

Once again, I will vote for this legislation because the risk to our soldiers and veterans is too great. Time simply ran out. But we should all be concerned by the manner in which this bill was presented.

Mr. BYRD. Madam President, I regret that again this year I must vote against the National Defense Authorization Act. I support many of the provisions in this bill, which authorizes the activities of the Department of Defense, including important research, development and procurement funding to improve our Armed Forces and the operations and maintenance funding necessary to ensure the smooth running of the military services over the coming year. I support these activities, which not only benefit those servicemembers currently serving overseas in Afghanistan and Iraq, but also help build a strong and effective military for the future. I applaud the fine work of Senator LEVIN and Senator WARNER and the staff of the Committee on Armed Services for their efforts in putting together a bill that is, in most ways, a good piece of legislation.

However, S. 3001 also provides authorization for the funding of continued operations in Iraq at levels requested by the Bush administration and without any provision to either transition the military mission in Iraq or to bring our troops home. In my view, providing this funding without conditions, without strings attached, is unacceptable.

In my view, the Congress should not continue to write blank checks for the prosecution of this apparently endless war in Iraq. In effect, this bill also provides a congressional authorization to fund the continuation of President Bush's policy in Iraq into 2009, without any strings attached. Amendments filed that would have limited the mission of U.S. forces in Iraq were not even considered during debate on the bill. That is truly unfortunate.

Continuing to prosecute this war at the current rate is straining our military to the breaking point. Many units and individuals are enduring their third and fourth rotations to Iraq, and because no limits have been placed on the mission or force levels, there is no end in sight, despite efforts to declare the surge a success in bringing stability to Iraq. More and more military analysts are warning that the U.S. Armed Forces are at risk for becoming a "hollow force," as happened after the Vietnam conflict, putting our entire Nation at greater risk.

Our military commanders in Afghanistan are urgently requesting additional and substantial numbers of troops to counter the rising violence there, but there are few troops to spare for them. As a result, we risk losing whatever gains have been made there, in the actual central front of the war on terror and the hunt for Osama bin Laden and the al-Qaida organization. We must win that fight, there, or face more attacks like the one that took

place today against the U.S. embassy in Yemen.

I support our troops and I will not let them to lack for anything needed to do their job or to keep them safe. But I cannot countenance leaving them in Iraq forever, with no limits placed on their mission and no assurances by our commander in Iraq that this war is making the United States any safer.

The PRESIDING OFFICER. Under the previous order, all postcloture time is yielded back, the pending amendments are withdrawn, and the clerk will read the title of the bill for the third time.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. LEVIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a significant second.

The yeas and nays are ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

My KYL. The following Senator is necessarily absent: the Senator from Arizona (Mr. McCAIN).

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

The result was announced—yeas 88, nays 8, as follows:

[Rollcall Vote No. 201 Leg.]

YEAS—88

Akaka	Dorgan	Mikulski
Alexander	Durbin	Murkowski
Barrasso	Ensign	Murray
Baucus	Enzi	Nelson (FL)
Bayh	Feinstein	Nelson (NE)
Bennett	Grassley	Pryor
Bingaman	Gregg	Reed
Bond	Hagel	Reid
Boxer	Harkin	Roberts
Brown	Hatch	Rockefeller
Brownback	Hutchison	Salazar
Bunning	Inhofe	Schumer
Burr	Inouye	Sessions
Cantwell	Isakson	Shelby
Cardin	Johnson	Smith
Carper	Kerry	Snowe
Casey	Klobuchar	Specter
Chambliss	Kohl	Stabenow
Clinton	Kyl	Stevens
Cochran	Landrieu	Sununu
Coleman	Lautenberg	Tester
Collins	Leahy	Thune
Conrad	Levin	Voinovich
Corker	Lieberman	Warner
Cornyn	Lincoln	Webb
Craig	Lugar	Whitehouse
Crapo	Martinez	Wicker
Dodd	McCaskill	Wyden
Dole	McConnell	
Domenici	Menendez	

NAYS—8

Allard	DeMint	Sanders
Byrd	Feingold	Vitter
Coburn	Graham	

NOT VOTING—4

Biden	McCain
Kennedy	Obama

The bill (S. 3001), as amended, was passed, as follows:

(The bill will be printed in a future edition of the RECORD.)

Mr. NELSON of Florida. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

DEPARTMENT OF DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009

The bill (S. 3002) to authorize appropriations for fiscal year 2009 for the Department of Defense, to prescribe military personnel strengths for such fiscal year, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as amended, as follows:

(The bill will be printed in a future edition of the RECORD.)

MILITARY CONSTRUCTION AUTHORIZATION ACT FOR FISCAL YEAR 2009

The bill (S. 3003) to authorize appropriations for fiscal year 2009 for military construction, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as amended, as follows:

(The bill will be printed in a future edition of the RECORD.)

DEPARTMENT OF ENERGY NATIONAL SECURITY ACT FOR FISCAL YEAR 2009

The bill (S. 3004) to authorize appropriations for fiscal year 2009 for defense activities of the Department of Energy, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as amended, as follows:

(The bill will be printed in a future edition of the RECORD.)

Mr. NELSON of Florida. 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. LEVIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SALAZAR). Without objection, it is so ordered.

Mr. LEVIN. Mr. President, this bill is the 47th consecutive national defense authorization bill that has come out of the committee and been brought to the Senate floor for debate and passage. Every year since 1961, the Senate has met the challenge, overcome obstacles, and negotiated ourselves to the point of final passage. Because of the vital importance of this bill to the men and women of our Armed Forces and to the Nation, this was a bill that was worth fighting for for passage. It is part of the rich tradition of the Senate. We all can be proud of that tradition.

It is also part of our custom to thank our staffs and Members. For some this sounds routine, but it never should be.

My thanks go to the ranking member, Senator McCAIN. His leadership helped forge this bill through the committee.

I next acknowledge our former chairman particularly, Senator WARNER, because of everything he did to make this bill possible and to get to the point where we are today. Working within arm's reach of JOHN WARNER for the past 29 years has truly been one of the highlights, if not the highlight, of my Senate career. He is truly a good friend, not just to me and my wife Barbara but also to this institution and to the Nation. He has stood watch over national defense for almost three decades, with unwavering dedication. Before that, he stood watch because of his being Secretary of the Navy. Because of his being in the Navy, the Marines, he is truly a profile in courage. Next year, we promise we will pick up his banner. We will carry on in his honor, just as he has always done for the Nation.

I thank our majority leader, Senator REID, and his floor staff and give them a special word of thanks for giving us the time to get this bill to the Senate and through the Senate.

To our committee members, thanks for your great work on a bipartisan basis the entire year. This bill could not have gotten to this point, with all of our problems, all the bumps in the road—and there are many that lie ahead—but we could not have gotten to this point without the bipartisan support of the Armed Services Committee and our staff.

We have one-quarter of the Senate on our committee. We have worked together in committee, and our differences on this bill did not divide us, as we reported the bill by unanimous vote.

To Charlie Armstrong in the Office of the Senate Legislative Counsel, thank you for drafting about 300 amendments. We wish more of them could have been adopted, but, nonetheless, they had to be drafted, and we had to do what we do, which is to do everything we can to get Members' amendments passed.

To our committee staff members, thank you. That is about all we can say. You have earned our thanks and the recognition of the Senate for the time and dedication you have shown on this legislation. Rick DeBobes, who is our staff director, and Mike Kostiw, who is our Republican staff director, and their talented staffs worked amazingly hard.

We have a lot of work ahead of us to get to the point where we can pass a bill in the next couple of weeks. We have a huge amount of work. I hate to tell them that, but they know it. They also know, I hope, how appreciated they are. They work 24/7, and they work magic, and they always seem to believe that sleep is overrated. It is not. I hope they can get some in the

next few days. So thank you to our staff. They deserve tremendous recognition for their professionalism. As an expression of the gratitude of the members of our committee, I ask unanimous consent that the names of the members of our staff be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STAFF OF THE COMMITTEE ON ARMED SERVICES

Richard D. DeBobes, Staff Director; Michael V. Kostiw, Republican Staff Director; June M. Borawski, Printing and Documents Clerk; Leah C. Brewer, Nominations and Hearings Clerk; Joseph M. Bryan, Professional Staff Member; William M. Caniano, Professional Staff Member; Jonathan D. Clark, Counsel; Ilona R. Cohen, Counsel; David G. Collins, Research Assistant; Christine E. Cowart, Chief Clerk; Madelyn R. Creedon, Counsel; Kevin A. Cronin, Staff Assistant; Marie F. Dickinson, Administrative Assistant for the Minority; Gabriella Eisen, Counsel; Richard W. Fieldhouse, Professional Staff Member; Creighton Greene, Professional Staff Member; Gary J. Howard, Systems Administrator; Paul C. Hutton IV, Professional Staff Member; Mark R. Jacobson, Professional Staff Member; Gregory T. Kiley, Professional Staff Member; Jessica L. Kingston, Staff Assistant; Michael J. Kuiken, Professional Staff Member; Mary J. Kyle, Legislative Clerk.

Christine G. Lang, Receptionist; Gerald J. Leeling, Counsel; Peter K. Levine, General Counsel; Thomas K. McConnell, Professional Staff Member; Michael J. McCord, Professional Staff Member; William G. P. Monahan, Counsel; David M. Morriss, Minority Counsel; Lucian L. Niemeyer, Professional Staff Member; Michael J. Noblet, Professional Staff Member; Ali Z. Pasha, Staff Assistant; Christopher J. Paul, Professional Staff Member; Cindy Pearson, Assistant Chief Clerk and Security Manager; John H. Quirk V, Security Clerk; Lynn F. Rusten, Professional Staff Member; Brian F. Sebold, Staff Assistant; Arun A. Seraphin, Professional Staff Member; Travis E. Smith, Special Assistant; Robert M. Soofer, Professional Staff Member; William K. Sutey, Professional Staff Member; Diana G. Tabler, Professional Staff Member; Mary Louise Wagner, Professional Staff Member; Richard F. Walsh, Minority Counsel; Breon N. Wells, Staff Assistant.

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

The PRESIDING OFFICER. The majority leader is recognized.

ADVANCING AMERICA'S PRIORITIES ACT—MOTION TO PROCEED

CLOTURE MOTION

Mr. REID. Mr. President, I move to proceed to Calendar No. 894, S. 3297, and 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 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, hereby move to bring to a close debate on the motion to proceed to Calendar No. 894, S. 3297, the Advancing America's Priorities Act.

Harry Reid, Max Baucus, Sherrod Brown, Thomas R. Carper, Robert Menendez, Sheldon Whitehouse, Richard Durbin, Ron Wyden, Jon Tester, Patrick J. Leahy, Charles E. Schumer, Dianne Feinstein, Claire McCaskill, Ken Salazar, Benjamin L. Cardin, Daniel K. Inouye, Christopher J. Dodd.

Mr. REID. Mr. President, I now withdraw that motion.

The PRESIDING OFFICER. The motion is withdrawn.

RENEWABLE ENERGY AND JOB CREATION ACT OF 2008—MOTION TO PROCEED

CLOTURE MOTION

Mr. REID. Mr. President, I move to proceed to Calendar No. 767, H.R. 6049, and I believe there is a cloture motion at the desk that the clerk will report.

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, hereby move to bring to a close debate on the motion to proceed to Calendar No. 767, H.R. 6049, the Renewable Energy and Job Creation Act of 2008.

Harry Reid, Max Baucus, Sherrod Brown, Thomas R. Carper, Robert Menendez, Sheldon Whitehouse, Richard Durbin, Ron Wyden, Jon Tester, Robert P. Casey, Jr., Patrick J. Leahy, Charles E. Schumer, Dianne Feinstein, Claire McCaskill, Ken Salazar, Benjamin L. Cardin, Daniel K. Inouye, Christopher J. Dodd.

MORNING BUSINESS

Mr. REID. Mr. President, I now ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak therein for up to 10 minutes each.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

THE ECONOMY

Mr. BROWN. Mr. President, since I took office last year, I have held more than 115 roundtables in nearly all of Ohio's 88 counties—from Ashtabula to Cincinnati, from Bryan the Gallipolis—as I bring together 15 or 20 people from a community and listen to them talk about their hopes and their dreams and what we can do together to make Ohio a better place and to move this country