

11312, of the General Provision title violates paragraph 4 of Senate rule XVI in the Reid motion to concur in the House amendment No. 1, with an amendment.

The PRESIDING OFFICER. The point of order is sustained, and the motion to concur to the amendment falls.

The majority leader is recognized.

AMENDMENT NO. 4817

Mr. REID. Mr. President, I move to concur in House amendment No. 1, with an amendment, which is at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to concur in the amendment of the House No. 1 to the amendment of the Senate to H.R. 2642, with an amendment numbered 4817.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the motion to concur in House amendment No. 1 to the Senate amendment to H.R. 2642 with an amendment No. 4817.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN) and the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 34, nays 63, as follows:

[Rollcall Vote No. 138 Leg.]

YEAS—34

| | | |
|----------|-------------|-------------|
| Akaka | Dorgan | Nelson (NE) |
| Baucus | Hagel | Pryor |
| Bayh | Inouye | Reed |
| Biden | Johnson | Rockefeller |
| Bingaman | Kohl | Salazar |
| Byrd | Landrieu | Smith |
| Cantwell | Levin | Snowe |
| Carper | Lincoln | Stabenow |
| Casey | McCaskill | Tester |
| Collins | Mikulski | Voinovich |
| Conrad | Murray | |
| Dole | Nelson (FL) | |

NAYS—63

| | | |
|-----------|-----------|------------|
| Alexander | Corker | Harkin |
| Allard | Cornyn | Hatch |
| Barrasso | Craig | Hutchison |
| Bennett | Crapo | Inhofe |
| Bond | DeMint | Isakson |
| Boxer | Dodd | Kerry |
| Brown | Domenici | Klobuchar |
| Brownback | Durbin | Kyl |
| Bunning | Ensign | Lautenberg |
| Burr | Enzi | Leahy |
| Cardin | Feingold | Lieberman |
| Chambliss | Feinstein | Lugar |
| Clinton | Graham | Martinez |
| Cochran | Grassley | McConnell |
| Coleman | Gregg | Menendez |

| | | |
|-----------|----------|------------|
| Murkowski | Sessions | Vitter |
| Obama | Shelby | Warner |
| Reid | Specter | Webb |
| Roberts | Stevens | Whitehouse |
| Sanders | Sununu | Wicker |
| Schumer | Thune | Wyden |

NOT VOTING—3

| | | |
|--------|---------|--------|
| Coburn | Kennedy | McCain |
|--------|---------|--------|

The PRESIDING OFFICER. Under the previous order requiring 60 votes for adoption of this motion, the motion to concur with an amendment is withdrawn.

The majority leader.

Mr. WHITEHOUSE. Mr. President, I rise to discuss my vote against the previous amendment which both appropriated \$165 billion to continue the tragic and misguided war in Iraq, and also included a number of provisions relating to our policies regarding Iraq. I favor many of the policy provisions contained in the amendment, such as requirements that the Iraqi government share in some of the costs of the war and a prohibition against the establishment of permanent military bases in Iraq. I commend my Democratic colleagues in the Appropriations Committee, including my good friend and distinguished colleague from Rhode Island, JACK REED, for their work on these laudable provisions. I also strongly support the provision that requires our intelligence agencies to give access to detainees to the International Committee of the Red Cross. I have worked closely with my colleagues on the Intelligence Committee on this important provision, which is designed to end secret detentions.

While I fully supported some of the policy provisions in the amendment, I could not vote to fund this war in the absence of a firm and enforceable timeline for withdrawal. Unfortunately, it appears that the Republican minority remains intent on filibustering any attempts to mandate a rapid and responsible redeployment of our troops from Iraq. I, along with thousands of Rhode Islanders who have contacted me on this critical issue, oppose spending \$4,000 per second on a war that has diminished our national security and damaged our standing in the world. I am hopeful that, under a new President, we can work together to bring an end to this war.

AMENDMENT NO. 4818

Mr. REID. Mr. President, I move to concur in House amendment No. 1 with an amendment which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to concur in the amendment of the House No. 1 to the amendment of the Senate to H.R. 2642 with an amendment numbered 4818.

Mr. REID. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. REID. I now ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion to concur with House amendment No. 1 to the amendment of the Senate to H.R. 2642 with amendment No. 4818.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN) and the Senator from Arizona (Mr. MCCAIN).

The result was announced—yeas 70, nays 26, as follows:

[Rollcall Vote No. 139 Leg.]

YEAS—70

| | | |
|-----------|-----------|-------------|
| Akaka | Dole | Mikulski |
| Alexander | Domenici | Murkowski |
| Allard | Dorgan | Nelson (FL) |
| Barrasso | Ensign | Nelson (NE) |
| Baucus | Enzi | Pryor |
| Bayh | Graham | Roberts |
| Bennett | Grassley | Rockefeller |
| Biden | Gregg | Salazar |
| Bond | Hagel | Sessions |
| Brownback | Hatch | Shelby |
| Bunning | Hutchison | Snowe |
| Burr | Inhofe | Specter |
| Carper | Inouye | Stabenow |
| Casey | Isakson | Stevens |
| Chambliss | Johnson | Sununu |
| Cochran | Kyl | Tester |
| Coleman | Landrieu | Thune |
| Collins | Levin | Vitter |
| Conrad | Lieberman | Voinovich |
| Corker | Lincoln | Warner |
| Cornyn | Lugar | Webb |
| Craig | Martinez | Wicker |
| Crapo | McCaskill | |
| DeMint | McConnell | |

NAYS—26

| | | |
|----------|------------|------------|
| Bingaman | Feingold | Murray |
| Boxer | Feinstein | Reed |
| Brown | Harkin | Reid |
| Byrd | Kerry | Sanders |
| Cantwell | Klobuchar | Schumer |
| Cardin | Kohl | Smith |
| Clinton | Lautenberg | Whitehouse |
| Dodd | Leahy | Wyden |
| Durbin | Menendez | |

NOT VOTING—4

| | |
|---------|--------|
| Coburn | McCain |
| Kennedy | Obama |

The PRESIDING OFFICER. Under the previous order requiring 60 votes for adoption of this motion, the motion to concur with an amendment is agreed to.

Under the previous order, the motion to reconsider is considered made and laid on the table.

The majority leader is recognized.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I am going to ask for consent, in a few minutes, to have the override of the farm bill occur at 2 o'clock today. Senator GREGG will have 15 minutes, Senator CHAMBLISS and Senator HARKIN will have 15 minutes divided between them, a total of 30 minutes. That debate will take place before 2 o'clock, and at 2 o'clock we will vote.

I also inform all Members we still don't have particulars resolved on the budget. There are a number of alternatives. We can't do anything on it until we get the legislation from the House. They are going to take that up sometime this afternoon. As I said, the alternatives are, when it gets here we run out—I think there was at least a gentleman's agreement, although not on the record, that the 4 hours we used yesterday would run against the 10 hours, so we would have 6 hours to complete that today. We would vote sometime this evening on that. That is one alternative.

The other alternative is to consider all talking over with. I am sure we need to hear more on the budget, but that would be one alternative. We could come back after the recess at a time—when a vote is this close I think I need authority to determine when the vote would take place, but we would have 15 minutes of debate on that, and then we would vote on the budget. So that is what we are working on. We do not have it done yet.

Mr. MCCONNELL. If the majority leader would yield for a question.

Mr. REID. I will be happy to.

Mr. MCCONNELL. Is the Senator suggesting we do the farm bill around 2?

Mr. REID. Yes. I say to my distinguished colleague, counterpart, we would complete the debate on that and that debate would be 15 minutes with Senator GREGG, 15 minutes divided between Senators HARKIN and CHAMBLISS, a total of 30 minutes. We would do that in the next hour and 10 minutes and then vote at 2 o'clock.

Mr. MCCONNELL. That would be the last vote prior to—

Mr. REID. That, I say to my friend, we don't have resolved yet. We have to work out the time on the budget. I think, even though it is early Thursday and we are used to working late on Thursday and most all day Friday, we could make an exception and try to get out somewhat early on Thursday. But we have to work that out with you folks, as to how we would do the time. We could ask for a show of hands, asking if we want to finish, if we should have the vote tonight. I don't think the show of hands would be helpful to what I wish to accomplish. So we are going to try to do the second alternative, use all the time; when we come back, we will have a time certain—not a time certain but fairly certain—and we will try to have it on Monday or Tuesday when we get back, to have a vote on passage of the budget.

Mr. President, I ask unanimous consent that, when the Senate considers the conference report to accompany S. Con. Res. 70, the budget resolution—

The PRESIDING OFFICER. Can we have order in the Chamber, please. The majority leader.

Mr. REID. Mr. President, I am going to offer two unanimous consent requests. If they are both approved, then we will have no more votes today, other than the one on the override of the President's veto on the farm bill.

UNANIMOUS CONSENT AGREEMENT—H.R. 2419

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to the veto message on H.R. 2419 and there be 1 hour of debate—we picked up a half hour. That is what happens when you take a little time off.

I ask unanimous consent that the Senate now proceed to the veto message on H.R. 2419, there be 1 hour of debate, divided as follows: 15 minutes equally divided between Senators CHAMBLISS and HARKIN or their designees, 15 minutes under the control of Senator GREGG, and the remaining 30 minutes to be divided between the leaders or their designees; that upon the yielding back or use of that time, the message be set aside until 2 o'clock; that at 2 o'clock the Senate proceed to vote on passage of the bill, the objections of the President to the contrary notwithstanding, with no intervening action or debate.

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

UNANIMOUS CONSENT AGREEMENT—S. CON. RES. 70

Mr. REID. Mr. President, I now ask unanimous consent that when the Senate considers the conference report to accompany S. Con. Res. 70, the concurrent budget resolution, all statutory time be yielded back except for 15 minutes to be equally divided and controlled between the chair and ranking member; that upon the use or yielding back of that time, the vote on the adoption of the conference report occur at a time to be determined by the majority leader, following consultation with the Republican leader.

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

Mr. REID. Mr. President, I would say one thing. It appears we do much better when we don't have debate between votes. See how fast it went today. I think all the talking does is confuse us.

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

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

FOOD, CONSERVATION, AND ENERGY ACT OF 2008—VETO—Continued

The PRESIDING OFFICER. Under the previous order, the clerk will report the veto message on H.R. 2419.

The legislative clerk read as follows:

Veto message to accompany H.R. 2419, entitled an Act to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes.

Mr. HARKIN. Parliamentary inquiry: I understand under the agreement, we

each have 7½ minutes; that Senator GREGG has 15 minutes; and the two leaders have reserved 15 minutes each?

The PRESIDING OFFICER. The Senator is correct.

Mr. HARKIN. Mr. President, again for Senators and those staff who are watching, now we are on the override of the veto of the farm bill conference report we passed here last week.

To remind everyone, that bill, as you know, passed here overwhelmingly 81 to 15, a remarkable margin for a farm bill. It was widely supported on both sides of the aisle and by regions of the country, so we were very pleased with that outcome and that vote.

Of course it had passed the House with 318 votes; so again a very strong vote on the bill. It went to the President. We were hoping that maybe he would not veto it, but the President did exercise his constitutional right and he vetoed the bill.

The farm bill came back to the House yesterday and the House overrode the veto 316 to 108. So basically what we have before us is exactly what we voted on last week and approved with 81 votes but for one thing: The farm bill is missing a title.

Let me try to be as succinct as I can in this. What happened is when the enrolling clerk on the House side enrolled the bill and sent it to the President, the clerk did not put in title III, which includes the several Department of Agriculture trade programs and food assistance programs for foreign countries, mainly the P.L. 480, Food for Peace Program, the delivery of which goes through USAID, and other programs. So the President vetoed the enrolled bill which is missing that title. Well, I know Senator CHAMBLISS and I and others have had numerous phone calls and conversations with Parliamentarians and others to figure this out. The enrolled bill is properly attested to and fully effective and valid as to all of the provisions it contains. We will have to enact title III in another legislative measure. Again, I remind everyone, its omission was inadvertent. It was an innocent mistake; maybe inexcusable, but nevertheless an innocent mistake that title III was dropped out.

But for that title III, everything else in this bill is exactly what we approved with 81 votes. So I am here to ask Members to vote to override the President's veto and to make this bill the law of the land in accordance with the overwhelming wishes of both the Senate and the House.

This bill is a good bill, as I said earlier. It responds to needs all over this country, from farmers and small towns and rural areas to Americans in urban areas. The largest part of the bill is nutrition and food assistance. Over two-thirds of the total spending in this bill goes to nutrition. This bill does more to strengthen Federal food assistance than any bill we have passed since George Herbert Walker Bush was the President.