means. Of course, the military will set what parameters will be used in those different duties they have, but the military—that is what they do. So this amendment of Senators LEVIN and REED is very understandable, it is direct and to the point. It is a simple, straightforward, responsible amendment. It strikes the right balance between military and diplomatic solutions. It allows our Nation to reduce its large combat footprint in Iraq and refocus on the enemy that attacked the Nation nearly 6 years ago.

For the American people, the surge has had far too long to determine whether it will work. Six months, 600 dead Americans, untold numbers wounded, $60 billion. This amendment allows our Nation to reduce its large combat footprint in Iraq. It gives our troops the strategy they need to succeed in a very difficult environment. It is supported by an overwhelming majority of the American people, it is supported by a bipartisan majority in the Senate and, most important, it is binding.

President Bush has proven beyond any doubt that if we simply express opinion and pass ''Sense of the Senate'' legislation, if we do not put teeth behind our legislation, he will ignore us.

It could not be clearer that if we give this President a choice, he will stay hunkered down in Iraq until the end of his failed Presidency.

The National Intelligence Estimate report released yesterday amplifies the fact that the war in Iraq has taken our attention and resources away from the growing threats we face around the world. We cannot keep marking time while President Bush's failed war plan continues to crumble.

We can vote to end the war right now. Democrats are united in our commitment to do so and our resolve has never been stronger. More and more Republicans have come out to publicly break from the President's endless war strategy. They deserve credit for doing so. I commend and applaud them. But their words will not end the war; their votes will.

After 52 months of war; after more than 3,600 American dead; after tens of thousands more wounded; after $500 billion of our tax dollars spent; after chaos in Iraq has become entrenched; after no meaningful signs of progress by the Iraqi Government; after the President's own intelligence reports indicate that the war has made us less safe and al-Qaida is gaining strength; after a troop escalation has only led to more violence; after all of this, after all of this, isn't it time to choose a new path? The answer is yes.

Let's choose that new path now. Let's finally answer the call of the American people. I urge my Republican colleagues to end this filibuster. I urge them to stop blocking a vote on this crucial war-ending amendment. By voting yes on cloture, we can make this the first day of the end of the war.

Mr. President, I ask unanimous consent that Members would vote from their desks. I further ask unanimous consent that the Chaplain give our daily player immediately following my remarks, which I have completed. The reason is, otherwise, he would do it at 1 o'clock. If ever there were a time for prayer, it would be before this very important vote.

I ask unanimous consent that we vote from our desks. I have cleared this with the Republican leader, and ask that the Chaplain be now called upon to render the prayer.

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

Pursuant to the order of February 29, 1960, as modified this day, the Senate, having been in continuous session, will suspend for a prayer by the Chief of Staff to the Senate Chaplain, Alan N. Keiran.

PRAYER

The guest Chaplain offered the following prayer:

Let us pray.

Eternal Father, Creator of the season, as the Members of this body run a legislative marathon, may they feel Your devine presence. Allow contact with You to calm their fears, to silence their anxiety, to hush their restlessness and to fill them with Your peace. Strengthen them so that they are not weary in pursuing a worthy goal knowing that a harvest awaits those who persevere in doing Your will.

Give them gratitude for the opportunities You have given them to be stewards of our national destiny. And as You remind them that to whom much is given, much is expected.

We pray for Your will to be done here in this Chamber as in heaven. In Your mighty Name I pray. Amen.

The PRESIDING OFFICER. Under the previous order, the clerk will report the motion to invoke cloture.

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 Levin-Reed, et al., amendment No. 2087, to H.R. 1585, Department of Defense Authorization, 2008.

Carl Levin, Ted Kennedy, Byron L. Dorgan, Russell D. Feingold, B.A. Mikulski, Debbie Stabenow, Benjamin L. Cardin, Amy Klobuchar, Pat Leahy, Richard J. Durbin, Jeff Bingaman, Jack Reed, Ron Wyden, Barbara Boxer, Patty Murray, Robert Menendez, Daniel K. Akaka, Charles Schumer.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on Senate amendment No. 2087 offered by the Senator from Michigan, Mr. LEVIN, to H.R. 1585 shall be brought to a close?

The yeas and names are mandatory under the rule. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) is necessarily absent.

The result was announced—yeas 52, nays 47, as follows:

[Rollcall Vote No. 252 Leg.]

YEAS—52

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

NAYS—47

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

NOT VOTING—1

Johnson

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 47. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

The majority leader is recognized.

Mr. REID. Mr. President, I enter a motion to reconsider the vote by which cloture was not invoked on the Levin-Reed amendment.

The PRESIDING OFFICER. The motion is entered.

Mr. REID. Mr. President, this has been a long week, and it is hard to comprehend, but it is only Wednesday, Wednesday morning. We have now been in session continuously for 2 days. On Monday, I submitted a simple request for consent to proceed to an up-or-down vote on the Levin-Reed amendment to the Defense authorization bill. As I have stated, this amendment provides a clear, binding responsible path to change the U.S. mission and reduce our combat presence in Iraq. It honors the sacrifice of our troops, reflects the will of the American people, and lets us rebuild and focus our military on the growing threats we face throughout the world.

Regrettably, Republicans chose to block this amendment. They chose to block a bipartisan amendment, Mr. President, to deny the American people an up-or-down vote. They chose to continue protecting their President instead of our troops, no matter the cost to our country.

In contrast, my Democratic colleagues and a number of brave Republicans came to the floor of the Senate throughout the night to make our case. I am proud of what they have said and what they have done. We spent 2 days showing America that we are not going to back down, we are going to continue to fight, and that if President Bush and his allies in Congress refuse to budge, we will continue to show them the way.

How could we possibly shrink from this fight? How could we possibly try to avoid this fight? As we speak, many of our 160,000 men and women serving in Iraq are wrapping up another day of war, real war on foreign sands. For them, it was yet another day caught in an intractable civil war, Sunni versus Shia, Shia versus Sunni, Shia versus Shia, Sunni versus Sunni, and—what other combinations can we come up with—with our troops caught in the crossfires, our troops trying to protect the Shias, Sunnis, and the Kurds, and all of them after our troops.

As the Iraqi people have said in poll after poll, about 70 percent of them think we are doing more harm in their country than good.

The high temperature today in Iraq was about 115 degrees, and our troops were wearing about 100 pounds of equipment. This was the 1,583rd day of the war. They have served us each and every day with courage, despite being taken to war falsely, prematurely, and recklessly. They have served us each and every day with courage and valor, despite a President who still lacks a plan for success. They have served us each and every day with courage, despite too many in Congress who remain unwilling to change course.

Those 160,000 troops deserve more. They and all Americans deserve a debate and votes on legislation that will finally provide them a strategy to honor their great sacrifice.

As we have just seen, a bipartisan majority of the Senate supports Levin-Reed. A bipartisan majority of the Senate supports a binding new policy that would responsibly bring the war to an end so we can return our focus and resources to the real threats and challenges our great country faces. Yet a Republican minority blocked a vote on the bipartisan amendment that would deliver that new course, and instead they chose to stand behind the President and this tragic failure he has led.

So today I am filled with a mixture of pride and regret—pride for my colleagues, Democrats and Republicans, who have risen to this crucial cause in giving the American people the debate they deserve, yet regret for my colleagues who have blocked the will of the people and the majority of this Congress. I believe the will of the people must be heeded, and I believe this critical vote must proceed.

In an effort to make progress on this issue and this bill, I will, therefore, request unanimous consent to move to a vote on the four Iraq amendments to the Defense authorization bill outlined yesterday morning in my letter to Senator MCCONNELL. My unanimous consent request is eminently fair. It would provide up-or-down, yes-or-no votes on three other bipartisan Iraq amendments in exchange for the same on Levin-Reed.

Under my proposal, we would vote on these Iraq amendments: Levin-Reed, Lugar-Warner, Salazar-Alexander, and Nelson-Collins. In addition, I also indicated in my letter that I am prepared to agree to up-or-down votes on other amendments as well.

Therefore, Mr. President, I ask unanimous consent that when the Senate considers the following Iraq amendments, they be subject to majority votes: the pending Levin-Reed amendment, the Byrd-Clinton deauthorization amendment, the Warner-Lugar amendment No. 2208, the Salazar-Alexander Iraq Study Group amendment, the Nelson-Collins amendment No. 2124, and Senator LANDRIEU's al-Qaida amendment.

The PRESIDING OFFICER. Is there objection?

The Republican leader.

Mr. MCCONNELL. Mr. President, reserving the right to object, not many Americans of our generation have failed to see the movie ''Casablanca.'' There are many memorable lines in that movie. My favorite was uttered by the actor, Claude Rains, when he walked into the casino and said incredulously: ''Gambling in Casablanca?'' Followed by the comment: ''Round up the usual suspects.''

Sixty votes in the Senate? As common as gambling in Casablanca.

I think we can stipulate, and my good friends on the other side of the aisle stipulated from time to time over the years when they were in the minority, that in the Senate it takes 60 votes on controversial matters. What is more controversial than the war in Iraq? Of course, it is going to take 60 votes. No one in the galleries and certainly no one in this town and even casual observers of the Senate across the country would be surprised that on a controversial matter of this consequence it would require 60 votes.

Now the leader has also made some observations about the status of the war. Most Members on this side of the aisle don't believe it is any accident that we haven't been attacked again since 9/11. They believe it is because we have been on the offense in places such as Afghanistan and Iraq, and we have taken it to the enemy. A lot of them are dead, many of them are in Guantanamo, and the rest are on the run.

There is no plan after the Levin amendment. Withdraw, and then what? What happens then? We haven't been dodging this debate. We offered to have the Levin amendment voted on yesterday. The only reason we stayed in all night was to provide a bit of theater on an extraordinarily important issue.

This is a serious debate. Members on this side of the aisle engaged in this debate throughout the evening. We were not afraid of the debate, but we certainly were not delaying the vote. We would have been happy to have the vote at any point over the last few days.

So, Mr. President, the request was that we have additional Iraq votes——

Mr. BYRD. Mr. President, may we have order?

Mr. MCCONNELL. With a simple majority.

Mr. BYRD. May we have order?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The majority leader is recognized.

Mr. REID. Mr. President, this is not a movie in which we are involved. This is a debate on one of the most serious issues this country has ever faced. Thousands of Americans have been killed in Iraq, tens of thousands have been wounded, and we are depleting the National Treasury by more than half a trillion dollars. But my distinguished friend's statement clearly indicates what has happened in Iraq since we last took up this debate.

We passed the Defense authorization bill last November. We had Iraq amendments then. There were no 60-vote margins. But in the last 7 months since that debate took place, this war has gone in the wrong direction—in the wrong direction. That direction is the way that President Bush has managed this war. That is why all of a sudden now that 7 months has gone by with thousands more Americans being wounded, and hundreds and hundreds more being killed, suddenly this is an issue that requires 60 votes.

If there were ever a picture, look at what happened last November and look what happened today. Of course, they need 60 votes because all these amendments would pass with simple majority—all of them, every one of them telling the President he should change course. The difference is how to tell the President to change course. The Levin-Reed amendment did it by mandating a timeline.

I am disappointed to see that my friend is leading the Republicans to obstruction over progress. I understand the Senate rules. Other than this man sitting behind me, I think I know the rules about as well as anyone in this Chamber. I understand the Senate rules allow for minority filibuster over the will of the majority, but that is not the tradition of this bill, and it should not be the path that is chosen given the stakes involved.

But because Republicans continue to block votes on important amendments to the Defense authorization bill, we can make no further progress on Iraq and this bill at this time.

Progress is also blocked by two other troubling realities. First of all, more than 300 amendments have been filed. We have not been able to get a finite list of amendments for consideration. Majority and minority staffs of the Armed Services Committee have been

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