouse relief and to suspend the running on the period of limitations while such claims are pending, shall be brought to a close?

The yeas and nays are mandatory under the rule. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from Kansas (Mr. BROWNBACK), the Senator from Nebraska (Mr. HAGEL), the Senator from Utah (Mr. HATCH), the Senator from Arizona (Mr. MCCAIN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Pennsylvania (Mr. SPECTER), and the Senator from Virginia (Mr. WARNER).

Further, if present and voting, the Senator from Utah (Mr. HATCH) and the Senator from Virginia (Mr. WARNER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Connecticut (Mr. DODD), the Senator from Vermont (Mr. JEFFORDS), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

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

The yeas and nays resulted—yeas 78, nays 10, as follows: