

prevent us from acting on this urgent threat. I am particularly astounded they would rather launch yet another attack, for example, on women's health than work to ensure the security of our Nation.

I have no choice but to file cloture on this matter. I would hope we could get cloture, but I am a realist, as I have learned after having tried to work through 85 different filibusters in this congressional session. I remain hopeful that they will come to their senses and realize the urgent need for action on this matter.

There was a really inspirational presentation made in our caucus today by Senator BARBARA MIKULSKI of Maryland. Again, I am paraphrasing, but I am pretty direct in remembering what she said. I was not present when Senator McCONNELL made his statement. Senator MIKULSKI said: I have served on the Intelligence Committee for 10 years. And she said: This legislation creates a rendezvous with destiny for our country. We have to do something, and we have to do it soon.

I have stated to Senator LIEBERMAN, to Senator COLLINS—anyone who will listen—this is not a partisan piece of legislation. It should not be. I am happy to work on an agreement to consider relevant amendments, but this matter has been pending since last Thursday. Today is Tuesday, and basically the slow walk that I am so used to around here has taken place.

I hope we can find a final path forward. Senators from both sides of the aisle have come to me personally and said they have invested time—lots of time—in this matter, and they are trying to forge a consensus. I take them at their word, but they all seem powerless to buck the filibuster trend we have.

So I hope when the dust settles we can set aside crass politics and work together for the good of our Nation and can achieve a strong, effective, bipartisan cyber security bill.

Mr. President, Tom Donohue, head of the Chamber of Commerce, is my friend. He really is. But I am terribly disappointed in the Chamber of Commerce. We started out with having a requirement that businesses in the private sector would be required to do certain things. Senators LIEBERMAN and COLLINS backed off from that, and now it is kind of a voluntary deal. It is much weaker than I think it should be. Why in the world would they oppose that—"they" meaning the Chamber of Commerce, which has sucked in most all of the Republicans on this. That is really unfortunate.

AMENDMENT NO. 2731

So, Mr. President, on behalf of Senators LIEBERMAN, COLLINS, and others, I call up amendment No. 2731, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. LIEBERMAN, for himself, Ms. COLLINS, Mr.

ROCKEFELLER, Mrs. FEINSTEIN, and Mr. CARPER, proposes an amendment numbered 2731.

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. REID. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2732 TO AMENDMENT NO. 2731

Mr. REID. Mr. President, on behalf of Senator FRANKEN, I call up amendment No. 2732, which is also at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. FRANKEN, proposes an amendment numbered 2732 to amendment No. 2731.

The amendment is as follows:

At the end, add the following new section:
SEC. ____.

Notwithstanding any other provision of this Act, section 701 and section 706(a)(1) shall have no effect.

AMENDMENT NO. 2733

Mr. REID. Mr. President, I have an amendment to the language proposed to be stricken.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2733 to the language proposed to be stricken by amendment No. 2731.

The amendment is as follows:

On page 20, line 5, strike "180 days" and insert "170 days".

Mr. REID. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2734 TO AMENDMENT NO. 2733

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2734 to amendment No. 2733.

The amendment is as follows:

In the amendment strike "170" and insert "160".

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill 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 S. 3414, a bill to enhance the security and resiliency of the cyber and communications infrastructure of the United States.

Harry Reid, Joseph I. Lieberman, Barbara A. Mikulski, Thomas R. Carper,

Richard J. Durbin, Christopher A. Coons, Mark Udall, Ben Nelson, Jeanne Shaheen, Tom Udall, Daniel K. Inouye, Carl Levin, John D. Rockefeller IV, Charles E. Schumer, Sheldon Whitehouse, John F. Kerry, Michael F. Bennet.

MOTION TO COMMIT WITH AMENDMENT NO. 2735

Mr. REID. Mr. President, I have a motion to commit the bill with instructions, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the bill, S. 3414, to the Committee on Homeland Security and Governmental Affairs with instructions to report back forthwith with an amendment numbered 2735.

The amendment is as follows:

At the end, add the following new section:
SEC. ____.

This Act shall become effective 3 days after enactment.

Mr. REID. Mr. President, I ask for the yeas and nays on that motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2736

Mr. REID. Mr. President, I have an amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2736 to the instructions (amendment No. 2735) of the motion to commit S. 3414.

The amendment is as follows:

In the amendment, strike "3 days" and insert "2 days".

Mr. REID. I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2737 TO AMENDMENT NO. 2736

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment No. 2737 to amendment No. 2736.

The amendment is as follows:

In the amendment, strike "2 days" and insert "1 day".

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum required under rule XXII be waived with respect to the cloture motion that has just been filed.

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

VETERANS JOBS CORPS ACT OF
2012—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 473, S. 3429

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

Motion to proceed to Calendar No. 473, S. 3429, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

CYBER SECURITY LEGISLATION

Mr. LIEBERMAN. Mr. President, I rise to respond to the statement of the majority leader—first, to say that I share his sadness and disappointment that he had to file a cloture motion on this Cybersecurity Act, but I totally agree with the decision he has made. I do not think he had any choice.

I think we are facing on the one hand an urgent, real, and growing threat to our security and our prosperity because we are vulnerable; that is, the privately owned cyber infrastructure of our country is vulnerable to attack from foreign enemies, from nonstate actors such as terrorist groups, from organized criminal gangs who are just out to steal billions of dollars over the Internet, and from hackers.

So we are dealing with a real problem that all the nonpolitical security experts from the last administration, the Bush administration, and this one, the Obama administration, say is rising rapidly to being the No. 1 threat to American security. Over the Internet now, because of our vulnerability over cyber space, a foreign enemy can do us more damage than the terrorists did to us on 9/11. It is that stark. So that is one reality.

The other reality is that Senator COLLINS and I, Senator ROCKEFELLER and Senator FEINSTEIN, have been working literally for years. As Senator REID said, because of the urgency of the problem, we decided we cannot just fight for 100 percent of what we thought was best to protect our security. We pulled back; we made it not mandatory. We have standards being set for the private sector to defend itself and us better, and we are creating carrots and not sticks to encourage them to opt into those cyber security standards. That is one reality.

The other reality is that in our government—notwithstanding controversy here—all the Departments are working like a team. As General Alexander, the head of Cyber Command at the Department of Defense says, cyber security is a team sport—the Department of Homeland Security, the Department of Defense, the FBI, the intelligence community all working together to protect our country. But they do not have the tools they need, and they urgently need this bill.

Yet the other reality is, in the Senate, where once again we are gridlocked, we cannot even get the consent necessary to take up amendments to vote on. Senator COLLINS and I have said all along: Just get this bill to the floor. Let the Chamber, the 100 Senators, work their will on germane and relevant amendments, and something good will result for the country. So here is the bill on the Senate floor, and yet Members are blocking us from taking up those amendments. And I am afraid the consequence is that they are running out the clock.

A lot of good work done by those of us who have sponsored the pending legislation, in a very constructive, bipartisan group, led by Senator KYL and Senator WHITEHOUSE—including three additional members of the Democratic Caucus and Republican Caucus—have worked very hard to bridge the gaps. We have come closer together, but we are not going to work this out unless we can vote.

I wish we had not come to this point, but Senator REID has made the correct and necessary decision, and it will confront the Members of the Senate on Thursday with a decision: Are you going to vote for cloture to at least allow the Chamber to consider all the amendments on this bill that are germane and relevant or are you going to say: No, I will only settle for exactly what I want, and I do not want this bill; therefore, I am going to vote against cloture and run the risk—which all the independent cyber security experts in our Nation tell us we will run if we do not do anything—that we will suffer a major attack or at least we will continue to suffer major cyber theft.

So I am saddened. We have worked very hard on this. But that is not the point. The point is, there is an urgent necessity to pass this legislation. It ought to be nonpartisan. It ought not to be the victim of special interest pleading. It ought to be all of us coming together, as we usually have on national security matters, to put the national security interests of the American people ahead of special interests, to resolve our differences, to settle for less than 100 percent, and to get something done to protect our country or is this going to be another case where the Senate fails to bridge the gaps, fails to be willing to make principled compromises and therefore fails not only to fix a problem but, in this case, to protect our country from a very clear and present danger of cyber attack and cyber theft?

So Thursday will be the day of decision. I hope perhaps meetings can occur tomorrow in which we can reconcile our differences and agree on a method to go forward. If not, every Member of the Senate is going to have to decide whether they want to block action on cyber security legislation or whether they want to go forward and consider the amendments on both sides that have been filed.

I thank the Presiding Officer and yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. UDALL of Colorado.) Without objection, it is so ordered.

Mr. LIEBERMAN. Mr. President, it strikes me, as I call you, Mr. President, that I once had the high honor to support a man who shared your name, indeed your father, for President of the United States. So it is nice to be able to call you Mr. President.

MORNING BUSINESS

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Senate proceed to 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.

TRIBUTE TO NED MOORE

Mr. McCONNELL. Mr. President, I rise to pay tribute to an honored Kentuckian and veteran of World War II, Mr. Ned Moore. Mr. Moore visited the Nation's capital several months ago with Honor Flight, the group that helps bring veterans to Washington, D.C., to see the memorials that were built in their honor. Mr. Moore was able to see the World War II Memorial that he and his fellow sailors inspired.

Ned's grandson, Mr. Tres Watson, is a good friend of mine, and when he made me aware of his grandfather's visit, I thought it worth a moment to share Ned's story with my colleagues. Ned Moore was born in Marydell, MS, on February 27, 1927. He joined the Navy in Jackson, MS, on August 1, 1944, at the age of 16, without his mother's consent. He was assigned to the USS *Coronis*, a landing-craft repair ship, on Christmas Day 1944.

While Ned was aboard the *Coronis*, it saw action throughout the Pacific Theater, including acting as a support ship during the battle of Okinawa.

In 1945, Ned was assigned to the United Nations, where among his duties he served as personal driver for UN delegates including Eleanor Roosevelt, who was a UN delegate at the time. She presented Ned with a Roosevelt dime after making his acquaintance.

In March 1946, Ned was assigned to the USS *Wright*, a Saipan-class light aircraft carrier, where he served as an aircraft mechanic. While the *Wright* was stationed in Pensacola, FL, functioning as a training ship, Ned married Margaret Daly in 1948.

In October 1952, Ned was assigned to the USS *Bennington*, an Essex-class aircraft carrier that had been