

not continued in production—my hope is we will be smart enough, since Lockheed has a role in building the F-35, some of the folks—hands that can build an F-22 can certainly help build F-35s. I would hope that would be the case.

The last thing I would ask everyone to keep in mind—as an old naval flight officer, I used to think about and I still think about how much it costs to fly an aircraft for an hour. It is anywhere from \$20,000 to \$40,000 for the F-22. It is just too much money.

Thanks very much.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Michigan.

Mr. LEVIN. Madam President, in terms of the alleged gap, there is no gap. The QDR said we should be building fighters, F-22 production, into fiscal year 2010. As a matter of fact, what we are now doing is exceeding that production with F-35s. We have 30 F-35s in this fiscal year 2010 budget. There is no gap in fighter production.

As to whether the F-35 is a capable fighter, let me just read from what Secretary Gates says:

The F-35 is 10 to 15 years newer than the F-22, carries a much larger suite of weapons, and is superior in a number of areas—most importantly, air-to-ground missions such as destroying sophisticated enemy air defenses. It is a versatile aircraft, less than half the total cost of the F-22. . . .

The F-22 is costing an awful lot more than has been represented here because they are asking now, if this amendment is defeated, that we would be spending \$1.75 billion for seven F-22s, which is approximately \$250 million a copy for the ones the opponents of this amendment want to build this year.

The President of the United States, the last President of the United States, the previous one; two Secretaries of Defense, this one and the previous one; two Chairmen of the Joint Chiefs of Staff, and the Secretary of the Air Force and the Chief of Staff of the Air Force say it is time to end production of the F-22 to move into greater production of the F-35 which will serve three services, not just one. If not now, when? If not now, when? When will we end production of a weapons system, if not now, when we have both President Obama and President Bush trying to end it, Secretaries of Defense trying to end it, Chairmen of the Joint Chiefs trying to end the production of the F-22? We must now do what is sensible, that which is requested by Secretary Gates, not because he is saluting the Commander in Chief, as has been suggested. He is not just saluting the Commander in Chief; he feels deep in his gut that we must change the way we do business. We must finally bring some of these systems to an end. That is why Secretary Gates so passionately believes we must bring production of the F-22 to an end and move into greater production of the F-35—more F-35s produced in this budget than would be produced of the F-22 if this amendment is defeated.

Madam President, I don't know if there is any more time. If there is, I yield back the remainder of my time, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The question is on agreeing to amendment No. 1469.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

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

The result was announced—yeas 58, nays 40, as follows:

[Rollcall Vote No. 235 Leg.]

YEAS—58

Alexander	Gillibrand	Merkley
Barrasso	Graham	Nelson (NE)
Bayh	Gregg	Nelson (FL)
Bennet	Hagan	Pryor
Bond	Harkin	Reed
Brown	Johnson	Reid
Burr	Kaufman	Rockefeller
Cardin	Kerry	Sanders
Carper	Klobuchar	Schumer
Casey	Kohl	Shelby
Coburn	Kyl	Specter
Conrad	Landrieu	Stabenow
Corker	Lautenberg	Udall (CO)
DeMint	Leahy	Voinovich
Dorgan	Levin	Warner
Durbin	Lincoln	Webb
Ensign	Lugar	Whitehouse
Enzi	McCain	Wyden
Feingold	McCaskill	
Franken	Menendez	

NAYS—40

Akaka	Cornyn	Murkowski
Baucus	Crapo	Murray
Begich	Dodd	Risch
Bennett	Feinstein	Roberts
Bingaman	Grassley	Sessions
Boxer	Hatch	Shaheen
Brownback	Hutchison	Snowe
Bunning	Inhofe	Tester
Burr	Inouye	Thune
Byrd	Isakson	Udall (NM)
Cantwell	Johanns	Vitter
Chambliss	Lieberman	Wicker
Cochran	Martinez	
Collins	McConnell	

NOT VOTING—2

Kennedy Mikulski

The amendment (No. 1469) was agreed to.

Mr. LEVIN. Madam President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:39 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Acting President pro tempore.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2010—Continued

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Mr. President, I will make some brief remarks here, and at the conclusion we will determine whether there is an agreement on the other side so I can go ahead and lay down an amendment. But first I want to discuss what that amendment will be. It is amendment No. 1628, and in a moment I will seek to offer it and get it pending. It is an amendment I introduced with Senator LIEBERMAN, Senator BAYH, and Senator MCCAIN.

Like other Members of this body, we have watched recent events unfold in Iran with great concern. This year began with talk of warming ties and potentially reestablishing contact with Iran; that we would no longer be afraid to talk to Iran and perhaps to even reach some kinds of agreements. In recent months, however, the Iranian regime has continued its support of terrorism, its illegal nuclear weapons program in defiance of its NPT obligations, and its engagement in violent and deadly repression of its own citizens.

While the administration has made clear its intention to continue to pursue high-level talks with Iran, an overture which the regime has not seen fit to even respond, the President has indicated that the window for Iran to negotiate and demonstrate progress toward complying with its international obligations is not open indefinitely.

I think President Obama was correct when he said:

Iran obtaining a nuclear weapon would not only be a threat to Israel and a threat to the United States, but would be profoundly destabilizing in the international community as a whole and could set off a nuclear arms race in the Middle East that would be extraordinarily dangerous for all concerned, including for Iran.

In May, the President indicated that Iran would have until December to show meaningful improvement. More recently, French President Nicolas Sarkozy said on behalf of the G8 nations that they will give Iran until September 2009 to agree to negotiations with respect to its nuclear activities or face tougher sanctions.

If negotiations do not prove fruitful, the United States must be ready to act quickly to increase pressure on Iran to end its support for terrorist groups and its illegal nuclear program.

The Kyl-Lieberman amendment expresses the sense of the Senate that the President should sanction the Iranian Central Bank if, by December, Iran has not verifiably halted its uranium enrichment activities, as well as come into full compliance with the Nuclear Nonproliferation Treaty and the Additional Protocol.

By sanctioning the Central Bank of Iran—Bank Markazi—our Nation would send the message that we will use all methods at our disposal to stop the spread of nuclear weapons and oppose sponsors of terror.

The case against the Iranian Central Bank is strong. It is knee-deep in the regime's illicit activities. Last year, Deputy Secretary of the Treasury Robert Kimmit revealed that between 2001