[Rollcall Vote No. 302 Leg.]

YEAS—62

Akaka	Gillibrand	Nelson (NE)
Baucus	Hagan	Nelson (FL)
Bayh	Harkin	Pryor
Begich	Inouye	Reed
Bingaman	Johnson	Reid
Boxer	Kaufman	Rockefeller
Brown	Kerry	Sanders
Burris	Kirk	Schumer
Byrd	Klobuchar	Shaheen
Cantwell	Kohl	Snowe
Cardin	Landrieu	Specter
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Cochran	Levin	Udall (CO)
Collins	Lieberman	Udall (NM)
Conrad	Lincoln	Voinovich
Dodd	Menendez	Warner
Dorgan	Merkley	Webb
Durbin	Mikulski	Whitehouse
Feinstein	Murkowski	Wyden
Franken	Murray	

NAYS—38

Alexander	DeMint	LeMieux
Barrasso	Ensign	Lugar
Bennet	Enzi	McCain
Bennett	Feingold	McCaskill
Bond	Graham	McConnell
Brownback	Grassley	Risch
Bunning	Gregg	Roberts
Burr	Hatch	Sessions
Chambliss	Hutchison	Shelby
Coburn	Inhofe	Thune
Corker	Isakson	Vitter
Cornyn	Johanns	Wicker
Crapo	Kyl	

The conference report was agreed to.

Mrs. BOXER. Mr. President, I move to reconsider the vote.

Mr. COCHRAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, before we recess—I know there is an order—I ask unanimous consent that I have 1 minute and Senator INHOFE have up to 2 minutes to address the Senate on an issue unrelated to the conference report that was just adopted.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from California.

Mrs. BOXER. Mr. President, I wish to let colleagues know on both sides of the aisle that Senator INHOFE and I are working very closely together as chair and ranking member of the Environment and Public Works Committee to resolve an issue which, if we do not resolve, is going to result in job losses. Senator INHOFE will expand on that.

We have to repeal a recision that was put into the last highway bill, SAFETEA–LU. We know what we want to do. We know how we are going to fund it. It will be deficit neutral. It will keep people working. It will help our States. If we do not do it, we are going to see layoffs, and nobody wants to see layoffs when we are in this difficult economic time.

So I am very pleased to be here to inform colleagues we are working very hard, and we have very few objections, if any. We will get back to colleagues later in the evening on this issue.

Mr. President, I yield the floor and will listen with great interest to my colleague from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first of all, let me thank the chair of the Environment and Public Works Committee—a position I held at one time, but I am the ranking member for the minority. This is a huge issue. This is one we cannot let go unattended. Tonight at midnight this thing expires. So we have to do it. Let me compliment Senator BOXER in being willing to go to some extremes that, quite frankly, I did not know she would be able to agree to.

What is at stake right now is about $500 million of projects that will have to be canceled. If you cancel these projects—these contracts have already been let—we are talking about lawsuits. We are talking about around 17,000 jobs being lost unless we are able to fix this recision thing and to get it offset. Well, that is what is going to happen.

We are drafting an amendment right now. I know the hour is late. I know we are going to come back for a vote at 6:30. But I think this absolutely has to be done, and I think it will be done. I am looking right now for any of the Republicans who might be objecting to this so I can talk to them. Quite frankly, I do not think there will be objection on our side.

The highway money at risk would put people to work, unlike much of the so-called stimulus. So I think we have an opportunity now to do this, and it is only going to be done because of the cooperation between the chairman of this committee and myself as ranking member.

So let's do everything we can. I say to the Senator, I think you have come up with a solution. We have, together, come up with a solution. Let's make it happen.

Mrs. BOXER. Thank you very much, Mr. President.

MAKING TECHNICAL CORRECTIONS IN THE ENROLLMENT OF H.R. 2918

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H. Con. Res. 191, which the clerk will report by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 191) directing the Clerk of the House of Representatives to make technical corrections in the enrollment of H.R. 2918.

Thereupon, the Senate proceeded to consider the concurrent resolution.

Mr. INOUYE. Mr. President, one of the must-pass items in the continuing resolution regards the U.S. Postal Service.

Under current law, each year the Postal Service is required to cover the health care costs of retirees and provide an actuarially determined rate for future costs of health care.

These funds are required to be placed into a trust fund to be invested.

Because of the recession as well as the increased reliance on the Internet for personal communications, the Postal Service is experiencing financial difficulties.

Working with members of the authorizing committees of both Houses, the Committee crafted a short-term solution for this problem which would allow the Postal Service to reduce the amount it would otherwise be required to invest this year.

The impact of the amendment is it allows the Postal Service to retain $4 billion to pay for its ongoing cost of operations.

Let me be clear, this provision will not provide any additional taxpayer dollars to the Postal Service.

It doesn't mean that current health benefits of our postal workers would be shortchanged.

It does assume that when the recession ends and profitability returns to the Postal Service the funding they would need to invest in future health care costs would probably increase.

Some might want to decry this amendment because it is scored by the congressional budget amendment as a net loss to the Treasury.

It should be noted that the proposal will not require additional discretionary funds to be expended.

The provision will, on the other hand, do a great deal to preserve the financial solvency of the Postal Service.

This amendment should not be controversial.

It does not add costs to the taxpayer.

It was an item that was in keeping with the needs of the Postal Service; and, it was an item that has the support of the chairman of the authorizing subcommittee with jurisdiction over the matter.

This needs to be done today and I would urge my colleagues to vote to waive any points of order that might be raised in relation to this matter.

Mr. LEVIN. Mr. President, currently the Nation's unemployment rate is higher than it has been since 1983. In my home State of Michigan, the unemployment rate is 15.2 percent—5.5 percent higher than the Nation's unemployment rate of 9.7 percent. Translated into real people, this means that 14.9 million Americans are unemployed, of which, more than 735,000 are living in my home State.

Michigan provides a little more than 450,000 individuals with unemployment benefits. As of September 18, more than 26,000 Michiganders have exhausted much needed unemployment benefits and by the end of this year, this number will rise to more than 100,000 folks. Since the beginning of this year, Michigan has been losing on average of 27,000 jobs per month. Our people need help.

It is critical that we provide assistance to individuals who are straining to make ends meet by ensuring that their much needed unemployment insurance benefits do not run out. We need to provide support to those individuals who are struggling to find jobs so that they do not lose their homes and are able to put food on the table.

We must extend unemployment insurance benefits and swiftly pass an unemployment insurance extension, so the President can sign this bill into law quickly.

Mr. FEINGOLD. Mr. President, I am disappointed that we are about to begin the 2010 fiscal year having enacted just one appropriations bill. I am even more disappointed that we passed a continuing resolution, airdropped into the Legislative Branch appropriations bill, that provides money to continue the wars in Iraq and Afghanistan. While I am pleased that the President has committed to withdrawing our troops from Iraq by the end of 2011, this redeployment schedule is too long and may undermine our ability to combat al-Qaida while straining our Armed Forces unnecessarily. In addition, while the President is right to focus on Afghanistan and Pakistan, I remain concerned that his strategy for those countries does not adequately address, and may even exacerbate, the threats to our national security we face in Pakistan.

We need to keep the Federal Government operating and make sure our brave troops get all the equipment and supplies they need, but we should not be providing funds to continue those wars without, at a minimum, engaging in a serious debate about their effects on our national security.

The PRESIDING OFFICER. Under the previous order, the concurrent resolution is agreed to and the motion to reconsider is considered made and laid upon the table.

The concurrent resolution (H. Con. Res. 191) was agreed to.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the hour of 6:30 p.m.

Thereupon, the Senate, at 5:40 p.m., recessed until 6:30 p.m. and reassembled when called to order by the Presiding Officer (Mr. BEGICH).

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2010

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 3326, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3326), making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes.

Pending:

McCain amendment No. 2558, to strike amounts available for procurement of C–17 aircraft in excess of the amount requested by the President in the budget for fiscal year 2010 and to make such amounts available instead for operation and maintenance in accordance with amounts requested by the President in that budget and for Operation and Maintenance, Army, for overseas contingency operations.

AMENDMENT NO. 2558

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 2558 offered by the Senator from Arizona, Mr. MCCAIN.

Mr. MCCAIN. Mr. President, I again quote from a letter from the Secretary of Defense:

The President's defense budget request has requested no additional C–17s. This position is based on the Department's firm judgment that we have acquired a sufficient number of C–17s to meet the Nation's military needs. . . . More specifically, the $2.5 billion it will cost to purchase 10 additional C–17s plus the $100 million per year it will cost to operate them will invariably result in a reduction in critical warfighting capabilities somewhere else in the defense program.

I understand there will be a budget point of order. I wish to tell my colleagues we will be voting up or down on this issue because if this is defeated, I will have another amendment simply to kill this unneeded, unnecessary porkbarreling exercise in the power of lobbyists in our Nation's Capital.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I am prepared to go right to the heart of the underlying amendment rather than go through this point of order, but let me just point out that there are those who have supported a provision in the fiscal year 2010 Defense Authorization bill that would prohibit the Defense Department from retiring the 40-year-old C–5As. These are the people who are now promoting this amendment to kill the C–17. In effect, the proponents of the McCain amendment are tying the hands of the Air Force, by requiring the Pentagon to upkeep a fleet of C–5s—aircraft that are outdated, costly to operate, and are less capable than the C–17. The Air Force should be allowed to replace them with C–17s and not be forced to waste hundreds of millions of dollars to extend the life of the C–5.

It is less costly to build a C–17 than it is to repair a C–5. That is the reality. If we are looking for cost savings and deficit reduction, then what the committee has advocated actually makes more sense fiscally to do. But instead, the McCain amendment in effect promotes a 40-year-old aircraft, getting older by the day, rather than an aircraft like the C–17 that has the capability of landing almost anywhere on the globe for that matter, highly versatile.

We have nearly 100,000 new troops who have been added to our armed services in 4 years. We need to have an airlift capacity that meets our larger force's needs. I urge the rejection of the McCain amendment.

Mrs. BOXER. Mr. President, I rise today to express my continued support for the C–17 cargo aircraft program and urge my colleagues to retain funding for 10 additional aircraft in the fiscal year 2010 Defense appropriations bill.

The C–17 is critical to our national security and our ability to efficiently carry out important missions around the world. Not only is this aircraft an indispensable asset in supporting military and humanitarian missions in countries like Iraq, Afghanistan and Sudan; it has a proven record of versatility and high performance, and it sustains jobs that are essential across 43 States—including my home State of California.

First, I would like to talk about the types of missions where we use the C–17. According to the Air Force's budget justification for 2010, the C–17 ''is a major element of America's National Military Strategy and constitutes the most responsive means of meeting U.S. mobility requirements. . . . The C–17 will perform the airlift mission well into this century.''

The C–17 is essential to our missions in Iraq and Afghanistan particularly because of its versatility. It is used to transport equipment, supplies and our service members. For example, the C–17 can land on a dirt runway to deliver needed supplies in remote regions of Afghanistan.

We also use the C–17 to evacuate our wounded men and women from Iraq to Germany, and then back to the United States for treatment. And in some instances, it has even been used to transport our service members across a combat zone, reducing the risks that they face when they travel on land by convoy.

And the uses don't stop there. The C–17 is used to deliver humanitarian supplies. In January of this year, a C–17 delivered 18,000 pounds of supplies to Nicaragua, one of the poorest nations in the Western Hemisphere.

The C–17 has also been used to bring relief to Americans, including during Hurricane Katrina. It can deliver a 100-bed, fully equipped hospital to nearly any area with an unimproved airstrip.

This is an amazing capability, and one we cannot afford to lose.

Second, the C–17 has a proven record of performance. Quite simply, it is the workhorse of our military. And we are using them at a much higher rate than the Air Force originally intended.

C–17s have flown over 1.3 million flight hours since 2002. Many are flown at 150–180 percent of their anticipated flight hours.

According to the Congressional Research Service, the C–17 was designed to fly 1,000 hours per year over 30 years, but the fleet has averaged 1,250 hours per aircraft over the last ten years. Some have even reached 2,400 flying hours in a single year.

And finally, the C–17 is the last strategic airlift production line in the Nation. Every day 30,000 employees from 43 states go to work in direct support of the C–17. In addition to those 30,000 direct jobs, over 100,000 workers depend on this production line. In my home State of California, 13,800 people work on the C–17. And 19,200 worker's have an affiliation with this aircraft.

Too many American jobs depend on this vital program. Before we take any action to shut down the line, we must be absolutely certain that we have all of the aircraft we need.

We cannot take the chance that we ''may'' have enough aircraft, particularly without reviewing two studies that are due by the end of the year.