

unable to work in a bipartisan manner to clear large numbers of routine amendments due to the objections of one or two Members on the other side of the aisle. The chairman and ranking member have been able to clear amendments in this fashion for as long as I can remember, but not this year, not with this handful of dedicated obstructionists—not all but a few.

Seated in this front row is one of the managers of this bill, Senator JOHN MCCAIN. JOHN MCCAIN is not known for putting things in managers' amendments that shouldn't be in managers' amendments. If there ever was a guardian of something in a managers' amendment, it is the senior Senator from Arizona. But in spite of that, in spite of his reputation, the reality is that no one puts anything in a managers' amendment unless this man looks it over—and he is a comanager of this bill—and we still haven't been able to clear these managers' amendments.

For these and other reasons, I temporarily laid aside the Defense authorization bill and entered a motion to reconsider. But let me be clear to all my colleagues, and especially my Republican colleagues, I emphasize the word "temporarily." We will do everything in our power to change course in Iraq. We will do everything in our power to complete consideration of the Defense authorization bill. Why? Because we must do both.

I remind my Republican colleagues, even if this bill had passed yesterday, even if this bill passed today, its provisions would not take effect until next October.

So we will come back to this bill as soon as it is clear that we can make real progress. I have spoken with Senator LEVIN, the manager on this side. I have spoken with the assistant leader, the whip, Senator DURBIN. I have asked them to sit down with their counterparts, Senator MCCAIN and Senator LOTT, to work on a process to address these outstanding issues, especially the managers' amendment, so that the Senate can return to it as soon as possible.

In the meantime, we will continue to work with our Republican colleagues who are saying the right things—a number of them, a significant number of them—on Iraq but aren't yet committed to voting in the right way. But we will get there. As Gladstone once said:

You cannot fight against the future. You cannot fight against the future. Time is on our side.

In this case, time and the American people are also on our side. The Levin-Reed amendment would allow us to rebuild our badly overburdened military and return our focus to the real security threats posed by al-Qaida and other terrorist organizations.

I think it is important, Mr. President, that I mention the other procedural roadblock that was thrown up trying to do this bill: the Webb amendment. What did the Webb amendment

do? If you are in country 15 months, serving in the military, you should be able to stay home for 15 months. There was a procedural block.

The Levin-Reed amendment would allow us, as I have indicated, to take a look at our overburdened military and do something about it and return our focus to the real security threats posed by al-Qaida and other terrorist organizations. As the new National Intelligence Estimate makes very clear, these growing threats demand our attention.

In today's newspaper, and there are other places, but here is only one headline: "Problems Spur Efforts in Protection of Federal Buildings." The Homeland Security Agency needs more help, is what this news story is all about.

President Bush likes to say we must fight the terrorists in Iraq so we do not have to fight them at home, but we all know there were no al-Qaida forces in Iraq prior to the war. And as the President's own intelligence experts admit, the war has only stoked the flames of terrorists and made us more vulnerable to attack.

These experts concluded in the National Intelligence Estimate that the threat to our homeland is growing as al-Qaida has regenerated its capacity to launch attacks. While the Bush administration's preoccupation with Iraq has prevented us from addressing that threat, there is important action the Senate can take and should take.

Therefore, I am going to ask unanimous consent to move to consideration of the Homeland Security appropriations bill, chaired by two of our most senior Members, Senator ROBERT BYRD and Senator THAD COCHRAN. This critically important legislation provides \$37.6 billion for Homeland Security activities. It is more than the President asked, \$2.3 billion. This bill was reported unanimously by the Senate Appropriations Committee—unanimously—and it will give the Senate an opportunity to show who is serious about protecting America from terrorist attacks.

I would hope that given the urgency of the national security issue, as highlighted by the National Intelligence Estimate and the need to make progress on appropriations bills, we can move to consideration of this most important bill.

The President, in his Saturday address 2 weeks ago this coming Saturday, said: Why aren't we doing appropriations bills? Well, we have an opportunity to do a very important appropriations bill dealing with homeland security. Our security—not dealing with Iraq, not dealing with Afghanistan—dealing with our security.

#### DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT 2008—MOTION TO PROCEED

Mr. REID. Mr. President, I now ask unanimous consent that the Senate proceed to the Homeland Security appropriations bill, H.R. 2638.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Mr. President, reserving the right to object, it is my understanding that the majority leader plans to take up this bill next week, not this week; is that right?

Mr. REID. I would really like to take it up now. That is why I asked this consent. I am sorry if there was some confusion in that regard.

Mr. MCCONNELL. It was my understanding the majority leader was planning to go to a reconciliation bill next and then try to get unanimous consent to go to this next week.

Mr. REID. The only reason I was doing that, of course, is that there was an inkling from your floor staff you would object to us going to this immediately.

Mr. MCCONNELL. I am going to object in the short term, and we can discuss it privately because I think there is a chance we can do that shortly. But for the moment I will object.

The PRESIDING OFFICER. Objection is heard.

The majority leader is recognized.

#### CLOTURE MOTION

Mr. REID. Mr. President, I am hopeful and confident we can work something out in this regard.

In order to protect our country, and all of us, I move to proceed to the consideration of H.R. 2638 and 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 assistant 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 proceed to Calendar No. 206, H.R. 2638, the Homeland Security Appropriations Act, 2008.

Dick Durbin, Harry Reid, Mary Landrieu, Daniel K. Akaka, B.A. Mikulski, Barbara Boxer, Ted Kennedy, Max Baucus, Pat Leahy, Ben Nelson, Byron L. Dorgan, Debbie Stabenow, Jeff Bingaman, Charles Schumer, Dianne Feinstein, Herb Kohl, Patty Murray.

Mr. REID. Mr. President, I would also say, and hopefully we won't have to do this, I am cautiously optimistic we can avoid this, but I will ask unanimous consent that in case we can't, the mandatory quorum call under rule XXII be waived.

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

Mr. REID. Mr. President, I now withdraw the motion.

The PRESIDING OFFICER. The motion is withdrawn.

Mr. REID. Mr. President, let me just say a few more words. We have been prevented from acting on the 9/11 recommendations. I should say that now we are in conference, and I am so appreciative of that. I understand Chairman LIEBERMAN is going to hold his first meeting tomorrow. It took a while

to get there, but that is important. But we also need to change the course in Iraq, and that didn't happen, and so now we have this.

We have all seen and heard reports that our intelligence community has concluded that al-Qaida's strength has grown to its 9/11 levels, and the statement of the Secretary of Homeland Security that he has a gut feeling we are at greater risk of being attacked this summer by terrorists. In spite of all this, we have just seen an example of obstructionism that has slowed down and prevented the Senate from consideration of this bill today.

The latest obstruction would delay important investments. This Homeland Security bill does lots of things. We just finished the immigration debate. This is not as good for border security as the immigration bill would have been—I don't expect we will do that debate today—but it does do some good things. This bill hires 3,000 more Border Patrol agents and provides 4,000 more detention beds. When someone is picked up, they will have a place to put them. This provides \$400 million for port security grants. This bill provides \$1.83 billion for State and local first responders. And one other example is that this bill provides monies for the purchase and installation of explosive detection equipment at airports.

#### COLLEGE COST REDUCTION ACT OF 2007—MOTION TO PROCEED

Mr. REID. Mr. President, in an effort to use our time effectively, while the cloture motion on Homeland Security ripens, I am asking now unanimous consent to proceed to the education reconciliation bill, a bipartisan bill that will make college education more affordable for hundreds of thousands of students.

The PRESIDING OFFICER. Is there objection?

Mr. SPECTER. Mr. President, reserving the right to object, and I do intend to object, I believe this body ought to stay on the Defense authorization bill. We have just seen a procedure in the last 24 hours which has been a colossal waste of time.

The time to have a showdown with the President was either on the funding request, which was 2 months ago, or in September. There was no way there would have been sufficient votes to have 60 votes or 67 votes to have anything meaningful done. And speaking for myself, having been in this body for a substantial period of time, I think what has happened in the past 24 hours has been an indignity. This is reputed to be the world's—

Mr. REID. Mr. President, I ask for regular order.

The PRESIDING OFFICER. Is there objection?

Mr. SPECTER. I do object. And I would also—

The PRESIDING OFFICER. Objection is heard.

Mr. SPECTER. The leader speaks at great length about if another Member

seeks to speak, he ought to be accorded that privilege.

Mr. REID. Mr. President, he is going to have all day to talk. He has the right to object, and he did that. We listened to his statement.

We believe the American people were entitled to have 2 days, at least 2 days of debate on the Levin-Reed amendment to change the course in Iraq. He may disagree. I would bet, with all due respect to my friend, the senior Senator from Pennsylvania, that the people of Pennsylvania want a change of course in the intractable war in which we find ourselves in Iraq.

Mr. SPECTER. Will the majority leader yield?

Mr. REID. So the Senator can talk about a waste of time. But I move to proceed to H.R. 2669, and I 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 bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHN-SON) and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. LOTT. The following Senator was necessarily absent: the Senator from Idaho (Mr. CRAPO).

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

The result was announced—yeas 49, nays 48, as follows:

[Rollcall Vote No. 253 Leg.]

#### YEAS—49

Akaka	Feingold	Murray
Baucus	Feinstein	Nelson (FL)
Bayh	Harkin	Nelson (NE)
Biden	Inouye	Pryor
Bingaman	Kennedy	Reed
Boxer	Kerry	Reid
Brown	Klobuchar	Rockefeller
Byrd	Kohl	Salazar
Cantwell	Landrieu	Sanders
Cardin	Lautenberg	Schumer
Carper	Leahy	Stabenow
Casey	Levin	Tester
Clinton	Lieberman	Webb
Conrad	Lincoln	Whitehouse
Dodd	McCaskill	Wyden
Dorgan	Menendez	
Durbin	Mikulski	

#### NAYS—48

Alexander	DeMint	Martinez
Allard	Dole	McCain
Barrasso	Domenici	McConnell
Bennett	Ensign	Murkowski
Bond	Enzi	Roberts
Brownback	Graham	Sessions
Bunning	Grassley	Shelby
Burr	Gregg	Smith
Chambliss	Hagel	Snowe
Coburn	Hatch	Specter
Cochran	Hutchison	Stevens
Coleman	Inhofe	Sununu
Collins	Isakson	Thune
Corker	Kyl	Vitter
Cornyn	Lott	Voinovich
Craig	Lugar	Warner

#### NOT VOTING—3

Crapo	Johnson	Obama
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The motion was agreed to.

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

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### COLLEGE COST REDUCTION ACT OF 2007

The PRESIDING OFFICER. Without objection, the clerk will report the measure.

The assistant legislative clerk read as follows:

A bill (H.R. 2669) to provide for reconciliation pursuant to section 601 of the concurrent resolution on the budget for fiscal year 2008.

Mr. KENNEDY. Mr. President, as I understand it, before the Senate now is the reconciliation provisions dealing with higher education. There are 20 hours that will be available, 10 hours on either side; am I correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. KENNEDY. I know the Senator from Pennsylvania wishes to speak and also the Senator from West Virginia. After they have finished, I will proceed to make an opening statement.

How much time would the Senator like?

Mr. SPECTER. I would like 15 minutes, Mr. President. I understand Senator BYRD has a short statement, so I will defer to him.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the very distinguished Senator from Pennsylvania.

Mr. SPECTER. I thank the Senator.

THE HOMELAND SECURITY APPROPRIATIONS

Mr. BYRD. Mr. President, I rise today to express my surprise that there is actually an objection to taking up the fiscal year 2008 Homeland Security Appropriations bill today. The bill, which was reported by the Appropriations Committee by a vote of 29-0, provides \$37.6 billion to help secure the homeland. That includes funds to secure our borders, funds to hire 3,000 more border patrol agents, and funds to provide 4,000 more detention beds. It includes funds for the men and women of the Coast Guard to guard our ports and seaways. It includes funds to protect 2 million citizens who travel by air every day, including money to inspect air cargo on passenger aircraft. There are funds to implement the SAFE Port Act. We include funds to equip and train our police, fire, and emergency medical personnel to deal with any disaster.

Incredibly, the President has threatened to veto the Homeland Security Appropriations bill because it exceeds his request. Today, we have heard an objection to even debating the bill from a Member on the President's side of the aisle.

Just last week, the Secretary of Homeland Security publicly said that it was his "gut feeling" that the United States faces an increased threat of attack this summer. Shouldn't that wake us up to the need to pass this bill?