

nonprofit organization that promotes literacy among the disadvantaged. Ms. Haynes teaches pre-GED classes at the center, aiding the less fortunate along the path to literacy, education, and a fuller civic life.

By any fair reading, Ms. Haynes has an exemplary record of commitment to the high ideals of equal opportunity and equal justice before the law—ideals that I believe are at the core of civil rights.

I yield the floor.

Mr. LEAHY. I thank the Senator from Texas.

I believe we are ready to vote.

VOTE ON THE NOMINATION OF BRIAN STACY MILLER TO BE UNITED STATES DISTRICT JUDGE

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Brian Stacy Miller, of Arkansas, to be United States District Judge for the Eastern District of Arkansas?

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant journal clerk called the roll.

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN), the Senator from New York (Mrs. CLINTON), the Senator from California (Mrs. FEINSTEIN), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from New Jersey (Mr. MENENDEZ), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

I further announce that, if present and voting, the Senator from New Jersey (Mr. MENENDEZ) would vote "yea."

Mr. KYL. The following Senators are necessarily absent: the Senator from Kentucky (Mr. BUNNING), the Senator from North Carolina (Mrs. DOLE), the Senator from New Hampshire (Mr. GREGG), the Senator from Texas (Mrs. HUTCHISON), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Kentucky (Mr. BUNNING) and the Senator from North Carolina (Mrs. DOLE) would have voted "yea."

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

The result was announced—yeas 88, nays 0, as follows:

[Rollcall Vote No. 102 Ex.]

YEAS—88

Akaka	Cochran	Hatch
Alexander	Coleman	Inouye
Allard	Collins	Isakson
Barrasso	Conrad	Johnson
Baucus	Corker	Kennedy
Bayh	Cornyn	Kerry
Bennett	Craig	Klobuchar
Biden	Crapo	Kohl
Bingaman	DeMint	Kyl
Bond	Dodd	Landrieu
Boxer	Domenici	Lautenberg
Brownback	Dorgan	Leahy
Burr	Durbin	Levin
Byrd	Ensign	Lincoln
Cantwell	Enzi	Lugar
Cardin	Feingold	Martinez
Carper	Graham	McCaskill
Casey	Grassley	McConnell
Chambliss	Hagel	Mikulski
Coburn	Harkin	Murkowski

Murray	Schumer	Thune
Nelson (FL)	Sessions	Vitter
Nelson (NE)	Shelby	Voinovich
Pryor	Smith	Warner
Reed	Snowe	Webb
Reid	Specter	Whitehouse
Roberts	Stabenow	Wicker
Rockefeller	Stevens	Wyden
Salazar	Sununu	
Sanders	Tester	

NOT VOTING—12

Brown	Feinstein	Lieberman
Bunning	Gregg	McCain
Clinton	Hutchison	Menendez
Dole	Inhofe	Obama

The nomination was confirmed.

VOTE ON NOMINATION OF JAMES RANDAL HALL  
The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of James Randal Hall, of Georgia, to be United States District Judge for the Southern District of Georgia?

The nomination was confirmed.

VOTE ON NOMINATION OF JOHN A. MENDEZ

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of John A. Mendez, of California, to be United States District Judge for the Eastern District of California?

The nomination was confirmed.

VOTE ON NOMINATION OF STANLEY THOMAS ANDERSON

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Stanley Thomas Anderson, of Tennessee, to be United States District Judge for the Western District of Tennessee?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session. The majority leader is recognized.

TO AMEND THE SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS, TO MAKE TECHNICAL CORRECTIONS, AND FOR OTHER PURPOSES—MOTION TO PROCEED

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to the consideration of Calendar No. 608, H.R. 1195, the highway technical corrections bill. I ask that we move there at 3 p.m. Monday, April 14.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, there is objection.

The PRESIDING OFFICER. Objection is heard.

CLOTURE MOTION

Mr. REID. Mr. President, in light of the objection, I now move to proceed to Calendar No. 608, H.R. 1195. I 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 journal 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, hereby move to bring to a close debate on the motion to proceed to Calendar No. 608, H.R. 1195, an act to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, to make technical corrections, and for other purposes.

Harry Reid, Barbara Boxer, Richard Durbin, Charles E. Schumer, Sherrod Brown, Frank R. Lautenberg, Jon Tester, Mark L. Pryor, Bernard Sanders, Benjamin L. Cardin, Jeff Bingaman, Patty Murray, Sheldon Whitehouse, Debbie Stabenow, Bill Nelson, John D. Rockefeller IV, Jack Reed.

Mr. REID. Mr. President, I now ask unanimous consent the cloture vote occur on Monday, April 14, at 5:30 p.m., the hour prior to the vote be equally divided or controlled between the leaders or their designees, and the mandatory quorum be waived as required under rule XXII.

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

The majority leader is recognized.

Mr. REID. Mr. President, I hope we can proceed to this bill. This is another bipartisan piece of legislation. Senators BOXER and INHOFE have worked on this bill for months and months. It has been very difficult. It has been like pulling teeth. They get one thing done and something else crops up. It is now done.

I hope we can move to this bill. If there are those who want to offer an amendment, good. Let them offer an amendment. This is something that is important and we need to do. I hope, recognizing this bill relates to the highway bill that we passed 3½ years ago, any amendments offered would be in keeping with the content of the bill. I don't want to get off on Iraq or some tax issue. I hope we can confine it to this legislation.

This is the Senate. After we get on the bill, I hope we could go immediately to it; we wouldn't have to use the 30 hours. If there are things that need to be done, no one is trying to stop anybody from offering amendments. We are not going to be, unless there is a change, and I will certainly give lots of prior warning to the Republican leader after we are on this a while. I hope we can just go through the ordinary process, that we don't have to do any parliamentary maneuvers to get this very important bipartisan piece of legislation done.

Mrs. BOXER. Will the leader yield for a question—a comment and question?

Mr. REID. I am happy to yield.

Mrs. BOXER. I thank the leader very much. This is a very bipartisan piece of legislation that Senator INHOFE and I are very happy is finally coming to the floor.

My question—it is really a comment in the form of a question. You pointed out we are 3 years after the highway bill. This is correcting some unanticipated errors in that bill. What is happening is, here we are in this recession. There are a lot of projects that are stymied. They were unintended to be stymied, but we need to correct that.

My question is, Don't you think it is time to correct a bill that passed 3 years ago, and we are going to get to the new highway bill next year? This is unfinished business. It is bipartisan. My point is, do you believe as strongly as I do that the time has come to do this?

Mr. REID. Mr. President, I say to the distinguished chair of the Environment and Public Works Committee, I appreciate the work done on a bipartisan basis to get us here. If there were ever a time we should do this, a technical corrections bill on a bill that passed more than 3 years ago, it is now. It has taken that long to get it done, especially since we have the highway trust fund that now is \$5 billion short of what it should be. There are construction projects that need to go forward. Many of them cannot go forward until this technical corrections bill is passed.

This bill does not favor Democrats. It does not favor Republicans. I think everyone should understand when Senators BOXER and INHOFE work on a bipartisan bill, that is a bipartisan bill. We all know the reputations of the Senator from California and the Senator from Oklahoma. This is a good piece of legislation, and I say to my friend from California, I hope we can get it done very quickly.

We have lots of things to do. I am disappointed we are not going to be able to move to the patent bill. I am sorry about that.

Mr. DURBIN. Will the majority leader yield for a question?

Mr. REID. Yes.

Mr. DURBIN. I may put the leader on the spot, but as I understand it, we have had to file a cloture motion on this bill, which means a threatened filibuster over going to a technical corrections bill to amend and revise a highway bill that is 3½ years old. I know the Republican minority set a record in the Senate with 62 filibusters last year. I don't know if the majority leader can tell us the ongoing number of filibusters from the Republicans at this point. I assume it is over 70 filibusters. The previous record was 62 filibusters in 2 years. Now we have had over 70 filibusters, and we are just into this new legislative year.

I ask the majority leader, in his experience in the Senate, does he ever recall a filibuster being mounted on a bipartisan bill that is a technical corrections bill related to highway projects and other building projects across the Nation, in both Democratic and Republican States?

Mr. REID. I say to my distinguished friend, the answer to that is no. But I

do say this: That is why I made my remarks very clear. I think a lot of it has been unfounded, but we have had some distrust that some of the things we are doing will prevent people from offering amendments; there will not be an opportunity to legislate on this bill.

I have no intention—I made it very clear—of filling the tree. I used kind of a buzzword because everyone knew what I was talking about. But I have no intention of doing that. That is why I said I hope once we get on the bill, the 30 hours will not need to be used; we can just go to the bill and start legislating. That would be the right thing to do.

We have now been in this session for 12–15 months. I would hope by this time we know each other a little better, we can trust each other a little better, Democrats and Republicans. I think we just finished some very good work. Today we passed an extremely important housing bill. It was bipartisan.

I was with some people today, and they criticized: Why did you put this provision in there dealing with homebuilders? It is something that they don't need.

I personally disagree with that. In Nevada we have homebuilders who are doing everything they can to hang onto land so when this market bottoms out they will still have some land to build on. Anyway, I said to them we in the Senate today have a very slim majority, 51 to 49. I said to my friend—I asked this question: We have a number of things in this bill that were put in that we did not especially like.

The Republicans got a number of things in this very important housing stimulus bill that they did not like. But that is what legislation is about. That is the big speech I gave to my friend. I think he understood it after I said this a little better.

After that, we also did something on a bipartisan basis: passed, all in 1 bill, 80 different bills. There is no need to go back into the history of why this happened, but it happened, and we were only able to get it done because we worked on a bipartisan basis. I want to do the same on this highway bill.

We have other things coming up that we need to do this work period. As I indicated, because of the patent bill, for reasons that I am sure will be written about over the next few weeks, we are not going to do a patent bill now. The chairman and ranking member could not work out what they wanted to bring to the floor. So, as a result of that, we have a little extra time. I hope that because of that we can do highway corrections, we can maybe move to that.

There is a veterans bill we are trying to get worked out. We know we have more than 50 votes; we hope we have more than 60; we are very close to that.

We have an FHA reauthorization. We need to do that. I spoke to Chairman ROCKEFELLER a few minutes ago.

So without belaboring the point, in answering the question of my dear

friend, the assistant Democratic leader, no, I don't remember ever a filibuster being filed on a bipartisan bill. But I do not know the entire history. I hope we can move forward on this piece of legislation in regular order.

Mr. KYL. Mr. President, I want to make one brief comment to the leader.

I have no additional comment to make to the leader. I can pose it as a question, but I do not really need to. The leader is aware that there is no intention on the Republican side to filibuster this bill. I concur in his remarks about the bipartisanship that resulted in both of the bills passing today.

There is one matter that needs to be resolved, as I understand it, with respect to this technical corrections bill, which does need to be dealt with, as the chairman of the committee noted. As far as I know, that is the only matter. There could be others, but I know of no intention on the part of anybody on our side of the aisle to raise extraneous matters to use the bill for any other purpose but to complete action on the bill. I am aware of the same matter that the majority leader is right now as the only matter that exists on our side. So there is no intention on our side of the aisle to filibuster the bill.

Mr. REID. Mr. President, I say also through the Chair to my friend, I have spoken to that Senator, and still we might be able to work something out. If we cannot, he can offer an amendment and see what happens that way.

Mr. KYL. Sure.

Mr. REID. Mr. President, I feel comfortable with what we have been able to accomplish this week. I cannot say that every week we have left here, but this has been a really good week. I think we have accomplished a lot that is good for the American people in the process.

We have a farm bill that is moving along. We had today an actual conference, Democrats and Republicans, trying to come up with a farm bill. It is wonderful that that is taking place because in recent years we have not had a real conference. We have had little meetings take place. But I think that is wonderful that we were able to get that done.

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that there now be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

The PRESIDING OFFICER. The Senator from New Mexico.

#### THANKING STAFF

Mr. BINGAMAN. Mr. President, earlier today the Senate passed S. 2739, the Consolidated Natural Resources Act of 2008. As I said during the debate, S. 2739 is a collection of over 60 bills reported from the Committee on Energy