

Again, for all Senators, we are going to vote at 10 o'clock this morning.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONSOLIDATED SECURITY, DIS- ASTER ASSISTANCE, AND CON- TINUING APPROPRIATIONS ACT, 2009

Mr. REID. Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 2638, which the clerk will report.

The legislative clerk read as follows:

House message to accompany H.R. 2638, the Department of Homeland Security Appropriations Act/Continuing Resolution for 2009.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 10 a.m. shall be equally divided and controlled between the two leaders or their designees.

Mr. REID. Mr. President, I suggest the absence of a quorum and ask that the time be charged against both the majority and the minority.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

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 concur in the House amendment to the Senate amendment to H.R. 2638, the Department of Homeland Security Appropriations Act/Continuing Resolution for Fiscal Year 2009.

Evan Bayh, Debbie Stabenow, Benjamin L. Cardin, Byron L. Dorgan, Barbara A. Mikulski, Jeff Bingaman, John F. Kerry, Herb Kohl, Sherrod Brown, Jon Tester, Benjamin Nelson, Richard Durbin, Patrick J. Leahy, Amy Klobuchar, Robert P. Casey, Jr., Claire McCaskill, Bernard Sanders.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the amendment of the House to the amendment of the Senate to H.R. 2638, the Department of Homeland Security Appropriations Act/Con-

tinuing Resolution for Fiscal Year 2009, shall be brought to a close?

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

The legislative clerk called the roll.

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

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

The yeas and nays resulted—yeas 83, nays 12, as follows:

[Rollcall Vote No. 207 Leg.]

YEAS—83

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

NAYS—12

Bunning	DeMint	Kyl
Burr	Ensign	Landrieu
Coburn	Feingold	Sessions
Corker	Graham	Shelby

NOT VOTING—5

Bayh	Kennedy	Obama
Biden	McCain	

The PRESIDING OFFICER (Ms. KLOBUCHAR). On this vote, the yeas are 83; the nays are 12. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader is recognized.

Mr. REID. Madam President, we are now working our way through postcloture time. Everyone has been very courteous and agreeable. We will probably have to spend 2½ hours before we have the final vote on this CR. It will probably be around 1 o'clock. We would hope that we can condense the time. That would be 1 o'clock today rather than 4 o'clock or 5 o'clock tomorrow afternoon. That being the case, the only matter that is left that we have to be concerned about is the Department of Defense authorization. My plan, as I have explained to the Republican leader, is to file cloture on that today for a Monday cloture vote. We

can't wait until Wednesday to do that, for obvious reasons. Now it appears our goal is to try to complete everything next week.

For the information of all Members, staff worked until 3 o'clock this morning on the rescue plan for the financial problems we have in America today.

There are a number of issues that need to be resolved by Members. Chairman DODD has indicated he is going to get people together sometime today when appropriate. Staff has to move down the road a little bit longer. The goal is to try to come up with a final agreement by tomorrow. Now, we may not be able to do that, but we are trying very hard. It is something I think shows how we can work together. It is an issue on which none of us would like to be working, but we have to work on it.

If we are going to be able to do what it appears we can do, it will resolve a lot of the questions people have around the country because it is not the proposal we got from Secretary Paulson. It is one where Democrats and Republicans in the House and the Senate are working to get an end product.

Without getting into the details—I do not think we should do that now, and I talked to Chairman DODD earlier today, and he also agrees we should not get into the details right now. But if we can do that, at least announce sometime tomorrow that we have the beginning of an agreement—we are told it is very important we do that—if we could do it by 6 o'clock tomorrow, it would be important because that is when the Asian markets open, and everyone is waiting for this thing to tip a little bit too far, that we may not have another day. But if we can announce an agreement, then it is going to take some time to draft this because we know people want to read every line, as they should. We are going to work something out on that.

I have spoken to the Republican leader. It is possible, with the agreement of Senators BAUCUS and GRASSLEY, that we could use a tax measure they already have, that we would start here first. Now, my inclination is not to do that. We should have the House do it first. But there are a lot of possibilities floating around. I am going to keep in as close touch as I can with Senator MCCONNELL, and he will notify his Members when that is appropriate, and I will do the same.

So we will have one more vote today. We think we have that worked out. We do not have the actual agreement—I do have it. Everyone should know I am getting pretty good at reading Lula's writing, which is OK, but not real good.

Madam President, I ask unanimous consent that all postcloture time be yielded back except that the following be recognized to speak, and at the expiration of that time the Senate proceed to vote on the motion to concur, and