

Treasury \$29 billion in the first 5 years and explodes to \$146 billion in 10 years after that. Over half of this money goes to people making over \$1 million a year.

What I would do with that is reduce the deficit by \$146 billion over that decade and, secondly, to increase the additional child care credit, making over 600,000 working families eligible and raising the amount that over 6 million families get for the additional child care credit. These are people who are making around the minimum wage.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, this is another way of cutting back on the mortgage deduction, the charitable deduction, and the State and local tax deduction. When these provisions of phaseout of deductions were put in years ago, it was subterfuge for raising the marginal tax rate without raising the marginal tax rate.

From Iowa, we are very transparent. If one wants to raise the marginal tax rate, raise the marginal tax rate but do not do it by subterfuge. Besides, this amendment is not germane. I raise a point of germaneness.

Mr. HARKIN. Pursuant to section 904 of the Budget Act, I move to waive the point of order and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. McCONNELL. The following Senator was necessarily absent: the Senator from Massachusetts (Mr. LOTT).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. CORZINE) is necessarily absent.

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

The yeas and nays resulted—yeas 42, nays 56, as follows:

[Rollcall Vote No. 346 Leg.]

YEAS—42

Akaka	Feingold	Lincoln
Bayh	Feinstein	Mikulski
Biden	Harkin	Murray
Bingaman	Inouye	Nelson (FL)
Boxer	Jeffords	Obama
Byrd	Johnson	Pryor
Cantwell	Kennedy	Reed
Carper	Kerry	Reid
Clinton	Kohl	Rockefeller
Conrad	Landrieu	Salazar
Dayton	Lautenberg	Sarbanes
Dodd	Leahy	Schumer
Dorgan	Levin	Stabenow
Durbin	Lieberman	Wyden

NAYS—56

Alexander	Chafee	DeWine
Allard	Chambliss	Dole
Allen	Coburn	Domenici
Baucus	Cochran	Ensign
Bennett	Coleman	Enzi
Bond	Collins	Frist
Brownback	Cornyn	Graham
Bunning	Craig	Grassley
Burns	Crapo	Gregg
Burr	DeMint	Hagel

Hatch	Murkowski	Stevens
Hutchison	Nelson (NE)	Sununu
Inhofe	Roberts	Talent
Isakson	Santorum	Thomas
Kyl	Sessions	Thune
Lugar	Shelby	Vitter
Martinez	Smith	Voinovich
McCain	Snowe	Warner
McConnell	Specter	

NOT VOTING—2

Corzine	Lott
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The PRESIDING OFFICER. On this vote, the yeas are 42, the nays are 56. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

The Senator from Iowa is recognized. Mr. GRASSLEY. Mr. President, I have a request for 2 Members to change the order of authorship of amendments, so I ask unanimous consent that the previously agreed amendment No. 2645 should be listed as Coleman and Pryor, instead of Pryor and Coleman.

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

AMENDMENT NO. 2658

Mr. DAYTON. Mr. President, I call up amendment No. 2658 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant journal clerk read as follows:

The Senator from Minnesota [Mr. DAYTON] proposes an amendment numbered 2658.

Mr. DAYTON. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of the bill add the following:

SECTION 1. VALUATION OF EMPLOYEE PERSONAL USE OF NONCOMMERCIAL AIRCRAFT.

(a) IN GENERAL.—For purposes of Federal income tax inclusion, the value of any employee personal use of noncommercial aircraft shall equal the excess (if any) of—

- (1) greater of—
 - (A) the fair market value of such use, or
 - (B) the actual cost of such use (including all fixed and variable costs), over
- (2) any amount paid by or on behalf of such employee for such use.

(b) EFFECTIVE DATE.—Subsection (a) shall apply to use after the date of the enactment of this Act.

Mr. DAYTON. Mr. President, this amendment raises money. It does so by ending tax avoidance by high-paid corporate executives through their personal use of company airplanes. A recent Wall Street Journal article described the exorbitant uses of corporate jets for personal recreation, largely untaxed, that costs company shareholders and other taxpayers millions of dollars per year. One CEO made eight weekend roundtrips from his Pittsburgh office to his \$5 million home in Naples, FL, where he played golf at his exclusive private club. If the directors and shareholders of that company want to provide that personal luxury perk to an executive already paid \$4 million a year, I guess that is

their business. But these executives should pay taxes on what are clearly personal benefits, and they should pay taxes on the actual values of those benefits, not on some artificially low fictional cost.

Working men and women have to value their benefits properly for tax purposes or they get penalized if they do not. Certainly, the wealthiest people in America should also have to value their luxury perks properly. My amendment would raise \$95 million over 10 years, according to the Joint Committee on Taxation, and will also reduce a truly outrageous and self-indulgent practice.

I ask for the yeas and nays. I will accept a voice vote.

Mr. GRASSLEY. I ask unanimous consent we accept this amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 2685) was agreed to.

Mr. DAYTON. I thank the chairman from Iowa. It was my going-away present. It must be my going-away present.

The PRESIDING OFFICER. Who seeks recognition? The Senator from Montana.

Mr. BAUCUS. Mr. President, I anticipate that Senator LANDRIEU is ready to offer her amendment. I suggest she be recognized.

The PRESIDING OFFICER. The Senator from Louisiana.

AMENDMENT NO. 2669

Ms. LANDRIEU. Mr. President, I ask unanimous consent to send amendment No. 2020 to the desk, on behalf of myself and my colleague, Senator VITTER.

Mr. GRASSLEY. Mr. President, will the Senator yield for a minute?

Ms. LANDRIEU. Yes, I would.

Mr. GRASSLEY. As modified?

Ms. LANDRIEU. As modified.

Mr. GRASSLEY. The modified amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Ms. LANDRIEU], for herself and Mr. VITTER, proposes an amendment numbered 2669.

Ms. LANDRIEU. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment No. 2669 as modified is as follows:

(Purpose: To provide housing relief for individuals affected by Hurricane Katrina)

On page 35, between lines 16 and 17, insert the following:

SEC. 104. HOUSING RELIEF FOR INDIVIDUALS AFFECTED BY HURRICANE KATRINA.

(a) EXCLUSION OF EMPLOYER PROVIDED HOUSING FOR INDIVIDUAL AFFECTED BY HURRICANE KATRINA.—

(1) IN GENERAL.—For purposes of the Internal Revenue Code of 1986, gross income of a qualified employee shall not include the value of any lodging furnished to such employee, such employee's spouse, or any of such employee's dependents by or on behalf