

defense of this country, and I hope those leaders, particularly our Democratic leadership, are not going to put us in a position where we will not meet our responsibilities.

For the past 46 years, we have passed a Defense authorization bill. At the rate we are headed, even if we pass it, it is going to be vetoed because of amendments wholly unrelated to the Defense of this country. We need to pass a Defense appropriations bill, and we need to get on that quickly because the fiscal year is ending. For my colleagues' information, we are going to have to do something to continue to fund defense because if we do not pass a Defense authorization bill, the fact is that no money can be spent in the whole Department of Defense unless we are being attacked. It is very troubling, and it could have tremendous disruptive impacts throughout the entirety of our defense establishment.

Under the Antideficiency Act, if Congress does not appropriate money, the executive branch cannot spend it. It cannot spend what has not been appropriated. That is the Constitution, and that is what the Antideficiency Act says. The budget and last year's appropriations end September 30. We need to pass a new bill so we can go forward into next year.

We have a pretty good bill that came out of committee. There will be some disagreement here, there, and on a few other matters. We will bring those up, and good people will disagree. I certainly understand that point. We need to be working on those issues, not being distracted on matters unrelated to the core of defending America in this time of terrorism.

I share those thoughts and hopefully our colleagues in the leadership can continue to work and some way we can avoid the end toward which it appears we are heading.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. REID. Mr. President, I heard one of my friends on the other side of the aisle come here this afternoon and talk about why we aren't getting more things done here; why are we doing the Defense authorization bill now; when are we going to do the Defense appropriations bill. Maybe they should have thought of that before they did 45 different filibusters here in the Senate. The Republican minority has stopped the work of this country. We have fought back with the very slim majority we have.

I will remind everyone within the sound of my voice that Senator JOHNSON has been ill. He is back now, thank goodness. He is back. He overcame a

tremendous illness, and he is back with us. My majority was 50 to 49—that is, the Democratic majority—and we have had to fight, that little majority has had to fight everything that we have done. Everything. We had to file cloture on things they agreed with us on, just eating up valuable time here in the Senate. I am going to have to file cloture again tonight on another matter. This will be the third time we have worked on the Defense authorization bill. I am not going to belabor the point except to say this is the wrong thing to be talking about here: Why aren't we moving more quickly?

In spite of all the obstacles—procedural in nature—they have thrown up against us, we have done some remarkable things.

We passed an increase in the minimum wage for the first time in 10 years.

The President was forced to sign, even though he didn't like it—and he said so—the most sweeping ethics and lobbying reform in the history of this country.

We passed the 9/11 Commission recommendations that the President held up for years. And those he tried to implement, he got D's and F's on, but they are now law. We have done that.

Disaster relief for farmers and ranchers—we have done that for them. They waited years to get that done. Our slim majority was able to get that done.

We forced upon the President money to fight the wildfires which swept the West, fires caused by global warming.

A budget. We passed a balanced budget. Our majority was 50 to 49, and we passed a budget. The Republicans, with the huge majority they had, couldn't get a budget done. We got one done.

So, Mr. President, we have done some really good things here in spite of all these obstacles. I haven't mentioned all of them but just given an idea of what we have done working really hard. So I repeat: Don't come to the floor and lecture us on not getting things done here.

Mr. President, I call for regular order with respect to the Specter-Leahy amendment.

The PRESIDING OFFICER. The amendment is now pending.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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, hereby move to bring to a close debate on amendment No. 2022, regarding restoration of habeas corpus, top H.R. 1585, the Department of Defense Authorization bill.

Harry Reid, Dick Durbin, Carl Levin, Christopher Dodd, Jeff Bingaman, Barack Obama, Robert C. Byrd, Ken Salazar, Debbie Stabenow, Dianne Feinstein, Patrick Leahy, Sheldon

Whitehouse, Daniel K. Akaka, Russell D. Feingold, Amy Klobuchar, Bill Nelson.

Mr. REID. Mr. President, I would also add to the remarks I just made.

In addition to what I outlined earlier, look at what we have done on Iraq. We forced the President to debate this issue, to talk to us about this issue. The Republicans had to debate us. This war went on for years, and there wasn't even a congressional oversight hearing held. We have held hearings, and they have been opened up to this country. We helped uncover the scandal of Walter Reed, just to mention a few of the things we have done on Iraq, plus forcing on the President money to get body armor for the troops so the parents no longer had to buy them and up-armoring of vehicles we have forced upon the President.

MORNING BUSINESS

Mr. REID. I ask unanimous consent there now be a period for morning business, with Senators allowed to speak for a period not to exceed 10 minutes each.

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

NEW ATTORNEY GENERAL NOMINATION

Mr. LEAHY. Mr. President, earlier today, the President announced his intention that he will, at some appropriate time, send the nomination of Judge Michael Mukasey to the Hill to be the next Attorney General. When that nomination arrives, with the appropriate FBI clearance and all, the Judiciary Committee will approach consideration of this nomination in a serious and deliberate fashion.

The administration, of course, took many months in determining that a change in leadership was needed at the Department of Justice. Then after they made the determination they had to change the leadership, the President spent several weeks before making his nomination public. It wasn't until Saturday of this past weekend that I was told by the press whom he was going to nominate. Our focus now, of course, will be on securing the relevant information the committee needs to proceed to scheduling fair and thorough hearings, and we will do that.

I am not in any way critical of the President for taking so many weeks in deciding whom he wanted. In fact, I would compliment him on his decision not to go with some of the names that apparently were presented to him. I tried to stress to the President and others at the White House, with all the problems at the Department of Justice, that choosing a person who would be there solely for political purposes would not be a wise thing to do. I know the President had a number of names that would have fallen into that category, and to his credit, those names that would have created the greatest political problems were rejected.

Now, I have also been in discussion with White House officials about some of the committee's outstanding requests, and I let them know that cooperation with the White House would be central in determining that schedule. In this regard, I wish to compliment the President's counsel, Mr. Fielding. Mr. Fielding called me yesterday evening. Without going into the details of that conversation, I believe he understands there are certain materials that we have requested from the White House—requested for some time now—that will be necessary so that we can engage in thorough deliberations. I take him at his word that we will try to work out a way to get us some of those materials. It will make it far easier for both Republicans and Democratic members of the Senate Judiciary Committee to ask appropriate questions.

This is a big job, being Attorney General. It becomes even bigger now, as the next Attorney General must regain the public trust and begin the process of restoring the Department of Justice to its proper mission, and also replacing a very large number of key members of the Department of Justice who have resigned and whose replacements, themselves, will require confirmation by the Senate. So I am hopeful that once we obtain the information we need, once we have had the opportunity to consider this nomination, we will be able to make progress in this regard.

As I told the White House last night, I stand ready to work with them in the coming weeks to get the material we need, and then once that material is available, to find an appropriate time to schedule a hearing.

I look forward to meeting with Judge Mukasey in the coming days. We will meet briefly tomorrow and then at greater length once his background check has been completed. I wish to learn more about his record, but I also wish to learn about his ideas on improving the relationship between Congress and this administration so we can conduct more effective oversight and take the steps toward rebuilding the Justice Department to be worthy of its name.

In the meantime, I have told Judge Mukasey he will have a lot on his plate in the coming days. I complimented him and his family for being willing to be considered for this nomination and urged him, even as busy as he may be, to spend time with his family. I understand he has a wonderful family—grandchildren and so forth—and I am sure he will do so.

I again urge the White House that we do not need to have all kinds of press comments about the date for hearings. I think what would be more important to do would be to work, as we have in the past, will to get the information necessary; and in the fullness of time, we will have an appropriate hearing. I will do it—working, of course, with Senator SPECTER—and, as I think we have demonstrated before, we will have

a hearing that will make the Senate proud. Both Republicans and Democrats, with the complete record before them, then will be able to ask all the appropriate questions, the questions of course that the American public wants and deserves to have us ask.

THE DISTRICT OF COLUMBIA VOTING RIGHTS ACT OF 2007

Mr. LEAHY. Mr. President, in 2005, President Bush praised the Iraqi people for exercising the Democratic right to vote. He noted that by participating in free elections, the Iraqi people firmly rejected the anti-democratic ideology of the terrorists, and they demonstrated the kind of courage that is always the foundation of self-government. Similar to President Bush, I applaud when anyone has the right to vote and the right to determine where they will go with that right to vote. I wish, though, the President would speak as enthusiastically about voting rights for the American citizens who live literally in his backyard, in the same city where he resides in the White House. It is disappointing that the Bush administration has threatened to veto legislation that would give a vote to the Member of the House of Representatives from the District of Columbia.

I also understand the opponents of this voting rights bill are considering a filibuster to prevent its passage. In a recent column in the Washington Times, former Maryland Governor Michael Steele and former Congressman J.C. Watts, two Republicans, reminded us that the last time a voting rights bill was filibustered was 50 years ago. I was much too young to even vote, but I do remember that filibuster. Despite Senator Thurmond's record-setting effort, the Senate rightfully passed the Civil Rights Act in 1957. It followed up with the Civil Rights and Voting Rights Acts in 1960, 1964 and 1965. I hope the Senate does not return to the days when it filibustered voting rights, especially for its African-American citizens.

The city of the District of Columbia has approximately the same number of people as the State of Vermont. We are the 14th State in the Union. We have had the right to vote, for Senators and Representatives, for over 200 years. The distinguished Presiding Officer, of course, represents one of the very first States of this Union. In fact, he can proudly represent a State whose forefathers did much to design the United States of America and has provided President after President but especially laid the cornerstone of a great nation. It made it possible for the State of Vermont to be the first State admitted after the original 13.

There is no way I could go back to my State of Vermont and say that the District of Columbia, with almost exactly the same number of people, does not have a voting Member in the House of Representatives. Back in my State,

they would say we have two Senators, but at least let us take this step. Let us vote it up or down. Let's not go back to the shameful days of 1957 when such rights were filibustered.

We have had hearings on this in the Senate Judiciary Committee. We have heard compelling testimony.

This month the Judiciary Committee marked the 50th anniversary of the Civil Rights Act of 1957 with a hearing. Congressman JOHN LEWIS, a courageous leader during those transformational struggles only decades ago, gave moving testimony reminding us that "we in Congress must do all we can to inspire a new generation to fulfill the mission of equal justice." While we are observing this golden anniversary, it is fitting that the Senate turn to this important voting rights measure, the District of Columbia House Voting Rights Act.

I am a cosponsor of this bipartisan legislation to end the unfair treatment of District of Columbia residents and give them full representation in the House of Representatives. I thank the majority leader, Senator REID, for bringing this timely issue to the Senate for consideration.

In April, the House of Representatives worked in a bipartisan manner to pass their version of a voting rights bill for the District of Columbia, led by Congresswoman ELEANOR HOLMES NORTON. As a young lawyer, she worked for civil rights and voting rights around the country. It is a cruel irony that upon her return to the District of Columbia and election to the House of Representatives she does not yet have the right to vote on behalf of the people of the District of Columbia who elected her. She is a strong voice in Congress but the people of the District of Columbia deserve a vote, as well.

This is not the time for further delay. It is the Senate's turn to do what is right. The Senate bill would give the District of Columbia delegate a full vote in the House. To attract Republican support, the bill offsets that vote for DC by according Utah an additional Representative in the House, as well. This is an effort to provide political balance. With it or without it, I support representation for the District of Columbia.

I believe that the legislation that we are considering today is within Congress's powers as provided in the Constitution. I agree with Congressman LEWIS, Congresswoman NORTON and numerous other civil rights leaders and constitutional scholars that we should extend the basic right of voting representation to the hundreds of thousands of Americans residing in our Nation's Capital. They pay Federal taxes, defend our country in the military and serve on Federal juries. They are citizens no less than the citizens of any State. Their votes should count. They should be represented.

In May the Senate Judiciary Committee held a hearing on this legislation. We heard compelling testimony.