

size of the pay raise, the size of the COLA, the size of various adjustments made between the various functions of the Department, all are necessary.

The annual items in this bill require authorization. Those that are a continuing part of defense operations, we can and should fund, notwithstanding the Armed Services bill might not have passed by the time we get this bill to the President to sign.

Above all, money for Afghanistan and Iraq is a supplemental attached to our bill. It is within our bill. It is \$50 billion that is absolutely necessary to continue our operations there at a very critical time with the election coming up over there to approve their constitution and then, following that, the election of their officials. We have had to send additional people over there—not as many as we did for the first election over there, but there has been a flow of people over there. That money will come out of the \$50 billion that is in this bill for operations for the future in regard to Iraq and Afghanistan and that portion of the war on terror.

I do believe the Senator from Virginia understands our situation.

Does the Senator from Hawaii wish to make any comments? I think we are in agreement on this position. We welcome the Senators' initiative and hope it works.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, there are no two individuals in the Senate today that have a finer reputation for Senatorial courtesy and for the need for our national defense legislation than the two managers of the appropriations bill, the Senators from Alaska and Hawaii, both of whom have had such distinguished careers in the uniform of the country in which we all take such pride.

Both of these individuals have conferred with my colleague, Senator LEVIN, and with me about the measures I have taken today. Senator STEVENS very carefully pointed out to me exactly what he has said—his grave concern, understandable concern, and proper concern about the imperative need of the passage of the appropriations bill. In no way is it the intention of this Senator or Senator LEVIN to try to unduly delay that bill.

We will see whether a time agreement is achievable, either for consideration of our bill for a brief period of time, on the appropriations bill, or by virtue of a UC as a freestanding bill. I urge we try and do it on this bill.

The Senator pointed out the exigencies of conferences. In my research, there are several options on how to conduct a conference on these two bills. I am sure we can work out a method to do so. For example, it may be possible to split off the authorization bill prior to final passage of the appropriations bill in order to facilitate two separate conference reports. If that is not possible, the chairman of the subcommittee on appropriations

could decide to hold what would be basically two conferences—one of the authorizers, one of the appropriators. But nevertheless, the appropriators would have overall control and only one conference report would be voted on by the Senate. I think either of these options could be achieved here. Certainly, I know Senator LEVIN and I would work to these ends. But I also bring to the attention of the managers, we all know full well there are several amendments—I shall not try to characterize them other than to say there are several amendments that are to be brought against the authorization bill which, I am inclined to believe, will be brought against the appropriations bill should we not move ahead with the authorization bill so those amendments can be authorized on this bill.

There is a strong conviction among a number of my colleagues—I don't agree, but I respect them—to have a commission to study how this country deals with its detainees and other commissions that are in the minds of others.

I don't think, unless there is clarity as to what is going to happen to the authorization bill, that you can rule out the possibility that one or more of these amendments might be directed in the next few days against this bill, with the best of intentions, and those would be time-consuming matters, I assume.

Mr. STEVENS. Will the Senator yield, Mr. President?

Mr. WARNER. Yes, of course.

Mr. STEVENS. It is not for a question but for a statement.

Mr. WARNER. I yield the floor, Mr. President.

Mr. STEVENS. Mr. President, the Senator from Hawaii and I have opposed filing cloture on the Defense appropriations bill in the past. It has not been necessary. As a matter of fact, in the past years, this bill has taken from 3 to 5 hours on the floor because it is a bipartisan bill. It is a bill that comes out of our subcommittee and the full Committee on Appropriations unanimously. Our staffs work tirelessly to make sure we cover every single possible objection or concern.

But this year, it appears to me, because of the timeframe I have mentioned, I am constrained to consult with my friend from Hawaii to seek the filing of cloture on Wednesday because if we do not vote by Friday, we are going to be into November before we even get this bill off the floor. We just cannot do that now.

I hope the Armed Services Committee members and all those who have amendments will keep in mind the timeframe. The way these holidays are coming at us, and because of the schedule, we must get this bill to the House for conference before the first of November. It is going to be very difficult to do unless we finish the bill by October 7.

I want the Senate to know, despite a longstanding policy of opposing cloture

on the Defense bill, the timeframe that is involved in the consideration of this bill now, because of many things that are not under the control of anybody—two vacancies on the Supreme Court and various other matters that we have taken up that have taken prolonged time on the floor—we are very late in considering this bill.

I know the Senate understands the problem of funding when we have men and women who are overseas, particularly in a time of war. There is no way we can possibly consider taking off on Friday and not coming back until a week from the following Monday if this bill has not been passed. I urge the Senator to keep that in mind.

I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. STEVENS. Mr. President, I ask unanimous consent that there be a period for the transaction of morning business, with Senators permitted to speak for not to exceed 10 minutes each.

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

NOMINATION OF HARRIET MIERS TO THE SUPREME COURT

Mr. WARNER. Mr. President, I join the distinguished majority leader and others who have spoken on behalf of the President's nomination of a very distinguished member of the bar of the State of Texas and, indeed, the profession of law all across America, where she has, through many years of long and arduous adherence to the profession of law, distinguished herself in so many ways.

I had the privilege over the years of working with Harriet Miers. I have the highest respect as a fellow lawyer for her professional abilities and her standards of ethics and conduct. I think she is a superb nomination. I commend the President of the United States. If I may say, in this season of our sports, he has hit another home run.

Mr. President, well done.

TRIBUTE TO CORNELIA "NEAL" VAUGHAN

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to a proud Kentuckian, community leader, and good friend, Mrs. Cornelia "Neal" Vaughan. Neal, like her uncle, the late Senator John Sherman Cooper, is sincerely dedicated to improving the lives of Kentuckians, and she does so