

which means we will take up the bill, you are saying we are willing to work together across party lines to try to get something done.

In my opinion, it is the only way we are going to get to this bill. If cloture is not granted, as disappointed and angry as I am going to be, I will not be petulant. I will be open today, tomorrow, and as long as we have an opportunity in this session, to work with my colleagues to try to reach an agreement that will help us improve our cyber defenses.

Sometimes in moments of disappointment, I go back to the great Winston Churchill. I will just read a few comments from him. These were all in the 1930s when he was in the House of Commons and was concerned that England and the world faced a threat which they were not acknowledging, the rise of Nazi Germany. First, he said this—and I hate to say it, but it relates to where we are today. He said this about those who refused to act decisively to counter the clear and growing threat of a resurgent and re-armed Nazi Germany during the 1930s: “They go on in strange paradox, decided only to be undecided, resolved to be irresolute, adamant for drift, solid for fluidity.”

I am afraid that is the message we are going to send to the country and to our enemies if we don't get together and pass a cyber security bill in this session. Churchill said he was staggered, after his long parliamentary experience with the debates he had gone through on this question during the 1930s, by two things: “The first has been the dangers that have so swiftly come upon us in a few years, and have been transforming our position and the whole outlook of the world.”

That is where we are with regard to cyber war, although most people don't understand that. We do. He said:

Secondly, I have been staggered by the failure of the House of Commons to react effectively against those dangers. That, I am bound to say, I never expected. I say that unless the House [finds its resolve] we will have committed an act of abdication of duty.

I end with those words. I think it is that serious. If we don't find a way either by voting for cloture today to get on the bill so we can negotiate or continuing to negotiate if cloture fails, it will be quite simply a colossal abdication of duty to the people of the United States and their security.

Mr. COATS. Will my friend yield me some time?

Mr. LIEBERMAN. Yes; I yield to my friend from Indiana.

Mr. COATS. Mr. President, first of all, I commend all the Republicans and Democrats who have worked so hard together—nearly one-fifth of us in this Congress—hour after hour, meeting after meeting, and flexibility has been provided to both sides by Senator LIEBERMAN, Senator COLLINS and their bill and Senators CHAMBLISS, MCCAIN, HUTCHISON, and others in terms of trying to reach a consensus. Those who

listened to the Senator from Maryland yesterday know we are given the unclassified version of the nature of this threat. Add to that the classified version, and it is truly a threat that needs to be addressed.

It is despicable that the majority leader of the Senate, when we were so close to putting together something to bring joint support of what everybody knows we need to do and want to do—so close with agreements from Democrats and Republicans, ranking members and chairmen of the relevant committees, and presenting a package which would grant limited time and limited germane amendments—to deny us that opportunity.

Yet here we are faced with a dilemma of an imminent threat facing the people of the United States of America and a vote whether to continue the process, continue to work with something that potentially could kill this for the rest of the session and maybe even next year or something that grants to the White House an abuse of executive power to mandate things through executive order, which we have seen on a number of other occasions. Maybe that is the motive, maybe it is not; I don't know.

Nevertheless, we are faced with a critical choice in terms of an imminent threat to the security of the United States and the American people. I hope my colleagues will take that into consideration when we decide what to do. I thank people on both sides for their tremendous efforts, and we should not point fingers of blame at each other.

That is a real effort to join and address this very serious threat to the United States.

I thank my friend and yield back to him.

The PRESIDING OFFICER. The Senator from Connecticut.

CLOTURE MOTION

The PRESIDING OFFICER (Mr. BROWN of Ohio). All time has expired. The clerk will report the motion to invoke cloture.

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 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. Ben-

net. The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on S. 3414, a bill to enhance the security and resiliency of

the cyber and communications infrastructure of the United States, 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. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK) and the Senator from Florida (Mr. RUBIO).

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

The yeas and nays resulted—yeas 52, nays 46, as follows:

[Rollcall Vote No. 187 Leg.]

YEAS—52

Akaka	Franken	Mikulski
Begich	Gillibrand	Murray
Bennet	Hagan	Nelson (NE)
Bingaman	Harkin	Nelson (FL)
Blumenthal	Inouye	Reed
Boxer	Johnson (SD)	Rockefeller
Brown (MA)	Kerry	Sanders
Brown (OH)	Klobuchar	Schumer
Cantwell	Kohl	Shaheen
Cardin	Landrieu	Snowe
Carper	Lautenberg	Stabenow
Casey	Leahy	Udall (CO)
Coats	Levin	Udall (NM)
Collins	Lieberman	Warner
Conrad	Lugar	Webb
Coons	Manchin	Whitehouse
Durbin	McCaskill	
Feinstein	Menendez	

NAYS—46

Alexander	Grassley	Paul
Ayotte	Hatch	Portman
Barrasso	Heller	Pryor
Baucus	Hoeven	Reid
Blunt	Hutchison	Risch
Boozman	Inhofe	Roberts
Burr	Isakson	Sessions
Chambliss	Johanns	Shelby
Coburn	Johnson (WI)	Tester
Cochran	Kyl	Thune
Corker	Lee	Toomey
Cornyn	McCain	Vitter
Crapo	McConnell	Wicker
DeMint	Merkley	Wyden
Enzi	Moran	
Graham	Murkowski	

NOT VOTING—2

Kirk	Rubio
------	-------

The PRESIDING OFFICER. On this vote the yeas are 52, the nays are 46. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader is recognized. The Senate will be in order.

Mr. REID. I enter a motion to reconsider the vote by which cloture was not invoked.

The PRESIDING OFFICER. The motion is entered.

The majority leader is recognized.

Mr. REID. Mr. President, we expect one more vote today. I have not had a chance to discuss it in detail with Senator MCCONNELL yet, but we hope to have a vote on a judge. We hope to have it at 2 o'clock today, so people should make their schedules accordingly.

AFRICAN GROWTH AND OPPORTUNITY ACT—Continued

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to amendment No. 2771 offered by the Senator from Oklahoma.