

We ought not to be stopping with this bill. We ought to be making it better in the Senate and passing it on for the President to sign it. We ought to be stamping it with our approval.

Mr. President, I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. The Chair announces that morning business is now closed.

#### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The Chair recognizes the majority leader.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### ECONOMIC STIMULUS

Mr. REID. Mr. President, yesterday and again this morning we heard some remarkable statements from our Republican colleagues that matters within the stimulus package are pet projects. Later, after that statement was made, we had another Senator come and say that they were Christmas tree ornaments. Then we had another Republican come this morning and say the stimulus package is certainly not needed. One of the Senators said unemployment benefits are totally unnecessary and that all it will do is increase unemployment. I am not making this up. This is what they said.

Now, we heard the distinguished minority leader, Senator MCCONNELL, come to the floor with a statement that is simply untrue. He said:

If Americans are wondering why their checks aren't in the mail, they can find it in last week's news clips.

Everyone knows—if they don't, they should know—that no matter how the debate turns out, no one's check is going to be held up. Any stimulus plan—whether it is the House version standing alone as it now exists or the Senate Finance Committee version, which I favor strongly, or a combination of the two—would calculate rebate checks on the 2007 income tax returns. That is basically the only way you can do it. Taxes are not due until April 15. That is the way it always is. That is more than 2 months from today. So everyone should know that the checks aren't in the mail tomorrow. The only way it can be done is based upon the 2007 return, except for some people, and that is a very small minority. So let's not confuse or concern the American

people with claims that aren't based on facts. Perhaps the Republicans don't understand the timeframe of the stimulus package. If they do, it should be clarified.

Now, what are some of the other things we have heard from our Republican colleagues? One suggested that we ought not to do anything to stimulate the economy. I talked about that. He said we shouldn't provide any help at all to the millions of Americans struggling to pay their bills and feed their families. Republican Senators have suggested that sending stimulus checks to 21.5 million seniors on fixed incomes is a pet project, a Christmas tree ornament; that providing assistance to help struggling Americans pay their heating bills through the Low Income Home Energy Assistance Program is a pet project or a Christmas tree ornament. I believe many Republicans—Republicans—could not disagree more strongly with those statements.

The stimulus package sent to us by the House of Representatives last week, as we have said from the very beginning, is a good start. I was part of a program to suggest the House should go first. There was some talk that we should try to get the two bodies together and do that. The way the Senate works, it would have taken too much time. Their rules are different from ours. So I said to go ahead and do it, and when they completed it, I gave them all the applause I could. I thought it was an important thing that they did that. But our job is to take the bill from the House and make it stronger.

The Republican leader and others have said this morning that working on bipartisan improvements is “playing politics.” I believe it is our constitutional obligation. It is how the Founding Fathers envisioned this country working. It is how they envisioned the legislative branch working.

But soon, Senators will have a chance to vote on the Senate Finance Committee's bipartisan plan. It will either be tomorrow, or it will be Thursday. Based on the House plan, it makes several improvements, the Baucus-Grassley package.

The Finance Committee package sends stimulus checks to roughly 21.5 million senior citizens who would get nothing at all from the House bill. Give them the money, and they will spend it.

The Finance Committee package sends checks to 250,000 disabled veterans who were left out of the House plan. Give them the money, and they will spend it.

The Finance Committee package extends unemployment benefits for those who have lost their jobs in the economy. To suggest, as has been done here on the floor, that extending unemployment benefits will make unemployment worse? We have people who are no longer counted as being unemployed because they have been off the rolls so

long. The House bill doesn't take care of unemployment benefits. Economists tell us that it is the single most effective way to stimulate the economy.

The Finance Committee package is business-friendly. It gives small businesses greater ability to immediately write off purchases of machinery or equipment. It helps larger businesses with “bonus” depreciation or an extended carryback period for past losses to recoup cash for future investments. It gives them a tax break, and they will spend it.

Realtors are in town. They come every year. Homebuilders don't come usually this time of year, but they are here now because this provision is so special to them.

Without exaggeration, the States of California, Florida, Nevada, and Michigan are in big trouble. Other States are in trouble also because of their housing crisis. The Finance Committee package addresses the housing crisis in a number of ways, but one is including mortgage revenue bonds to be used by the States to refinance subprime mortgages. That is very important. That is why the homebuilders are here en masse today.

The Finance Committee package includes an extension of energy efficiency and renewable energy incentives to create jobs, expand the clean energy industry, save consumers money on their energy bills, and help begin to stem the tide of global warming.

I will also offer an amendment that we can and should all support. First, the House-passed bill's language on housing will be included in this package that we will vote on. I don't know who could object to that.

This amendment will increase the conforming loan limits for Fannie Mae and Freddie Mac, as well as the loan limits for FHA-backed mortgages, which will allow more homeowners to refinance and will reduce mortgage interest rates in virtually every part of the country.

Second, there is money to help low-income Americans heat their homes, through the Low-Income Home Energy Assistance Program, known as LIHEAP. This is important because it allows people to not have to choose between food, medicine or heat. So let's—while we are talking about heat—leave the overheated rhetoric aside and work on passing this legislation. This is important. We should do this.

Mr. President, I ask unanimous consent that the vote on the motion to invoke cloture on the amendment to H.R. 5140, which I have described, which contains the Finance Committee language on LIHEAP funding, occur on Wednesday, February 6 at 3 p.m., with the hour prior to that time equally divided and controlled between the two leaders or their designees.

The PRESIDING OFFICER (Mr. CASEY). Is there objection?

Mr. MCCONNELL. Mr. President, reserving the right to object, it has never been our desire to delay consideration

of the House-passed stimulus package. The other side has made it clear they will have some package of changes. Those changes were discussed last week and, evidently, there was a decision to put a different package together. As I mentioned earlier this morning, we got that package last night. It was, apparently, a work in progress.

What I am going to do is ask the leader to modify his request. I know the senior Senator from Illinois said earlier today—or suggested that maybe people on this side don't support seniors or disabled veterans. So I will offer a request of the majority leader to modify his request so we do not have further delay.

Therefore, I ask unanimous consent that the majority leader's unanimous consent request be modified so that we proceed to the bill today—not tomorrow or Thursday but today—and that we have a cloture vote today on the amendment we received last night—the one to which the leader's request refers; further, if cloture is not invoked, that we proceed immediately to a vote on the Republican amendment that we will file at the desk; finally, that the Senate then proceed to a vote on passage of the House bill, as amended, if amended.

Mr. REID. Mr. President, reserving the right to object. I hope everyone within the sound of my voice understands how unfair and senseless the request is by my friend. We had discussions on the floor yesterday. The minority whip recognized that Senator MCCAIN, Senator OBAMA, and Senator CLINTON are not going to be here today. It has been very clear that I told them I needed an evening to get them here. If I tell them they have to be here tomorrow, they will be here tomorrow. Everybody knows this request by my friend is without foundation.

The Republicans—all 49 of them—are going to have to vote on the Senate stimulus package. They have to vote on that. Therefore, I object.

#### QUORUM CALL

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll, and the following Senators entered the Chamber and answered to their names.

#### [Quorum No. 1 Leg.]

Carper	Isakson	Reid, Nevada
Casey	Kyl	Tester
Durbin	McConnell	

The PRESIDING OFFICER. A quorum is not present.

Mr. REID. Mr. President, I move that the Sergeant-at-Arms be instructed to request the attendance of absent Senators, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion

of the majority leader. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Indiana (Mr. BAYH), the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Hawaii (Mr. INOUE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Massachusetts (Mr. KERRY), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Illinois (Mr. OBAMA), and the Senator from New York (Mr. SCHUMER) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Kansas (Mr. BROWNBACK), the Senator from North Carolina (Mr. BURR), the Senator from New Mexico (Mr. DOMENICI), the Senator from South Carolina (Mr. GRAHAM), the Senator from Arizona (Mr. MCCAIN), and the Senator from Mississippi (Mr. WICKER).

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

The result was announced—yeas 73, nays 12, as follows:

#### [Rollcall Vote No. 6 Leg.]

#### YEAS—73

Akaka	Feingold	Nelson (NE)
Barrasso	Feinstein	Pryor
Baucus	Gregg	Reed
Bingaman	Hagel	Reid
Boxer	Harkin	Roberts
Brown	Hatch	Rockefeller
Bunning	Hutchison	Salazar
Byrd	Isakson	Sanders
Cantwell	Johnson	Sessions
Cardin	Klobuchar	Shelby
Carper	Kohl	Smith
Casey	Landrieu	Snowe
Chambliss	Lautenberg	Stabenow
Cochran	Leahy	Stevens
Coleman	Levin	Sununu
Collins	Lincoln	Tester
Conrad	Lugar	Thune
Corker	Martinez	Vitter
Crapo	McCaskill	Voinovich
DeMint	McConnell	Warner
Dodd	Menendez	Webb
Dole	Mikulski	Whitehouse
Dorgan	Murkowski	Wyden
Durbin	Murray	
Enzi	Nelson (FL)	

#### NAYS—12

Alexander	Coburn	Grassley
Allard	Cornyn	Inhofe
Bennett	Craig	Kyl
Bond	Ensign	Specter

#### NOT VOTING—15

Bayh	Domenici	Lieberman
Biden	Graham	McCain
Brownback	Inouye	Obama
Burr	Kennedy	Schumer
Clinton	Kerry	Wicker

The motion was agreed to.

The PRESIDING OFFICER. A quorum is present.

The majority leader is recognized.

#### UNANIMOUS-CONSENT REQUEST— S. 2248

Mr. REID. Mr. President, one of the things I have the ability to do is to try to move the process forward, and that is what this vote was all about. Members came, we have had some conversations, and hopefully it will help move the process forward.

We are going to file cloture sometime today on the Senate stimulus package. That is the one reported out of the committee, as we have talked about the last 24 hours. So we will have a vote on that. Unless there is an agreement reached beforehand, we will have a vote on that an hour after we come to work on Thursday. That will be on the Senate stimulus package as we have brought it here to the floor. Of course, with consent, we could have it tomorrow. I would rather do it tomorrow so we can do some other things on Thursday, but it is up to the minority as to what we do.

I hope we all understand that the vote we just had was, as I have said before, an effort to try to move the process forward, a wake-up call, especially for my Republican colleagues, that we need to now start legislating. There is no reason in the world we should not finish FISA soon—work today on FISA.

We have other amendments Senators want to offer. We have 6 hours dealing with title II alone—one by Senators DODD and FEINSTEIN on immunity; we have the Whitehouse-Specter dealing with substitution; and we have one with FEINSTEIN dealing with exclusivity. Two hours on each one of those, the time equally divided, is 6 hours. There is no reason we shouldn't do that debate today. I want to vote on the four amendments already pending on FISA. We have those three I talked about and then, after that, there are four more with very limited time.

I think it is a little unusual here that we have an insistence we move forward and work on the stimulus package, yet we have had trouble doing that; and then we have been told, the latest on last Saturday, the President is talking about how important it is to do the stimulus package, and also he has talked incessantly about the need to complete FISA, but the Republicans have blocked our efforts to do that.

I don't want to always have to stand here and talk about unpleasant things, such as obstructionism and filibusters, but sometimes that is all there is to talk about. It is clear to me that once again the Republican minority seems to be more committed to obstruction than what it takes to make America stronger. We remain committed to giving our intelligence professionals the tools they need to make America more secure. With Republican cooperation, we can start doing that today. Today.

Mr. President, I ask unanimous consent that the Senate now resume the FISA legislation and debate all remaining amendments in order; that any votes in relation to these amendments occur at a time to be determined by me, after consulting with the Republican leader; that all time consumed during this debate count postcloture to this matter we are on now dealing with the House stimulus package.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Mr. President, reserving the right to object, I think it is