

the aisle recognizes the importance of enacting this bipartisan legislation. There is no reason why with a good effort we can't complete the bill today.

I thank the Democratic leader for his comments.

I thank you, Mr. President.

I yield the floor.

#### RESERVATION OF LEADER TIME

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

Ms. COLLINS. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

#### PORT SECURITY

Mr. REID. Mr. President, I am going to suggest to Democratic Senators to oppose cloture today. I will say to all assembled that the vote under the rules is to occur tomorrow. If the majority leader decides he wants to do it today, we would not oppose even having that vote today. We are going to oppose cloture. The reason being, if you read newspapers today, you will see the House of Representatives, by a 99-percent margin in the supplemental appropriations bill, put a provision in that basically bans the Dubai Ports situation. I agree with that.

I suggested to the majority leader that we could have a vote on that matter right now after a very short time period to debate it. That would take it off of this bill. The majority leader said he doesn't want that. He suggested voting on it tomorrow.

To make a long story short, the majority leader at this point has not agreed to do that. As a result of that, any other thing we come up with takes the second-degree amendment away. It doesn't allow that to be the matter before the Senate.

I had a conversation with Senator DODD last night, and he was telling me how disappointed he was that we weren't going to complete this bill today. But this is where the American people find the Senate today and that is where we as Senators find ourselves today.

As I said yesterday—I say again today—I don't know if there is a change of heart because of Congressman BOEHNER now having a leadership position in the House or whether it is a matter of mere coincidence, but I appreciate the House of Representatives being a legislative body, a separate and equal branch of government.

We do not have to take orders from the White House. We don't have to do what they tell us we should do, wheth-

er this is a Democratic Senate or Republican Senate. There has been no better spokesperson of that than Senator BYRD. Senator BYRD for years has said—and he has a portfolio to substantiate what he said—that we serve separately from the President. Whether it is Democrat or Republican down there, we have our responsibilities.

I admire what the House did. They said we know this President feels strongly about this. We know he said he is going to veto it, but we are going to do it because we think we have an obligation to our constituents. I am glad they did that. No rubberstamp. I think it is about time. The issue is of critical importance to our national security. Whether it is Iraq, Katrina, or protecting Americans from terrorist threats, we have seen this administration choose, I believe, the wrong course.

We have had amendments here on the floor where we wanted to increase the security at our ports, checking our cargo containers, our chemical plants, our nuclear plants. We could go down a long list. The White House said they don't want them. So we don't get them. By a straight party-line vote we lose over here. I hope this is coming to an end.

That is why it has been so difficult to work on a bipartisan basis most of the time. There have been no vetoes. There has been nothing to veto. Whatever the President wants, he has gotten. The losers have been the American people, in my opinion.

That is where we found ourselves yesterday.

My friend from New York—no one can question his having been out front on this issue from the very beginning. I appreciate his working on a bipartisan basis to move this matter along. I told Senator FRIST this. I went to our special caucus yesterday, and we had Democratic Senators coming from every side of the room saying I am going to move to do what the House has done. As a result of that, Senator SCHUMER came to the floor and offered an amendment which was going to be offered. His having been out in front—I am glad he proposed it. He is the face of this amendment. He deserves it. He was the first one who noticed this issue in the press or anywhere else. I admire the work he has done on this issue.

We can't turn over control of these ports to a foreign country. That is what this is about. This isn't a foreign company, it is a foreign country.

I received a 1½-page memo from the Commissioner of Ports of New Jersey and New York. He said in his memo that whoever got this contract was going to be all powerful. They would control the perimeters of the ports. They would control who worked in the port. They would do background checks of the people who work there. The American people could sense this.

I think we overuse certain terms, but we want an up-or-down vote.

On the "Lou Dobbs" show last night when he was questioning one of the

guests—Lou Dobbs is on CNN—he said they are the same Republicans who were demanding an up-or-down vote on judges such as Alito and they won't give you a vote on this port thing. The only answer is, yes, it is true.

My friend, the distinguished majority leader, has decided it is not appropriate at this time to address this issue. That is a decision he can make.

We stand ready to vote on this port matter after a very short debate. I am sure Senator SCHUMER would agree to a couple hours, evenly divided, maybe even a shorter time than that, but at least a couple of hours would be appropriate at any time and move on.

I say through the Chair to anyone within the sound of my voice, lobbying reform will be completed, and it will be completed, I hope, sooner rather than later. This lobbying reform is important. We need to do everything we can to help restore integrity to what we do in Washington.

Having said that, it was absolutely wrong for the Senate not to take action yesterday on the most important issue the American people see today, and that is port security. I listened to Public Radio this morning. They had part of the debate that took place in the House of Representatives. I do not recall exactly what the vote was. I think it was 62 to 2 or something like that. MARCY KAPTUR, whom I came to the House of Representatives with, a Congresswoman from Ohio, said never in her long career in the House of Representatives has she received as many phone calls and other communications from constituents about an issue as the port security issue. And she speaks for the entire Congress. That is the way it has been. My phones in my office in the Hart Building of the Capitol area and in my Nevada offices are overwhelmed with people concerned about this issue.

I support what my friend from New York did. I hope in the near future the Senate will be able to vote on this matter.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Ms. COLLINS. Mr. President, I express my disappointment at the words of the Democratic leader urging our colleagues to vote against cloture on the lobbying reform measure. This is important legislation. This legislation matters. This legislation is bipartisan legislation. It is in response to declining public confidence in the integrity of the decisions made by Government officials.

It is extremely unfortunate and unfair for this much needed legislation to be slowed down by an important but completely unrelated issue, regardless of one's views on the Dubai transaction. The Presiding Officer knows I have been outspoken in calling for a full investigation of the national security implications of this transaction, but regardless of one's views on it, this issue should not be tangled up in the debate on whether or not to strengthen our lobbying disclosure laws.

We have worked hard to produce a bipartisan bill, two bipartisan bills, that have been married to strengthen our lobbying laws. It is extremely unfortunate to hear the Democrat leader say we should get it done sometime but everyone should vote against cloture. That leads me to question whether there really is a commitment to strengthening our lobbying laws.

There is no reason we cannot proceed to the many amendments that have been filed, to debate them fully, let the Senate work its will on each of the amendments, and then clear this legislation so we can go to conference with the House and send the bill to the President's desk.

Public confidence in Congress is very low right now, maybe at record low levels. This legislation helps to promote public confidence in the work we do and the decisions we make. This should not be a partisan issue, and it has not been until the Democrat leader came to the Senate to urge his colleagues to oppose cloture.

Why can't we proceed with the measure before the Senate? It is a bipartisan measure.

My colleague, Senator LIEBERMAN, has worked hand in hand with me on the Committee on Homeland Security to produce this bill. Senator MCCAIN, Senator SANTORUM, Senator DODD, Senator FEINGOLD—all have been involved and have worked very hard. Indeed, yesterday we were on the verge of enacting a bipartisan amendment with the lead sponsor being a Democratic Senator. I supported his amendment. It had to do with holds being placed on bills. I thought it was a good amendment that would help increase the transparency and accountability of what we are doing.

It is unfortunate the Democratic leader is urging delay, saying we should not proceed to wrap up this bill and, in fact, we should not vote for cloture.

I urge our colleagues on both sides of the aisle to support cloture. It is imperative we move ahead with this bill. If we do not act today to pass this legislation to strengthen public confidence in the decisions we make, shame on us.

I am not saying the issue raised by the Senator from New York is not an important issue. As I said, I have spoken time and again in favor of a full 45-day review, and we have gotten that. We need to find out the results of that investigation, have the Committee on Foreign Investment report not only to the President but to us, and then make our decisions.

I am introducing legislation to reform the entire Committee on Foreign Investment to give it a stronger homeland security and national security role and to house it in the Department of Homeland Security. That is an important issue. But it is not the issue before the Senate today. The issue before the Senate today is the lobbying reform measure, two bipartisan bills

that have been put together that will help strengthen and promote public confidence in our decisions. Let's get on with the task before the Senate.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank the Senator from Maine for her very eloquent remarks. I thank the Senator from Connecticut for his hard work on behalf of shaping legislation and bringing to the Senate amendments that we can help bring about a restoration of confidence on the part of the American people in the way we do business. I also congratulate the Senator from Connecticut, Mr. LIEBERMAN, who has worked so closely with Senator COLLINS, as Senator DODD has worked closely with Senator LOTT.

There are a group of Senators from both sides of the aisle—Senator OBAMA, myself, Senators LIEBERMAN, COLLINS, LOTT, PRYOR, a number of other Senators—who, on an ad hoc basis, sat down for many hours to discuss the various measures we believe need to be taken.

Also, there is another group of Senators that is very concerned about the whole earmarking process which, in the view of any objective observer, has lurched completely out of control, and which is the source of a lot of the problems we are facing with the need for lobbying reform because we have a system that makes it so vulnerable to the exploitations of a few unscrupulous people—to wit, the Congressman Cunningham case, as well as others.

I have never come to the Senate in the years I have been here to talk about this institution. One, I didn't believe I had a need to, much less have a right to. I have only been here since 1987. There are a number of other Members who have been here a lot longer. But what I saw happen yesterday and what I have seen transpire makes me very concerned, and even to a degree saddened at the way the Senate has degenerated and deteriorated from an atmosphere of a willingness to address issues in the fashion that the Senate has to, which has to do with sitting down, discussing, agreeing, and moving forward. We are not the other body. Every Senator not only has individual rights, but, thank God, 40 or 41 of them can prevent action from being taken.

I see a degree of partisanship and bitterness and mistrust permeating this place which is not good not only for the institution of the Senate but for the United States of America. When I first arrived here, the leaders at that time, whether the other side was in the majority or minority, and various more senior Members would sit down and settle on an agenda that the Senate would pursue which, first and foremost, was in the interests of the American people and, secondarily, was in the interests of the respective parties.

Now we cannot move forward in the simplest fashion on issues that we are all in agreement on, much less come to some agreement as to how we can ad-

dress an issue that is more contentious.

A lot of my colleagues say they love the institution of the Senate. I don't love the institution of the Senate, but I respect it. I respect it more than any institution I have ever been associated with. When I travel around the world, usually at taxpayer expense, I am even more proud of the institution of the Senate because it epitomizes what America is all about: participatory democracy, the ability of one another to fully debate and ventilate issues and come to consensus without taint of corruption or illegitimacy in any way.

Now I see this institution deteriorating and degenerating to a point where sometimes I am not only embarrassed but sometimes a little ashamed.

Yesterday, we had a procedure going on to address a major concern of the American people, and that is the lobbying practices and the ethics rules with which we conduct our business. This was a product of a bipartisan effort, both formal and informal, for many weeks. This was an agreement. Of course, there was a tinge of partisanship, as there always is, but 95 percent of it involved Members sitting down, recognizing that American people do not approve of what we are doing. A majority of the American people believe we do not share their priorities. Only 25 percent of the American people approve of Congress; 75 percent disapprove.

The major concerns the American people have is they fear there is corruption in our institutions. When we see the conviction of a Member of Congress, when we see continued allegations concerning special favors and the influence of special interests, there is at least smoke, if not fire, in those associated with those allegations.

Yesterday, thanks to a bipartisan effort, we were moving forward with an agenda. We had considered amendments. We had voted on one concerning gifts. There was another one coming up that was going to be contentious, and that is the use of corporate jets by Members of Congress, for paying first-class fare instead of the charter rate which every other citizen is required to do. Obviously, I will not get into that debate. And then we had a schedule of some other amendments.

Then the Senator from New York came to the Senate and said just before the vote, "Reserving the right to object . . ." because he was reserving the right to object to a unanimous consent agreement, as we do business here by unanimous consent agreement, "before we set it aside, on this amendment." On this amendment, that was his statement. It is part of the RECORD. Then when he was recognized, he reached into his pocket and pulled out an amendment.

It is the right of every Senator under the rules to propose an amendment. It is not the right of every Senator to mislead his colleagues. It is not the right of every Senator. How can we do

business in this Senate if our colleagues mislead us?

The current Presiding Officer, who happened to be the Chair at the time, was surprised, as were the rest of us.

Fortunately, we keep a transcript of our remarks, and I went back and I quoted from it again. I do not in any way criticize the right of any Senator to propose an amendment at any time that is under the parliamentary rules. But to stand up on the floor of this Senate and say you are going to do one thing and then you do another is not only inappropriate, but it risks—it risks—a breakdown of the kind of courtesy we have to extend to each other if we are going to function as a body.

So now the larger issue. The Senator from Nevada and the Senator from New York are dead set on an amendment to negate the agreement concerning the leasing of terminals in the United States by the United Arab Emirates. I understand the passion they feel on that issue. I respect their views on that. But do we have to—knowing full well it would tie up the Senate—the Senator from Nevada has been around here as long as I have. Knowing full well it would tie up the Senate, bring to a halt any action we might take on ethics and lobbying reform, still we are insistent upon that.

Now, the Senator from Connecticut and the Senator from Nevada will stand up: It is our right, it is our right to propose any amendment that is in a parliamentary fashion acceptable. I agree with that. I do not dispute their right. I do dispute stopping—which it has; now we are not going to move forward until after the cloture vote—stopping our progress on the issue which is more important to the American people or as important in an orderly fashion.

The Senator from Nevada knows full well if we are going to act legislatively in this body he is going to have an opportunity to propose this amendment. If we are going to act legislatively, we could stop, we could not do anything in the Senate for 45 days or a month or until the upcoming elections.

But my point is—and I want to, in fairness, say I see a lot of the same thing on this side of the aisle quite occasionally, quite frequently, that we will propose amendments to gain some kind of political advantage. That has always been part of the way we have done business. But hasn't it gotten out of proportion to our first obligation, and that is to do the people's business? Isn't that the reason why only 25 percent of the American people approve of what we do and how we do it? Aren't we concerned? Aren't we concerned about how the American people feel about us, the people we purport to represent?

What we need to do here is for the leaders on both sides, with others, to sit down and map out an agenda we can all agree to. But to bring this process of ethics and lobbying reform and earmark reform to a halt for the sake of

an amendment that has nothing whatsoever to do with the businesses at hand, which is highly contentious, I think is not doing the people's business.

I want to emphasize again, I do not dispute the right of the other side of the aisle to act in a parliamentary fashion. There is nothing illegal they are doing. But I would hope that perhaps the greater good would prevail here, and we could sit down and work these things out, which would require concessions made on both sides, which has been the case of the way the Senate functions.

So I must say, I have only been here since 1987, but I have never seen anything like I saw yesterday in the years I have been here. But it is also symptomatic of the bitter partisanship that prevails here, which prevents us from doing anything meaningful or doing very much meaningful for the American people.

If my friends on the other side of the aisle want to give this side of the aisle some of the blame for this partisanship we experience here, I accept it. I accept it. I do not debate it. My point is, it is time we sat down and mapped out an agenda we can all agree to, and start doing the business of the people of this country first and our parties' business and political advantage second.

I do not mean to be contentious in these remarks. I do not mean to be too critical. But I did happen to be on the floor yesterday and see something, as I said, I have never seen before. We have to stop, take a deep breath, sit down together, and start working together. That sounds a bit utopian or Pollyannaish, but it is not. And in the many years I have been here, I saw people able to sit down—even if they had strongly held feelings—together and work things out. We are not able to do that today. It is time we changed course.

I thank my colleagues for their patience. I hope I was not in any way condescending in my remarks concerning my concern about this body.

I yield the floor.

THE PRESIDING OFFICER (Ms. MURKOWSKI). The minority leader.

#### UNANIMOUS CONSENT REQUEST

Mr. REID. Madam President, I ask unanimous consent that the Schumer amendment be withdrawn and that it be immediately considered as a free-standing bill, with a time limitation of 2 hours equally divided; no amendments or motions in order; and that upon the use or yielding back of time, the Senate then vote on passage of the bill.

THE PRESIDING OFFICER. Is there objection?

The Senator from Maine.

Ms. COLLINS. Madam President, I object.

THE PRESIDING OFFICER. Objection is heard.

Who yields time?

The Senator from Connecticut.

#### LEGISLATIVE PROCESS

Mr. DODD. Madam President, let me, if I may, respond to some of the things that have been said. I see my good friend from New York is here as well. I expect he may want to share some thoughts. I will not be long. First, let me say to my good friends from Maine and Arizona, they are truly wonderful friends, and I have worked on countless occasions with both of them. I regret we are in this situation as well. I say to my friends, this is a matter that is extremely important. We have all worked very hard in a bipartisan fashion to bring up both this lobbying reform and ethics reform package. So I am still confident, despite the differences that occurred yesterday, that we are going to achieve that goal.

I had hoped we would be able to finish it by this week so we would not end up having an elongated debate about the subject matter. I do not think it needs that much time. I am sorry that is not going to occur.

Let me also quickly say to my friend from Arizona, much of what he has said I agree with. I am a product of this place in many ways. I have been here a long time. I sat here on the floor as a page back—I think Jefferson was President when I sat on the floor here, that is how long ago it was—watching Lyndon Johnson sitting as Vice President of the United States, and with the all-night civil rights debates, and so forth. So I am very much a product of this institution. My father served here, and so I have great reverence for the Senate.

I too regret what has happened in many ways, that we do not spend the time to work out matters, as we have done on this bill. I think this bill has been a good example of how the Senate ought to function in many ways. That is not to say we are all going to agree on every amendment offered, but we created a process by which this can be done. I am disappointed we come here on Tuesdays and leave on Thursdays. There was a time when we used to come on Monday and stay until Friday, and there was ample time during the week for consideration of matters.

Part of the difficulty is, today, when you know you have to come in on a Tuesday at about 5 and leave on Thursday at about 5, then in order to deal with all the matters in front of you, you start doing things or offering things in a fashion you might not otherwise were there more of an opportunity to deal with it.

I counted up last night. I suspect, if I am correct, that there are about 60 legislative days left in this session. Assuming we will probably adjourn sometime in September for the fall elections, we have 60 days left to deal with a variety of issues.

My colleague from Arizona is right. Look, the numbers are there. The American public is not happy with how they see their national legislative body