



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 110<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 153

WASHINGTON, FRIDAY, FEBRUARY 16, 2007

No. 30

## Senate

The Senate met at 12 noon and was called to order by the Honorable JON TESTER, a Senator from the State of Montana.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal spirit, who taught us it is more blessed to give than receive, as we prepare to celebrate President's Day, thank You for the great gift of leadership. Make this wonderful ability to mobilize people toward shared objectives become the strength of our legislative branch.

May our Senators find the correct balance that leads to true influence. Give them the wisdom to prefer listening to speaking and learning to teaching, as they seek to make bipartisan progress. Remind them that in leadership what they do speaks more profoundly than what they say.

As they strive to represent You and country, empower them to make pleasing You and faithfully serving others their top priorities. Infuse them with the serenity to accept the things they cannot change, the courage to change the things they can, and the wisdom to know the difference. We pray in Your strong Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable JON TESTER led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, February 16, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON TESTER, a Senator from the State of Montana, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. TESTER thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, today the time until 12:30 will be divided equally between me and the Republican leader. Then at 12:30 the Senate will proceed to a period of morning business with Senators allowed to speak for up to—well, they will be in 30-minute blocks of time. We will alternate back and forth between the respective sides, the majority controlling the first 30 minutes beginning at 12:30.

Yesterday a cloture motion was filed to proceed. That cloture vote will occur tomorrow at 1:45. There will be no rollcall votes during today's session of the Senate.

I would say, for the information of Senators who are watching this, that I am not going to use my 15 minutes, so if a Democrat wants to come and speak, they can have my 15 minutes.

### MEASURE PLACED ON THE CALENDAR—S. 641

Mr. REID. Mr. President, I understand that S. 641 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title for a second time.

The assistant legislative clerk read as follows:

A bill (S. 641) to express the sense of Congress that no funds should be cut off or reduced for American troops in the field which would result in undermining their safety or their ability to complete their assigned missions.

Mr. REID. I object to any further proceedings with respect to this bill at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

### ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12:30 shall be equally divided and controlled by the two leaders.

Mr. DURBIN. Mr. President, if I understand the order of business, it is that Members may speak until 12:30, with equally divided time for the remaining 25 minutes; is that correct?

The ACTING PRESIDENT pro tempore. That is correct.

Mr. DURBIN. Thank you very much.

### IRAQ

Mr. DURBIN. Mr. President, as we gather in the Senate for this session today, there will be no recorded votes, but an important vote is scheduled to take place across the Rotunda. We know what that vote is about. It is about a war that is now in its fourth year, a war that has lasted longer than World War II.

We were told recently that advisers to the President told him that at this stage of the war, there would be as few as 5,000 American troops in Iraq maintaining the limited interests that will remain for the United States. The reality is so much different. Over 130,000 Americans troops are still there for the fourth year of this war. We are activating Guard units, Reserve units, and redeploying those in active military

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S2119

with a frequency we have not seen since the great wars we faced in our past. We are asking sacrifices from these men and women in uniform and their families far beyond what was anticipated when the President 4 years ago convinced a majority of the House and Senate to vote to go to war.

The cost of this war, in human terms, is devastating: 3,132 of America's best and bravest soldiers have died. Over 23,000 have returned seriously injured. Many will come back and need help in reconstructing their lives, their families, their homes, their businesses. They have paid a sacrifice, all of them, and we owe them all a great debt of gratitude for their service to our country.

The President has decided the next stage of the war is to increase the number of American troops who will be cast into the midst of this civil war. It has been characterized as a civil war now by our national intelligence agencies. In fact, they say it is far worse than civil war. The report they have given to Congress, the National Intelligence Estimate called the situation:

Worse than a civil war because it is compounded by a domestic insurgency, foreign terrorism, and rampant crime.

Through hearings before the Senate Judiciary Committee, we have learned that the fundamentals of a civil society do not exist in Iraq today. The basics—police protection, enforcement of the law, prosecution of criminals, incarceration of those who have been found guilty—all of these things are at issue in this country. Yet the President believes we should invest more and more American lives in that war. I believe that is a tragic error. That is my opinion. It is being debated in the House of Representatives, and they will reach a conclusion this afternoon, likely the same conclusion I have, that this is a wrong strategy.

It has been an interesting and historic debate in the House. Members have been allowed the time to stand and speak their minds and speak from the heart about this grave challenge we face in America. What we are asking for on the floor of the Senate is the same opportunity as the House of Representatives. We believe that this, characterized as America's greatest deliberative body, should not avoid the responsibility of debate. We believe this policy of the President, which is being discussed and debated across America in towns large and small, should be discussed and debated on the floor of the Senate.

The press made note this morning that the Senate is going to meet in a rare Saturday session. Well, we may be coming together on Saturday to do our job, but people across America are coming together on Saturdays to do their jobs, and our soldiers are going to war on Saturday to do their job. We will have a chance tomorrow, early in the afternoon, to decide whether the Senate will take up this same debate; whether the American people will have

a chance, through their elected Senators, to speak on this issue, this life and death issue.

I am hoping we will have a better result than we did 2 weeks ago. We brought this matter up before the Senate. We asked to have a debate. In fact, we said: We will take—on the Democratic majority side, we will allow two Republican amendments to be offered, one from Senator WARNER of Virginia, which questions the President's policies; the other from Senator MCCAIN of Arizona, who believes that the escalation is a good policy—a sharp contrast, a real choice, an honest, straightforward debate leading to a yes or no—and that was rejected because, you see, the other side does not want us to come down to that basic, fundamental question. They want us to go into a debate about so many other issues, albeit important issues but not directly related to this policy.

Yesterday, the majority leader in the Senate, HARRY REID of the State of Nevada, offered again to the Republican side the basic choice, a straightforward choice. We will bring to the floor the resolution that is presently being debated in the House of Representatives which objects to the escalation of forces, and we will allow Senator MCCAIN, who has an opposite view, who wants to send more troops into Iraq, we will allow those two to be considered and Members to make a choice. I don't think you could ask for anything fairer. But unfortunately, the minority, the Republican minority insisted they wanted to add two or three more amendments into the mix.

Well, clearly, that takes the focus off the most important issue; that is, should we send more American soldiers into this wretched civil war in Iraq today. I think we need to face that responsibility and face that vote. Now, some will step back and say: Wait. If the Democrats are in the majority, why don't they debate this issue?

Well, the rules of the Senate are interesting. They are designed to protect a minority. They give the minority in America and the minority in the Senate a voice which it may not have in other places. So under the rules of the Senate, it takes 60 Members to vote to move forward to debate an issue—60. We have 50, with Senator JOHNSON recuperating; they have 49. So in order to move to a debate, we need 10 Senators to cross this aisle and join us, cooperate with us, on a bipartisan basis, so we can move forward on this debate. Tomorrow will be the test.

Now, I have heard some Senators on the other side say: We are not even going to show up tomorrow. We are not going to be here. I hope that is idle chatter and doesn't reflect their intentions.

I believe the vote tomorrow is critically important. We are summoning Democratic Senators from all across the United States, literally. Some are making personal sacrifices, having flown home, believing we had ended the

session, and flying back, many of them all-night flights, to be here. They understand the importance and gravity of this vote. I certainly hope the Members on the other side feel the same way. This is an important vote. It is not just another procedural vote. America will notice who is here tomorrow and who votes, and America will notice, after this historic debate in the House of Representatives, whether we meet our important constitutional responsibility.

A lot of people argue they have given up on Government. Government doesn't mean much to them anymore, and they don't have a great high regard for the people who are in Government. Some of these folks have stopped voting. They don't get involved. They go about their normal lives and say: Those politicians, you know, they talk a lot and they don't do much.

Well, this is a time when I think we can dispel some of this feeling across America that we are irrelevant and not part of things. If we can't take the time to spend on the floor of the Senate, as people are across America, debating this war, then we have lost our way. We have to bring this matter before the American people in the right way. We are fighting for a democracy in the Middle East. We are fighting for a democracy in Iraq. Democracy is the open debate of public issues. Will we have that same debate on the Senate floor? That question is in the hands of the Republican minority. They will decide tomorrow whether we move forward on this debate.

Now, there is one group in this town who does not want this debate to move forward; let's be very honest about it: the President and the White House. It is an embarrassment to have your policy rejected and repudiated by bipartisan votes in the House and Senate, and it is rare. It hardly ever happens. So to spare the embarrassment to the White House—the political embarrassment—some are trying to stop this debate in the Senate. But I have to say I think this issue goes far beyond which politician ends up with bragging rights. That has nothing to do with it. This has to do with the lives and fortunes of our servicemen and their families and this great Nation and our foreign policy.

At a time when we need to gather allies around the world to fight this war on terrorism, when we need to bring nations together to join us as they did after September 11 to stop the spread of terrorism, we need to understand this debate on Iraq is right on point. It is a debate which affects hundreds of thousands of soldiers and their families, and it affects all of us as Americans.

I sincerely hope the Republican minority will have a change of heart, will join us in supporting this debate tomorrow. I believe we will find tomorrow, with this vote, that a bipartisan majority of the Senate wants to move forward with a debate. If it doesn't

reach the number of 60, then technically this debate cannot move forward. I use the word "technically" because in honesty, that will not be the end if we do not muster 60 votes. This matter is going to come before the Senate again and again and again.

For 4 years in this war, Congress, controlled by the other party, has been virtually silent on the issue of this war and the wisdom of our policy. Those days are over. In the last few weeks we have been in session, we have had over 30 hearings by committees that have asked the hard questions about this policy, about protecting our troops, and about where we are going to go forward in the future. Those questions will continue to be asked by committees. They will continue to be addressed in the Senate. When we move to the next item of legislation, we will undoubtedly have amendments relative to this war in Iraq. This debate will not end.

I sincerely hope those on the other side of the aisle will join us. I hope they understand what is at stake. It is not just 21,000 more soldiers putting their lives on the line for America; it is a question of our foreign policy and protecting this Nation and making sure we keep our commitment to our country to keep it safe.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the hour of 12:30 p.m. having arrived, there will now be a period for the transaction of morning business, with Senators permitted to speak for up to 30 minutes each and the time to be alternated between the two sides, with the majority controlling the first 30 minutes.

The Senator from Massachusetts.

#### HONORING OUR ARMED FORCES

Mr. KENNEDY. Mr. President, the war in Iraq is the most important issue of our time. The American people know that our soldiers are serving nobly under extraordinarily difficult circumstances and that far too many of them are making the ultimate sacrifice for our country. Citizens are calling on us—begging us—to address this issue with the seriousness and the urgency it deserves.

The House of Representatives will vote later today on a major resolution

supporting our troops and opposing the escalation of the war. It will be a historic vote and a clear response to the American people's clarion call for change. The Senate will have a chance to do so soon as well. The voices of the American people are growing louder and louder, and the need for us to act could not be clearer.

Under the President's current policy, the war continues to impose an enormous human toll on our soldiers, their families, and their loved ones. Our men and women in uniform have served with great courage and honor for nearly 4 years—longer than it took to win World War II. More than 3,000 of our forces have been killed and more than 23,000 wounded. The casualties keep mounting. Last fall was the deadliest period since the war began. Mr. President, 287 American soldiers were killed in October, November, and December. Already, 118 have been killed since the President announced the surge, and the numbers keep rising.

The toll in Massachusetts has been heavy. Just last week, CPT Jennifer Harris of Swampscott, MA, was killed when her helicopter went down north of Baghdad. She was the first woman from our State to make the ultimate sacrifice in Iraq, and our hearts and prayers go out to her family and loved ones.

So far, 65 Massachusetts members of our forces have given the last full measure of devotion to our country. The youngest was 19, the oldest was 46. They died far from their homes in Bedford and Bristol, Lawrence and Lowell, Plymouth and Pittsfield, Weymouth and Woburn, and other towns and cities across the State. They were fathers, sons, a daughter, brothers, and friends. Each of them represents a life cut short in service to our country.

More than 3,000 families across America share in such heartbreak. Their loved ones have died in Iraq, and we mourn their loss. We honor their service, and we pray that God's grace and mercy may ease the anguish of those they have left behind.

Citizens of Massachusetts have answered their country's call from the first days of the Republic, and those we honor today are members of that noble company. Each knew they were going into harm's way. They faced dangers in Iraq that vast numbers of our troops had never seen before, such as suicide bombers and improvised explosive devices.

We mourn the loss of these heroes. We honor their sacrifice and extend our deepest condolences to their families. Words cannot ease the grief of losing a loved one, but I hope the families may find comfort in the words of Abraham Lincoln in the famous letter he sent to a bereaved mother during the Civil War. He wrote:

Dear Madam, I feel how weak and fruitless must be any words of mine which should at-

tempt to beguile you from the grief of a loss so overwhelming. But I cannot refrain from tendering to you the consolation that may be found in the thanks of the Republic they died to save. I pray that our Heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and the lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom.

The consequences of the decisions we make here in Congress profoundly affect our military, their families, and the communities they have left. We have an obligation to our soldiers to make sensible decisions that will not place them needlessly in harm's way.

We in Massachusetts feel especially deeply the loss of the 65 soldiers who have died in Iraq: SGT Justin W. Garvey; PFC John D. Hart; SPC Christopher J. Holland; SGT Pierre A. Raymond; CPL Brian Oliveira; LCpl Travis Reid Desiato; LCpl Dimitrios Gavriel; SGT Andrew Farrar; 1LT Brian McPhillips; SSG Joseph P. Belavia; LCpl John J. Vangyzen IV; SGT Kurt D. Schamberg; CPT John W. Maloney; SPC Ray M. Fuhrmann II; 1SG Alan N. Griford; PVT Michael E. Bouthot; SPC Daniel R. Gionet; SGT Gregory A. Belanger; PFC Kerry D. Scott; SGT Daniel J. Londono; CPL David Marques Vincente; LCpl Jeffrey Charles Burgess; LCpl Alexander Scott Arrendodo; 1LT Travis John Fuller; CPT Benjamin Sammis; CWO2 Stephen M. Wells; SPC Matthew Boule; CWO Kyran E. Kennedy; CPT Christopher J. Sullivan; LCpl Shayne Cabino; LTC Leon G. James, II; CPT Joel E. Cahill; LCpl Michael Ford; CPL Scott Procopio; LCpl Patrick Gallagher; CPL Donald E. Fisher II; SPC Gabriel T. Palacios; SGT Benjamin E. Mejia; SGT Glenn R. Allison; GySgt Elia Paietta Fontecchio; LCpl Andrew Zabierek; LCpl Nickolas David Schiavoni; SPC Daniel F. Cunningham; LCpl Gregory E. MacDonald; SPC Peter G. Enos; PFC Norman Darling; PVT Cory R. Depew; SSG Joseph Camara; SGT Charles Caldwell; PFC Markus J. Johnson; SPC David J. Babineau; CPL Paul N. King; LCpl Geoffrey R. Cayer; SGT Mark R. Vecchione; SSG Clint J. Storey; SPC Edgardo Zayas; LCpl Eric P. Valdepenas; SPC Jared J. Raymond; LCpl Edward Garvin; LT Joshua Booth; SPC Matthew J. Stanley; SGT Gregory Wright; SFC Keith Callahan; SGT Alexander H. Fuller; and CPT Jennifer Harris.

Mr. President, I ask unanimous consent that the chart I have printed in the RECORD. It is a chart of their hometowns and where they died in Iraq.

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

Name	Location of death	Relationship to MA
Sergeant Justin W. Garvey .....	Tel Afar, Iraq .....	Mother from Townsend.
Private First Class John D. Hart .....	Taza, Iraq .....	Lived in Bedford.
Specialist Christopher J. Holland .....	Baghdad, Iraq .....	Mother in Lunenburg.
Sergeant Pierre A. Raymond .....	Ar Ramadi, Iraq .....	Lived in Lawrence.
Corporal Brian Oliveira .....	Al Anbar, Iraq .....	Lived in Bristol.
Lance Corporal Travis Reid Desiato .....	Fallujah, Iraq .....	Lived in Bedford.
Lance Corporal Dimitrios Gavriel .....	Fallujah, Iraq .....	Parents in Haverhill.
Sergeant Andrew Farrar .....	Al Anbar Province, Iraq .....	Lived in Weymouth.
First Lieutenant Brian McPhillips .....	Baghdad, Iraq .....	Lived in Pembroke.
Staff Sergeant Joseph P. Belavia .....	Karbala, Iraq .....	Lived in Wakefield.
Lcpl John J. Vangyzen IV .....	Al Anbar Province, Iraq .....	Lived in Bristol.
Sergeant Kurt D. Schamberg .....	Iraq .....	Father in Melrose.
Captain John W. Maloney .....	Ar Ramadi, Iraq .....	Lived in Chicopee.
Specialist Ray M. Fuhrmann II .....	Samarra, Iraq .....	Lived in Attleboro.
First Sergeant Alan N. Grifford .....	Baghdad, Iraq .....	Parents in West Wareham.
Pvt. Michael E. Bouthot .....	Baghdad, Iraq .....	Lived in Fall River.
Specialist Daniel R. Gionet .....	Baghdad, Iraq .....	Father in Lowell.
Sgt. Gregory A. Belanger .....	Al Hallia, Iraq .....	Parents from MA.
Private First Class Kerry D. Scott .....	Iskandiriyah, Iraq .....	Mother in Worcester.
Sergeant Daniel J. Londono .....	Baghdad, Iraq .....	Parents in Dorchester.
Corporal David Marques Vicente .....	Hit, Iraq .....	Lived in Methuen.
Lance Corporal Jeffrey Charles Burgess .....	Al Fallujah, Iraq .....	Lived in Plymouth.
Lance Corporal Alexander Scott Arrendodo .....	Najaf, Iraq .....	Lived in Randolph.
First Lieutenant Travis John Fuller .....	Korean Village, Iraq .....	Lived in Granville.
Captain Benjamin Sammis .....	Central Iraq .....	Raised in Rehoboth.
Chief Warrant Officer Two Stephen M. Wells .....	Habbiniyah, Iraq .....	Parents in North Egremont.
Specialist Matthew Boule .....	Iraq .....	Raised in Dracut.
Chief Warrant Officer Kyrin E. Kennedy .....	Tikrit, Iraq .....	Parents in Boston.
Captain Christopher J. Sullivan .....	Baghdad, Iraq .....	Lived in Princeton.
Lance Corporal Shayne Cabino .....	Al Karmah, Iraq .....	Lived in Canton.
Lt. Col. Leon G. James II .....	Ar Rustamiyah, Iraq .....	Mother in Longmeadow.
Capt. Joel E. Cahill .....	Dawr, Iraq .....	Lived in Norwood.
Lance Corporal Michael Ford .....	Al Anbar, Iraq .....	From New Bedford.
Cpl. Scott Procopio .....	Al Anbar, Iraq .....	Lived in Saugus.
Lance Cpl. Patrick Gallagher .....	Al Anbar, Iraq .....	Mother and father live in MA.
Corporal Donald E. Fisher II .....	Kirkuk, Iraq .....	Lived in Brockton.
Specialist Gabriel T. Palacios .....	Ba'qubah, Iraq .....	Father from Lynn.
Sergeant Benjamin E. Mejia .....	Marez, Iraq .....	Lived in Salem.
Sergeant Glenn R. Allison .....	Baghdad, Iraq .....	Mother in Pittsfield.
Gunnery Sergeant Elia Paietta Fontecchio .....	Al Anbar Province, Iraq .....	Lived in Milford.
Lance Corporal Andrew Zabierek .....	Al Anbar Province, Iraq .....	Lived in Chelmsford.
Lance Corporal Nicholas David Schiavoni .....	Al Karmah, Iraq .....	From Haverhill.
Specialist Daniel F. Cunningham .....	Iraq .....	Lived in Revere.
Lance Corporal Gregory E. MacDonald .....	Iraq .....	Parents from MA.
Specialist Peter G. Enos .....	Bayji, Iraq .....	Lived in Plymouth.
Pfc. Norman Darling .....	Iraq .....	Lived in Watertown.
Private Cory R. Depew .....	Mosul, Iraq .....	Father in Haverhill.
Staff Sergeant Joseph Camara .....	Baghdad, Iraq .....	Lived in New Bedford.
Sgt. Charles Caldwell .....	Iraq .....	Lived in Attleboro.
Pfc. Markus J. Johnson .....	Al Anbar Province, Iraq .....	Lived in Springfield.
Spc. David J. Babineau .....	Baghdad, Iraq .....	Parents in Springfield.
Cpl. Paul N. King .....	Al Anbar Province, Iraq .....	Tyngsboro, Mass.
LC. Geoffrey R. Cayer .....	Habbiniyah, Iraq .....	Fitchburg, MA.
Sgt. Mark R. Vecchione .....	Ar Ramadi, Iraq .....	Eastham, MA.
Staff Sergeant Clint J. Storey .....	Ar Ramadi, Iraq .....	Wife/daughter in Palmer, MA.
Spc. Edgardo Zayas .....	Baghdad, Iraq .....	Parents in Dorchester, MA.
Lance Corporal Eric P. Valdepenas .....	Al Anbar Province, Iraq .....	Seekonk, MA.
Specialist Jared J. Raymond .....	Taji, Iraq .....	Swampscott, MA (mother).
LCPL Edward Garvin .....	Al Anbar Province, Iraq .....	Malden, MA.
Lt. Joshua Booth .....	Fallujah, Iraq .....	Fiskdale, MA.
Specialist Matthew J. Stanley .....	Taji, Iraq .....	Father and Wife in MA.
Sgt. Gregory Wright .....	Muadadivah, Iraq .....	Father in Boston, MA.
Sgt. 1st Class Keith Callahan .....	South of Baghdad .....	Mother in Woburn.
Sgt. Alexander H. Fuller .....	Baghdad, Iraq .....	Wife in Centerville.
Captain Jennifer Harris .....	Al Anbar Province, Iraq .....	Lived in Swampscott, MA.

The ACTING PRESIDENT pro tempore. The Senator from Wisconsin.

### IRAQ

Mr. FEINGOLD. Mr. President, first let me thank the Senator from Massachusetts for his moving and sobering words but even more importantly for his leadership and tremendous clarity on this issue over these last few critical years.

Mr. President, we are approaching the 4-year anniversary of one of the greatest foreign policy mistakes in our country's history. In March 2003, with the prior authorization of Congress, the President took this country to war in Iraq. Almost 4 years later, virtually every objective observer and, more importantly, the American people as a whole agree that the President's policy has failed. Even the President acknowledges that his plan has not worked, though his solution is not a new plan but a troop escalation. Of course, sending more troops to implement what is essentially the same flawed strategy makes no sense. The American people agree that it makes no sense, and most

of my colleagues agree that it makes no sense.

So the question becomes, with a President unable or unwilling to fix a flawed policy that is jeopardizing our national security and our military readiness, what should we in Congress do about our country's involvement in this disastrous war? Do we do nothing and hope the President will put things right, when he has shown time and time again that he is incapable of doing so? Do we simply tell the President that we are unhappy with the way the war is going and that we hope he will change course or do we take strong, decisive action to fix the President's mistaken, self-defeating policies?

It is pretty clear which course of action I support. I think it is a course of action the American people called for in the November elections. It is the course of action our national security needs, so we do not continue to neglect global threats and challenges while we focus so much of our resources and our efforts on Iraq. It is the course of action that will support—that will actu-

ally support—our brave troops and their families.

We must end our involvement in this tragic and misguided war. The President will not do so; therefore, Congress must act. So far, Congress has not lived up to that responsibility. Instead of taking strong action in the Senate, instead of considering binding legislation that fixes the President's flawed Iraq strategy, we tied ourselves into knots last week in a convoluted and misguided effort to achieve a consensus that would have essentially reaffirmed congressional authorization for continuing our military involvement in Iraq. Of course, here I am referring to the resolution proposed by the senior Senator from Virginia. This resolution was portrayed, at least at first, by members of both parties as an important symbolic rebuke of the President's Iraq policy. In fact, it really was not a rebuke at all. In parts, it reads like a reauthorization of the war, rejecting troop redeployment and specifically authorizing "vigorous operations" in a critical region in Iraq.

Now, when debate on the Warner resolution was blocked, we had a chance

to get things right. And I am glad our majority leader, Senator REID, has chosen to bring up the resolution being debated in the House today expressing support for the troops and, simply, opposition to the so-called surge. Now, this body—the Senate—should go on record in opposition to, or support of, the President's plan.

I will vote to allow the debate on the resolution to take place. And I hope I will have the opportunity to actually vote for the resolution.

I have yet to hear any convincing argument that sending 21,500 more troops to Iraq will bring about the political solution that is needed to end violence in that country.

The President's decision to send more troops is based on two flawed assumptions. It assumes, first, that the presence of even more of our servicemembers will help Iraqi troops improve security in Baghdad and, second, that with improved security, Iraqi politicians can then achieve national reconciliation. The recent declassified NIE, or National Intelligence Estimate, shot holes in both of those assumptions. It said that Iraqi security forces "will be hard pressed in the next 12-18 months to execute significantly increased security responsibilities" and "even if violence is diminished, given the current winner-take-all attitude and sectarian animosities infecting the political scene, Iraqi leaders will be hard pressed to achieve sustained political reconciliation in the time frame of this Estimate."

Obviously, those were direct quotes, not me characterizing the NIE. In other words, in the best case scenario, U.S. forces provide a little security that Iraqi forces can't sustain on their own and that Iraqi politicians won't use to settle their entrenched differences. That doesn't sound to me like a plan for success.

Some of my colleagues, even those who don't support sending more troops to Baghdad, have spoken in favor of continued and even increased U.S. military operations in Al Anbar Province. Some of them even suggest that our troops should be directly combating an insurgency there. This, apart from everything else, is a recipe for disaster. Al Anbar Province is where a majority of U.S. troops have been killed in Iraq. The insurgency there, as well as general opposition to the U.S. presence and to the Shiite-dominated Government in Baghdad, is fueled by the Sunnis' political and economic grievances. Conducting targeted missions to take out terrorists makes sense, but using U.S. troops to put down an insurgency doesn't. Maintaining or, worse yet, increasing a substantial U.S. presence in a primarily Sunni area without a political solution means nothing less than a continuation of unending and self-defeating policies in Iraq. Clearly, the President's decision to send more troops makes no sense. But I have to say that simply passing a nonbinding resolution criticizing it

makes no sense, either, if we just stop there. So we need to go further, and we need to do it soon.

Let me remind my colleagues, when the voters rejected the President's Iraq policy in November, they weren't rejecting an escalation. That option wasn't even on the table then. Who was talking about an escalation during that campaign? Certainly, the Presiding Officer knows well what was being discussed. They were rejecting the President's policy of trying to achieve a political solution in Iraq with a massive and unlimited military presence. After delaying action for a couple of months, the President just plain ignored overwhelming public sentiment, the advice of Members of both parties, and the views of the military and foreign policy experts when he proposed an escalation. The administration turned its back on the American people.

We in Congress should not follow suit. We have a responsibility to our constituents and to our men and women in uniform. If no one will listen to and act on the will of the American people, then there is something seriously wrong with our political system. After almost 4 years of a disastrous policy, we must bring our troops out of Iraq. To do otherwise is to ignore public outrage over the war and to ignore the many other pressing national security priorities we are neglecting in favor of a myopic focus on Iraq. The American people recognize there is no U.S. military solution to Iraq's civil war. And as long as we focus disproportionate attention and resources on Iraq, we will not be able to counter the full range of threats we face in places such as Afghanistan and Somalia and many other places around the world. So Congress must use its power. It must use its power of the purse to safely redeploy our troops from Iraq.

Let's not be intimidated by the intentionally misleading rhetoric of the White House and its allies when they try to prevent any discussion at all of real action by the Congress to end the war. This isn't about cutting off funds for troops; it is about cutting off funds for the war. Every Member of Congress agrees that we must continue to support our troops and give them the resources and the support they need. By setting a date after which funding for the war will be terminated, as I have proposed, Congress can safely bring our troops out of harm's way. That is how you get them out of harm's way, by getting them out of there.

There is plenty of precedent for Congress exercising its constitutional authority to stop U.S. involvement in armed conflict. Last month, I chaired a Judiciary Committee hearing entitled "Exercising Congress's Constitutional Power to End the War." Without exception, every witness, those called by the majority and the minority, those who have had a career more focused on the executive branch than the legislative branch—all of them did not challenge

the constitutionality of Congress's authority to end the war.

Lou Fisher of the Library of Congress is acclaimed as one of the foremost experts on the President's war powers. In fact, he literally wrote the book on this topic. He testified that Congress does not simply have the power, he said it has the responsibility to exercise it, when needed.

He said:

... is the continued use of military force and a military commitment in the Nation's interest? That is the core question. Once you decide that, if you decide it is not in the national interest, you certainly do not want to continue putting U.S. troops in harm's way.

The argument that cutting off funding for a flawed policy would hurt the troops and that continuing to put U.S. troops in harm's way supports the troops makes no sense. By ending funding for the war, we can bring our troops safely out of Iraq.

Walter Dellinger of Duke Law School made this point when he testified about my proposal. He said:

There would not be one penny less for the salary of the troops. There would not be one penny less for the benefit of the troops. There would not be one penny less for weapons or ammunition. There would not be one penny less for supplies or support. Those troops would simply be redeployed to other areas where the armed forces are utilized.

Instead of allowing the President's failed policy to continue, Congress can and should use its power of the purse to end our involvement in the Iraq war, safely redeploying the troops while ensuring, as do I in my bill, that important counterterrorism and training missions are still carried out. We should be coming up with a strategy for a postredployment Iraq and the region that is squarely within the context of the global fight against al-Qaida. That means replacing a massive and unsustainable and unlimited military mission with a long-term strategy for mitigating the mess left behind by this war. With such a strategy, we can redirect substantially more resources and attention to the fight against al-Qaida and other affiliated or sympathetic international terrorist organizations.

As long as this President goes unchecked by Congress, our troops will remain needlessly at risk and our national security will be compromised.

Let me tell my colleagues, regardless of what happens with this resolution, this is just a first step—worthwhile but just a first step. And the first step must be followed by stronger steps, and it must be done quickly. I intend to keep pushing until the Senate votes to end our involvement in the Iraq war, and eventually this will happen because this is what a strong majority of the American people want. Congress may be able to put off its day of reckoning temporarily, the administration can continue down the same failed path a while longer, but all of us ignore the will of the American people at our peril. So let's have this debate. Let's do it openly and honestly. Let's not pretend anyone wants to deny our troops

the equipment and resources they need. Let's not suggest that opposing the President's strategy is unpatriotic and that it would give aid and comfort to the enemy, that it would somehow weaken the resolve of our troops. Those claims are outrageous. They are offensive, and they are untrue. Do my colleagues believe the American people gave aid and comfort to the enemy when they rejected the President's Iraq policy in November? Are the overwhelming majority of our constituents who oppose this war trying to undermine our troops? Of course not. So how could anyone suggest that Congress actually acting on the will of the American people undermines the troops or emboldens the enemy?

Our troops are undermined by a policy that places them in harm's way unnecessarily. And our enemy, our true enemy, al-Qaida and its allies, is emboldened by a U.S. strategy that neglects global challenges and instead focuses on a single country. It is unfortunate that those who wish to defend this strategy would resort to these kinds of charges.

Let's do the job of the Senate and have full, open debate and votes on fixing our Iraq policy. Let's not pretend that such a debate would harm our national security. Let's not tell ourselves that it is up to just the President to fix the horrible situation his failed policies have created. It is our responsibility to act, too. Congress made the tragic mistake of authorizing this war over 4 years ago. Now Congress also has the job of bringing it to a close so we can refocus on the terrorists and other global threats that have been neglected way too much over the past 4 years.

I yield the floor and suggest the absence of a quorum.

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

Mr. LIEBERMAN. Mr. President, when the roll is called tomorrow on the motion for cloture with regard to the resolution the House is expected to pass tonight on Iraq, I will vote no. I will vote against cloture. I will do so not because I wish to stifle debate. The fact is that debate has occurred, it is occurring now, and it will continue to occur on our policy in Iraq.

I will vote against cloture because I feel so strongly against the resolution. It condemns the new plan for success in Iraq. I support that plan. It does something that, from all of the research my staff and I have done, including asking the Library of Congress, we have found no case in American history where Congress has done what this resolution does, which is, in a nonbinding resolution, oppose a plan our military is implementing right now. Congress has ex-

pressed nonbinding resolutions of disapproval before a plan of military action has been carried out.

Congress has obviously taken much more direct steps, authorized to do so by the Constitution, to cut off funds for a military action or a war in progress. But never before has the Congress of the United States passed a nonbinding resolution of disapproval of a military plan that is already being carried out by American military personnel. I believe it is a bad precedent, and that is why I will do everything I can to oppose it. In the immediate context, that means I will vote against cloture.

Mr. President, more broadly, we are approaching an important moment in the history of this institution and of our Republic, a moment I fear future historians will look back to and see the beginning of a cycle that not only damaged the remaining possibilities for success America has in Iraq but, more broadly, established political precedents that weaken the power of the Presidency to protect the American people over the long term.

The nonbinding resolution before us today, we all know, is only a prologue. That is why the fight over it, procedural and substantive, over these past weeks has been so intense. It is the first skirmish in an escalating battle that threatens to consume our Government over many months ahead, a battle that will neither solve the sprawling challenges we face in Iraq nor strengthen our Nation to defeat the challenges to our security throughout the world from Islamist extremists—that is to say, in our war against the terrorists who attacked us.

We still have a choice not to go down this path. It is a choice that goes beyond the immediate resolution that will be before the Senate, a chance to step back from the brink and find better ways to express and arbitrate our differences of opinion. I hope we will seize the moment and take those steps.

Mr. President, as we meet in this Chamber today, the battle for Baghdad has already begun. One of our most decorated generals, David Petraeus, whom this Senate confirmed 81 to 0 a few weeks ago, has now taken command in Baghdad.

Thousands of American soldiers have moved out across the Iraqi capital putting their lives on the line as they put a new strategy into effect. We can now see for ourselves on the ground in Iraq, in Baghdad, where it matters what this new strategy looks like. And we can see why it is different from all that preceded it.

For the first time in Baghdad, our primary focus is no longer on training Iraqi forces or chasing down insurgents or providing for our own force protection, though those remain objectives. Our primary focus is on ensuring basic security for the Iraqi people working side by side with Iraqi security forces, exactly what classic counterinsurgency doctrine tells us must be our first goal now.

Where previously there were not enough troops to hold the neighborhoods cleared of insurgents, now more troops are either in place or on the way. Where previously American soldiers were based on the outskirts of Baghdad unable to secure the city, now they are living and working side by side with their Iraqi counterparts on small bases that are being set up right now throughout the Iraqi capital.

At least six of these new joint bases have already been established in the Sunni neighborhoods in west Baghdad, the same neighborhoods where a few weeks ago jihadists and death squads held sway. In the Shiite neighborhoods of east Baghdad, American troops are also moving in with their Iraqi counterparts, and Moqtada al-Sadr and his Mahdi Army are moving out.

We do not know if this new strategy for success in Iraq will work over the long term, and we probably will not know for some time. The Mahdi Army may be in retreat for the moment, but they are not defeated. They have gone to ground, and they are watching. Our hope, of course, is that our determination and that of the Iraqi Government will lead them now to devote themselves to politics instead of death squads, but only time will tell.

The fact is any realistic assessment of the situation in Iraq tells us we must expect there will be more attacks and there will be more casualties in the months ahead as the enemies of a free and independent Iraq see the progress we are making and adapt to try to destroy it with more violence.

The question they will pose to us, which is the question that is posed every time a fanatic suicide bomb goes off and that person expresses their hatred of everyone else more than love of their own life by ending their own life, is: Will we yield Baghdad, Iraq, the Middle East, our own future to those fanatical suicide bombers?

We must also recognize we are in a different place in Iraq from where we were a month ago because of the implementation of this new strategy. We are in a stronger position today to provide basic security in Baghdad, and with that, we are in a stronger position to marginalize the extremists and strengthen the moderates, a stronger position to foster the economic activity that will drain the insurgency and the militias of their public support, a stronger position to press the Iraqi leaders to make the political compromises that everyone acknowledges are necessary.

John Maynard Keynes famously said: When the facts change, I change my mind.

In the real world, in the past month, the facts in Iraq have changed, and they are changing still. I ask my colleagues to allow themselves to wait and consider changing their minds as further facts unfold in Iraq. The nonbinding resolution before us is not about stopping a hypothetical plan. It is about disapproving a plan that is being carried out now by our fellow

Americans in uniform in the field. In that sense, as I have said, it is unprecedented in congressional history, in American history.

This resolution is about shouting into the wind. It is about ignoring the realities of what is happening on the ground in Baghdad. It proposes nothing. It contains no plan for victory or retreat. It is a strategy of "no," while our soldiers are saying "yes, sir," to their commanding officers as they go forward into battle. And that is why I will vote against the resolution by voting against cloture.

I understand the frustration, the anger, and the exhaustion that so many Americans, so many Members of this Congress feel about Iraq, the desire to throw up one's hands and simply say "enough." And I am painfully aware of the enormous toll of this war in human life and of the mistakes that have been made in the war's conduct. But let us now not make another mistake. In the midst of a fluid and uncertain situation in Iraq, we should not be so bound up in our own arguments and disagreements, so committed to the positions we have staked out that the political battle over here takes precedence over the real battle over there.

Whatever the passions of the moment, the point of reference for our decisionmaking should be military movements on the battlefields of Iraq, not political maneuverings in the Halls of Congress.

Even as our troops have begun to take Baghdad back step by step, there are many in this Congress who have, nevertheless, already reached a conclusion about the futility of America's cause there and declared their intention to put an end to this mission, not with one direct attempt to cut off funds but step by political step.

No matter what the rhetoric of this resolution, that is the reality of this moment. This nonbinding measure before us is a first step toward a constitutional crisis that we can and must avoid. Let me explain what I mean by "a constitutional crisis." Let us be clear about the likely consequences if we go down this path beyond this nonbinding resolution.

Congress has been given constitutional responsibilities, but the micro-management of wars is not one of them. The appropriation of funds for war is. I appreciate that each of us has our own ideas about the best way forward in Iraq. I respect those who take a different position than I. I understand many feel strongly that the President's strategy is the wrong one, but the Constitution, which has served us now for more than two great centuries of our history, creates not 535 Commanders in Chief but 1, the President of the United States, who is authorized to lead the day-to-day conduct of war.

Whatever our preponderance of this war or its conduct, it is in no one's interest to stumble into a debilitating confrontation between our two great

branches of Government over war powers. The potential for a constitutional crisis here and now is real, with congressional interventions, Presidential vetoes, and Supreme Court decisions.

If there was ever a moment for non-partisan cooperation to agree on a process that will respect both our personal opinions about this war and our Nation's interests over the long term, this is it.

We need to step back from the brink and reason together, as Scripture urges us to do, about how we will proceed to express our disagreements about this war. We must recognize that while the decisions we are making today and we are about to make seem irretrievably bound up in the immediacy of this moment, and the particular people now holding positions of power in our Government, these decisions will set constitutional precedents that will go far beyond the moment and these people.

President Bush has less than 2 years left in office, and a Democrat may well succeed him. If we do not act thoughtfully in the weeks and months ahead, we will establish precedents that future Congresses, future Presidents, and future generations of Americans will regret.

Right now, as the battle for Baghdad begins, this institution is obviously deeply divided. However, we should not allow our divisions to lead us to a constitutional crisis in which no one wins and our national security is greatly damaged.

We are engaged, as all my colleagues know, in a larger war against a totalitarian enemy, Islamist extremism, and terrorism that seeks to vanquish all the democratic values that is our national purpose to protect and defend.

Whatever our differences in this Chamber about this war, let us never forget those great values of freedom and democracy that unite us and for which our troops have given, and today give, the last full measure of their devotion.

Yes, we should vigorously debate and deliberate. That is not only our right, it is our responsibility. But at this difficult junction, at this moment when a real battle, a critical battle is being waged in Baghdad, as we face a brutal enemy who attacked us on 9/11 and wants to do it again, let us not shout at one another but let us reach out to one another to find that measure of unity that can look beyond today's disagreements and secure the Nation's future and the future of all who will follow us as Americans.

I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Idaho.

Mr. CRAIG. Mr. President, I am so honored to be on the floor with Senator JOE LIEBERMAN today and to listen to his remarks, frankly, to stand in the shadow of his leadership on this issue because he has been that, a bipartisan leader, recognizing, as he so appropriately has spoken, the leadership role

that a Congress should take at this time in our Nation's history. And he has said it well. It is not one of micro-management. It is not one of 535 generals all thinking we can act and think strategically about the engagement currently underway in Baghdad.

It is our job, I would hope, to stand united in behalf of the men and women we send there in uniform to accomplish what we so hope and wish they will be able to accomplish, and that is the stability of Iraq, the allowing of the Iraqi people to once again lead their country and to take from it the kind of radical Islamic fascism that is well underway and dominating the region.

Let me make a few comments this afternoon that clearly coincide with what Senator LIEBERMAN has spoken to. This is not, nor should it ever become, a partisan issue. I think his presence on the floor this afternoon speaks volumes to that. This is not a partisan issue. This is a phenomenally important national and international issue for our country to be engaged in that, frankly, few countries can engage in the way we have and with the kind of energy and strength we have brought to it.

The majority leader has put us in a very precarious situation, one that is clearly divisive. Frankly, I can say things as a Republican that maybe my colleague cannot say.

#### ORDER OF PROCEDURE

Mr. WARNER. Mr. President, parliamentary inquiry: At the hour of 1:30, is there an order for another Senator to be recognized?

The ACTING PRESIDENT pro tempore. That is correct.

Mr. WARNER. And who is that Senator?

The ACTING PRESIDENT pro tempore. That would be the Senator from Virginia.

Mr. WARNER. Can my colleague finish up in 1 minute? I want to try to accommodate my colleague.

Mr. CRAIG. I will be relatively brief. I was instructed to be here at 1:15, but I think we have had a runover of time; is that not correct?

Mr. WARNER. I was not here.

Mr. CRAIG. Can we inquire of the Chair?

The ACTING PRESIDENT pro tempore. The minority has 30 seconds remaining, and then time reverts to the majority. The majority has granted the Senator from Virginia the time.

Mr. CRAIG. His time is?

The ACTING PRESIDENT pro tempore. The Senator from Virginia has 30 minutes, until 2 p.m.

Mr. CRAIG. May I ask the Senator how much time he planned to consume?

Mr. WARNER. Well, I have to jump a plane, but how much time does my colleague wish?

Mr. CRAIG. I will take no more than 5 minutes.

Mr. WARNER. If my colleague can make it 3 minutes, then I think my



colleague from Missouri is anxious to catch his plane also.

Mr. BOND. Mr. President, if I could impose and ask for 2 minutes, so that Senator CRAIG and myself will consume a total of 5 minutes on this side.

The ACTING PRESIDENT pro tempore. Is there objection?

Hearing no objection, it is so ordered.

Mr. CRAIG. Mr. President, I am so honored to be on the floor with Senator JOE LIEBERMAN today and listen to his remarks, and frankly, to stand in the shadow of his leadership on this issue. Because he has been that, a bipartisan leader recognizing, as he so appropriately has spoke, the leadership role that a Congress should take at this time in our Nation's history. And he has said it well, it is not one of micro-management, it is not 1 of 535 generals all thinking we can act strategically and tactically about the engagement currently underway in Baghdad and elsewhere across Iraq.

It is our job, I would hope, to stand united in behalf of the men and women we send there in uniform to accomplish what we so hope and wish they will be able to accomplish and that is the stability of Iraq and the greater Middle East and allowing the Iraqi people to lead their country and remove from it the kind of radical Islamic fascism that is well underway and dominating the region.

Let me make a few comments this afternoon that clearly coincide with what Senator LIEBERMAN spoke to. This is not, nor should it ever become, a partisan issue and I think Senator LIEBERMAN's presence on the floor this afternoon speaks volumes to just that, that this is not a partisan issue. This is a phenomenally important national and international issue for our country to be engaged in. Frankly, few countries can engage in this struggle in that way we have, and with the kind of energy and strength that we have brought to it.

The majority leader has put us in a very precarious situation, one that is clearly divisive. Frankly, I can say things as a Republican that maybe my colleague cannot say. I believe that the majority leader is playing politics on the issue of calling up a nonbinding resolution, while blocking the minority from calling up a different resolution. My good friend Senator GREGG has introduced a bill, a bill that I have cosponsored, that would express our full support for our soldiers in harms way and give them a much needed guarantee that they will continue to receive the funding they need to continue to function in their critical mission. As I said, the majority leader refuses to allow us a vote on this bill, and I think that is plain wrong.

Let me make it very clear, it is not the Republicans stalling or shutting down debate on the issue of Iraq. In fact, it is just the opposite. I have spoken twice in the last 2 weeks about this issue because I believe it is very critical, both to my constituency in

Idaho, but also to our great Nation and the world. The majority claims that they want full and fair debate on this issue, yet they refuse to allow us to bring our own voice to this issue, and our own resolutions. How can we have a full and fair debate and vote on the floor of the Senate if we are being held hostage by the majority leader?

No State goes untouched by what we do here today and no man or woman in uniform goes untouched. Twenty Idahoans have given their lives in Iraq, and each of their sacrifices is sacred and honored, not just by their families and friend but by all. Most recently, SPC Ross Clevenger and PVT Raymond Werner of Boise, and SGT James Holtom of Rexberg were killed in Iraq in an IED attack. They, like all those who have fallen to enemy hands, served in a heroic and gallant way for a cause they believed in and a cause that we believe in. That is the cause of freedom.

Senator LIEBERMAN said it well, for us to send one of our top generals and top military minds in GEN David Petraeus to Iraq and say by a unanimous vote that we support him and believe in his abilities, but at the same time we do not support his mission, what are we saying as a Congress? What kind of message are we sending to our men and women in uniform when we speak in that manner? I think it is wrong to send this message and I will vigorously oppose that message.

If the majority leader and his Democratic colleagues believe so strongly that our mission in Iraq is so flawed, then why do we not see them bringing to the floor a bill to cut off funding for our troops on the ground in Iraq? As I mentioned earlier, the answer to that is a political answer, not a substance issue. Many Democrats have already called for cutting off funding and demanding an immediate withdrawal from Iraq, yet we have not seen those bills being taken up on the floor of either chamber. However, there are rumors that Members will choose to use the upcoming Iraq supplemental funding bill to force the President to take the advice of these congressional generals, rather than using the advice of our military experts and commanders to execute our mission and secure Iraq.

The reason I do not support such an immediate withdrawal of our troops, or cutting funding off for our troops in gun fights right now in the streets of Baghdad, is simple. I believe in our mission and I believe that our soldiers are the most capable in the world. The only enemy that can defeat American soldiers on the battlefield is the low morale of the American people. A resolution condemning their actions and their mission in Iraq is just the kind of defeat that could embolden our enemies and harm our soldiers.

As every one of my colleagues knows, the reinforcements we are debating are already in motion. In fact, the President's plan to stabilize Baghdad and Anbar Province are already showing

signs of success. The Iraqi government is closing down their borders with Syria and Iran, a critical decision that will limit the number of foreign fighters and enemy weapons from entering Iraq, weapons that are being used to kill American soldiers.

Lastly, I would say that our presence in Iraq does not just affect Iraq. The greater Middle East and the security of world are at stake. Are we going to turn a blind eye to Iraq and allow it to become a safe haven for terrorists the way that Afghanistan was under the Taliban regime? I certainly will do all that I can as a U.S. Senator to prevent that from happening because it is in our national interests to defeat our enemies abroad before they can strike us again here at home.

#### RURAL SCHOOL FUNDING

Mr. CRAIG. Mr. President, let me speak to you briefly regarding another critical issue and that is the Secure Rural Schools and Communities Self-Determination Reauthorization Act.

When we return after our Presidents Day recess, it is vital we re-engage in a critical issue for timber dependent school districts in Idaho and across our country. This bill once referred to as Craig/Wyden, helped many rural school districts move through a difficult time in their history and school children now find themselves in a very difficult situation. As you may know, many rural schools in this country have funding tied directly to timber harvest from our public lands. For several reasons, we haven't harvested timber at our historical rate and our rural schools in those particular counties have suffered.

I am working in a bipartisan way with my colleagues from Montana, Oregon, Washington, California, New Mexico and of course Idaho. We all see the importance of continuing this funding to some extent. I am committed, as is Senator WYDEN, to ensuring the success of the bill that bears our name.

It is my intent, as well as others, to redefine the formula. Our key dates to shape this critical issue are the Energy and Natural Resources hearing scheduled for March 1; as well as the emergency appropriations supplemental debate tentatively scheduled for the middle of March.

The timing is at a critical point. Our timber-dependent county officials and school districts are wrestling with budgets that are tied to this funding. I say today, clearly, failure is not an option.

I yield the floor.

#### IRANIAN WEAPONS AND IRAQ RESOLUTIONS

The ACTING PRESIDENT pro tempore. Senator BOND.

Mr. BOND. Mr. President, I thank my colleague from Virginia, truly a Virginia gentlemen and a good friend and a leader. I am most grateful.



I join with my colleague from Idaho in saying Senator LIEBERMAN's statement is one of a true statesman, one we all ought to take to heart. I commend it and I will make that required reading for anybody who asks about this issue.

Three quick points. I was asked yesterday by the media why the drumbeat on Iran. Simple answer: Iran is providing the EFPs, the explosively formed penetrators that are killing more and more Americans. We have tried, by diplomatic pressure, to get Iran to stop. Now we have even caught a leader of the Quds Force, the Iranian elite special forces unit, that reports directly to the ayatollah. They are there. The Iranians' special forces are there.

Some say, well, maybe the top leaders don't know. But how many folks believe your special forces are going to go someplace, have the devices that only Iran can make, and the top leaders not know anything about it? That is why the drumbeat on Iran. We ought to take out the Iranian fighters and stop the weapons coming in.

Secondly, on this resolution, it not only downgrades General Petraeus and says that although we confirmed you unanimously, we don't believe in your mission, but it also says to our allies, the neighboring countries that have been brought in on this new strategy—a new strategy that General Petraeus is implementing—that they shouldn't bother to come in and help us stop the deterioration in Iraq, which could lead to chaos and a takeover, and it also says to the enemy we are not going to be there.

I am taking an intel trip and will not be here for the vote. I am strongly opposed to cloture on this. So by being absent, I will deny those seeking the 60 votes my vote, and I strongly urge my colleagues who are here to vote no.

#### IRAQ

Mr. WARNER. Mr. President, I rise to address the issue of the Iraq resolutions.

Tomorrow at 1:45, I will vote for cloture, and I do that for reasons that I will set forth. I, like many of us, have to leave early this afternoon. I have consolidated all my State obligations and speeches between now and late tonight so I may return for the vote.

I want to go back and retrace the history of this debate. When I returned from Iraq, with several other Senators, and Senator LEVIN with me, at that time I was chairman of the Armed Services Committee and he was ranking. I indicated to the Nation by way of a press conference that I felt the situation was going sideways; that our strategy was not working.

Initially, in the days following that, I was highly criticized for those remarks. Eventually, however, others began to recognize the situation as I had, and, indeed, the President, when he was asked publicly if he supported

the observations that I had made, said yes. I commend the President for immediately swinging into full gear his whole administration to study intensively the matters with regard to the current strategy. It included work by the Baker-Hamilton group, which I think played a very constructive role.

In the resolution which I prepared, with the assistance of Senator BEN NELSON and Senator COLLINS, we make direct reference to that. I bring up that background because the President then, on January 10, announced his intention to go forward with a changed strategy. The President, in that speech, specifically said:

If Members have improvements that can be made—I repeat—if Members have improvements that can be made, we will make them. If circumstances change, we will adjust.

Now, that was an open invitation to Members of Congress and others to address this very important plan laid down by the President. Our group, my 2 colleagues who worked with me, Senator LEVIN joining us later, and a half dozen others, some 8 or 10, up almost to 12, joined in an honest forthright way in accepting the President's offer. That is how this started. In drawing up our resolution, we were careful to say, yes, we had different views, but we urged the President to consider all options—I repeat all options—other than the utilization of 21,500 individuals to go into that situation.

Specifically, our resolution charges the Iraqi military with taking the lead, with taking the brunt. I reiterate, the Iraqis should be taking the full measure of responsibility for this Baghdad campaign. Therein rests this Senator's primary concern with the President's plan. I say that because our American GIs have fought bravely, courageously, and we have had sacrifice and loss of life and limb, and in no way have they failed in the attempt to try to help the Iraqi people achieve their freedom, achieve their Government through elections, and to become a sovereign Nation. Now it should fall upon the over 300,000 Iraqi troops, police, and other security officials to bring about the cessation of this violence in Baghdad.

The Iraqis are far better qualified by virtue of their understanding of the language. They have a far better understanding of what is it that is bringing about this sectarian violence. These are the very people we liberated and gave them back their sovereign land and who are now fighting themselves, Sunni upon Shia, Shia upon Sunni, with wanton murder and criminal activity. Our forces do not understand the language. It is hard for those here in this Chamber to go back and look at the origins of the difference between the Sunni and Shia, which go back some 1,400 years. Our troops shouldn't be in there trying to decide do we shoot at a Sunni or do we shoot at a Shia. That should be the responsibility of the Iraqi forces. That is the principal reason I found differences with the President.

Our leaders, the RECORD will reflect, have tried to reconcile the differences between our two sides. The last time I didn't support cloture. I did that to support the institution of the Senate, because this Senate stands apart from the House, and stands apart from legislatures all over the world because of the right and the freedom to debate and for all to bring forth their ideas. We are behind that now. So far as I know, the leaders have done their best and we were not able to achieve agreement, and now, procedurally, we are faced with the situation of a House resolution, which will be voted on in an hour or more, and will then be considered by the Senate. For that purpose, I will vote cloture.

We supported the President in our resolution. As I read the House resolution, it does not reject the President's initiative to have a diplomatic component to his plan. The House resolution does not reject the economic aspect of what the President puts in his plan. So I say to my colleagues that what comes before us does not reject outright the President's program. It directs itself to that military operation, much as we did in S. Con. Res. 7, and says respectfully that we urge the President to consider all options, options that were set forth in testimony before the Armed Services Committee by General Abizaid, when he said we don't need any more troops; by General Casey, when he was up for confirmation and he said he thought we only needed two brigades, not five brigades.

So it is against that background that I think our group has come forth in response to the President's invitation and stated our case in a very respectful way. This matter we will address, the House resolution, I do not believe rejects the entire plan of the President. The components of diplomacy and the components of economics are there. It is only the question of how we employ our forces. I say the burden falls on the Iraqi security forces.

I will submit for the RECORD a New York Times story which appeared this week outlining an operation in which we had 2,500 Americans and less than 100 Iraqi forces turned up to participate. I asked about this yesterday when questioning the Chief of Staff of the United States Army and the Commandant of the Marine Corps, as to what their idea of the plan had been, and it was represented to us that there were to be joint forces, a joint command.

Certainly this is an early report, and I cannot speak to the authenticity of the article, but I have invited the Department of Defense to comment on it. It indicates to me that the Americans are bearing the brunt, not the Iraqi forces.

I ask unanimous consent that the article be printed in the RECORD.

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

[From the Daily Press, Feb. 16, 2007]

WARNER QUESTIONS CREDIBILITY OF BUSH PLAN

(By David Lerman)

The Democratic chairman and former Republican chairman of the Senate Armed Services Committee questioned the credibility of President Bush's new security plan for Baghdad Thursday, citing news reports of an overwhelmingly American-led operation despite administration promises to let Iraqi forces take the lead.

Virginia Sen. John Warner, a senior Republican, used a committee hearing to call attention to a New York Times report that the first major sweep of the Iraqi capital under the new security plan used only 200 Iraqi police and soldiers, but 2,500 Americans.

Warner, who has warned against sending more Americans to combat a low-grade civil war, expressed surprise that the first major security sweep of Baghdad under the new plan would be conducted by so few Iraqi forces. Defense officials had stressed in recent weeks that U.S. troops would be deployed in phases over coming months—with time allowed to measure the commitment of the Iraqi government to beef up its own security.

"I was led to believe that as we moved out in phases, that things would be in place," Warner said. "This is astonishing."

Warner, who sponsored a resolution opposing Bush's planned surge of 21,500 more American troops, added, "That falls far short of the public representation made by the administration that this would be a joint operation and that Iraqis would take the lead and we would be in a support role."

Sen. Carl Levin, D-Mich., the committee chairman, said he was dismayed at the reported reliance on U.S. forces, saying it "runs counter to what we were told the surge would be and how it would be handled."

Gen. Peter Pace, chairman of the Joint Chiefs of Staff, described the new security plan as an Iraqi-led operation during an appearance before Levin's committee earlier this month.

"We will not be out front by plan," Pace said of U.S. forces. "The Iraqis would be the ones going door-to-door, knocking on doors, doing the census work, doing the kinds of work that would put them out in front for the first part of the—if it develops—firefight. Our troops would be available to backstop them and to bring in the kind of fire support we bring in. But it would not be one Iraqi and one U.S. soldier."

Instead, the security sweep that unfolded Wednesday in three mostly Shiite neighborhoods of northeastern Baghdad was largely an American operation, the New York Times reported from the Iraqi capital.

Gen. Peter Schoomaker, chief of staff of the Army, and Gen. James T. Conway, the Marine Corps commandant, told Warner Thursday they were not familiar with the details of the described security sweep. But Conway added, "It is counter to what I understand to be the plan as well."

The public criticism of White House war strategy by two of the Senate's leading voices on defense policy came as the House prepared to vote today on a non-binding resolution opposing Bush's troop surge. Senate Democratic leaders, meanwhile, announced plans to hold a rare Saturday session to vote on whether to consider the same measure after weeks of procedural wrangling.

While the largely symbolic resolution is virtually guaranteed to pass the Democrat-controlled House, the surge in troops is already under way.

Whether it succeeds in quelling the mix of sectarian and insurgent violence in Baghdad

as promised could shape public attitudes on Iraq far more profoundly than any vote in Congress.

At the Pentagon late Thursday, Pace defended the progress of Iraqi forces in providing more security. He cited an operation about three weeks ago on Baghdad's Haifa Street, in which the Iraqi army faced down Sunni insurgents, and another in Najaf in which Iraqi forces battled against a Shia stronghold.

"To date, in the operations that have taken place since the prime minister has announced that he wants to have a very balanced approach to the problem, his armed forces have done just that," Pace said.

Of the three Iraqi brigades scheduled to be moving into Baghdad, he said, two have moved in and the third is moving this month.

Mr. WARNER. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I ask unanimous consent that the remaining time between now and 2:05 be divided equally between myself and the Senator from Montana.

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

Mr. KERRY. I ask that I be given sort of a 2-minute notice before the division.

The ACTING PRESIDENT pro tempore. The Senator will be notified.

Mr. KERRY. Mr. President, I thank the Senator from Virginia whom I think has been unbelievably thoughtful, unbelievably patient and courageous in this effort. I had the privilege of traveling with him to Iraq, together with Senator STEVENS. I could see the thought that he was giving then to the ways in which he was visually perceiving that it wasn't working the way it was promised. There is no stronger advocate for our Armed Forces. There is nobody who understands the military better, having just finished a tour as the chair of the Armed Services Committee. I really think the administration should bend over backwards to listen to this Senator who speaks with a voice of great reasonableness. He is greatly respected in the Senate. I thank him for his courage, for being willing to stand up on this issue.

The Congress, all of us, come here with a new responsibility in a sense. The last election could not have been more clear. People all across the country registered their disapproval of the policy that was being executed in Iraq. In fact, the Iraq Study Group report was awaited with enormous anticipation by everybody as an opportunity to bring everybody together and think this through anew and find a way to get a legitimate, across-the-aisle, Republican/Democrat, joint effort in the best interests of our country. I regret to say that the best efforts of former Secretary of State Jim Baker; the former Attorney General, Chief of Staff of the President, Ed Meese; another former Secretary of State, Larry Eagleburger; a former leader in the United States Senate and moderate from the State of Wyoming, Al Simp-

son; and a former Secretary of Defense, Bill Perry—just to name a group of those who were on the Iraq Study Group—that their efforts were just cast aside. Every recommendation they made was left on the sidelines.

Today we find the President adopting a policy which runs counter even to the advice of his own generals. Rather than listen to the advice, they change the generals and they put people in who would pursue a different policy. General Casey comes back, General Abizaid departs, and the policy goes on.

This institution has a solemn obligation to vote on this issue. It should not be procedurally delayed, and it should not be played around with. The fact is, the American people asked us to accept responsibility for something for which we already have some responsibility because we voted as an institution to empower the President to be able to send troops to Iraq, though many of us who voted for that resolution never voted for the President to abuse the power he was given by ignoring diplomacy, rushing to war, and forgetting to do the planning that they had promised they would do.

Our troops have done their duty. Our troops have served with remarkable courage under the most difficult circumstances. They have a right, together with the American people, to expect that this Congress does its duty. That does not mean avoiding a simple vote. If you are in favor of sending the troops, you have an opportunity tomorrow to register that vote, say you are in favor, stand up and be counted; if you are opposed you should vote no—as the House will do in a short period of time.

Whatever procedural games are played on the floor of the Senate will never erase the perception by the American people of the responsibility that we ought to be exercising. They understand that this is the time and this is the place and they expect us now to execute our responsibility. We owe it to the troops. For all those who come to the Senate floor and talk about supporting the troops, responsibility for the troops, what would be fair for the troops, don't demoralize the troops—there is nothing more demoralizing, I will tell you, as a former troop myself, than having a policy that doesn't work; sending you out on missions which don't have the kind of purpose that you believe can succeed. You send these guys out in these vehicles, waiting to be blown up by an IED, knowing as they hold their breath that they don't have an adequately armored vehicle to be able to withstand it, and they go out and come back and turn to each other and say: What did we accomplish? What did we do? Did we secure a territory? Did we change minds? Did we actually hold onto some advantage gained by driving through a city in that kind of a dangerous situation?

Sending an additional 20,000 of our troops in the middle of a raging civil war is not a sensible policy on any

number of levels. I believe, as a matter of larger strategy, raising the stakes by sending 20,000 additional troops and saying at the same time, publicly, "This is it, this is our big move, if this doesn't work we don't know what," is an unbelievable invitation to those who make mischief to make more mischief. And what's more, the very people who keep saying, "Don't set a date, don't set a timeline," set a timeline on this very deployment because they have come to us and said this is only going to be for a few months. So they announce a timeline on the very escalation that they say is supposed to make the difference and advertise: If you are one of the bad guys, just wait those 3 months. That is what they can do, knowing it is only 3 months.

I think there is a smarter strategy. I think there is a better way to be successful in Iraq, and it involves holding Iraqis accountable and setting legitimate benchmarks for what they ought to be doing. It is incredible to me that some people on the other side would obstruct a debate on the most fundamental issue confronting our country today. We are sent here to be a great deliberative body, and they don't want to deliberate. They don't want to make a decision. They think somehow they can just walk away and avoid responsibility for voting on the question of this escalation.

The majority leader has said they will have every opportunity to vote on that in a short period of time. Every amendment they want to bring they will have an opportunity to bring. We can have, in the meantime, a real vote on Iraq.

Since the end of last month when we started talking about talking about Iraq, 60 American troops have died in Iraq. There is a fellow by the name of Kevin Landeck, whom I just learned yesterday was killed on February 2 by an IED. Kevin Landeck comes from Wheaton, IL. He was a member of a Ranger unit over there. I have a wonderful photograph, a digital photograph on my computer of Kevin and a bunch of his other troops standing on a stairwell celebrating Christmas. The Christmas stockings are all hanging from the stairwell. I am proud that our office—Mary Tarr in our office particularly—has led an effort to help send packages to those troops regularly. Our office sends them boxes full of goodies, at Christmastime particularly—the stockings.

Sadly, Kevin has given his life in the ultimate act of patriotism, a courageous young man, admired by his fellow soldiers. That happened during the time that we couldn't even debate this issue on the floor of the Senate, during a time that the Senate avoided its responsibility.

We have every right to expect that the people who were elected to protect Kevin Landeck and the rest of those troops get this policy right—for their parents, for them, and for all of us.

I believe the only way we are going to do that is, ultimately, to be able to

set a target date which gives the President the discretion to keep troops there to complete the training. What other purpose is there to be there? We give the President that discretion. We give him the discretion to leave troops necessary to chase al-Qaida. We give him the discretion to be able to leave troops necessary to protect American forces and facilities. What other purpose would there be, after 4 years, to have us there but to finish the training of the Iraqis and to provide an emergency buffer against Iran and others?

But you don't need to be on patrol in Baghdad, carrying the brunt of a civil war on a daily basis in order to provide that. You can be over the horizon. You can be deployed in garrison. You can be rear deployed. There are any number of ways to protect American interests in the region, and I am tired of our colleagues on the other side suggesting that a policy that clearly advantages America's position in the region, changes the dynamics, shifts responsibility to the Iraqis, and ultimately protects our troops is somehow a policy of abandonment. It is not. It is a policy for success. And it is to be measured against the current policy, which is an invitation to more jihadists.

Our own intelligence agencies are telling us we are building the numbers of jihadists. We are inviting more terror. The world is more dangerous. Iraq is less united. Iran is stronger. Hezbollah is stronger. Hamas is stronger. This is a failed policy, and when a policy is failing, day after day, leaders have an obligation to stop and get it right.

I believe that requires us to have a summit, bring the nations together to solve the issues between the stakeholders and ultimately resolve what our troops are powerless to resolve. A civil war is a struggle for power. We have to resolve that at the diplomatic and negotiating table.

So I strongly believe it is not enough for Congress simply to go on record opposing the President's reckless plan. Congress has an obligation to provide a responsible exit strategy that preserves our interests in the region, retains our ability to protect the security of the United States, and honors the sacrifice our troops have made.

Eight months ago in the Senate, 13 of us stood up against appeals to politics and pride and demanded a date to bring our troops home, to make Iraqis stand up for Iraq and fight a more effective war on terror. But while we lost that roll call, I still believe it was the right policy to put in place, to demand accountability, and to leverage action.

Now, I am more convinced than ever that a combination of serious, sustained diplomacy and the enforcement of benchmarks for progress by the Iraqi government, leveraged by a 1-year deadline for redeployment of U.S. troops, is the best way to achieve our goal of stability in Iraq and security in the region.

That is why I will again introduce legislation that offers a comprehensive

strategy for achieving a political solution and bringing our troops home within 1 year. We have to find a way to end this misguided war, and I believe this legislation is the best and most responsible way forward.

Let me emphasize that this strategy does not mean abandoning Iraq in 1 year: in fact, it gives the President the discretion to leave the minimum number of U.S. troops necessary to complete the training of Iraqi security forces, go after terrorists, and protect U.S. facilities and personnel.

This 1-year deadline is not arbitrary. It is consistent with the Iraq Study Group's goal of withdrawing U.S. combat forces from Iraq by the first quarter of 2008—it's consistent with the timeframe for transferring control to the Iraqis set forth by General Casey, and the schedule agreed upon by the Iraqi government itself. Even the President has said that, under his new strategy, responsibility for security would be transferred to Iraqis before the end of this year. It is the opposite of arbitrary. The President has said it, our generals have said it, the Iraq Study Group has said it.

Some say those of us who oppose the President's failed policy in Iraq do not offer an alternative—nothing could be further from the truth. This legislation offers a comprehensive military and diplomatic strategy that incorporates key recommendations of the Iraq Study Group—including many that some of us here have long been advocating—to provide us with the best chance to succeed: holding a summit with all of Iraq's neighbors, including Iran and Syria—creating an international contact group—enforcing a series of benchmarks for meeting key political objectives—shifting the military mission to training Iraqi security forces and conducting targeted counterterrorism operations—and maintaining an over-the-horizon presence to protect our interests throughout the region.

It is time for Iraqis to assume responsibility for their country. We need a timetable which forces Iraqi politicians to confront reality and start making the hard compromises they have resisted thus far. Instead, they are using America's presence as a security blanket. Americans should not be dying to buy time for Iraqi politicians hoping to cut a better deal. We should be working to bring about the compromise that is ultimately the only solution to what is happening today in Iraq. And Iraqi politicians have repeatedly shown they only respond to deadlines—a deadline to transfer authority, deadlines to hold two elections and a referendum, and a deadline to form a government.

Without hard deadlines, our best hopes for progress in Iraq have been repeatedly dashed. When Prime Minister Maliki took power in May, General Casey and Ambassador Khalilzad said the new government had 6 months to make the political compromises necessary to win public confidence and

unify the country. They were right, but with no real deadline to force the new government's hand, that period passed without meaningful action—and we are now seeing the disastrous results.

In fact, for 4 years now, we have been hearing from this administration that progress is right around the corner. We have been hearing the Iraqis are near a deal on oil revenues, that they are making progress towards reconciliation—but we still haven't seen any results.

That is why we must give teeth to the benchmarks agreed upon by the Iraqi government for national reconciliation, security and governance. Meeting these benchmarks is crucial, but without any enforcement mechanism, they are little more than a wish list. That is why this legislation supports the Iraq Study Group proposal to make U.S. political, military, or economic assistance conditional on Iraqis's meeting these benchmarks.

A deadline is also essential to getting Iraq's neighbors to face up to the realities of the security needs of the region. None of them want to see Iraq fall apart. That should be the basis for cooperation in stabilizing Iraq, and yet a sense of urgency has been lacking. This deadline will make clear the stakes and hopefully focus their minds on helping the Iraqis reach a political solution.

We cannot turn back the clock and reverse the decisions that brought us to this pass in Iraq and the Middle East. We cannot achieve the kind of clear and simple victory the administration promised the American people again and again even as Iraq went up in flames. But we can avoid an outright defeat. We can avoid creating the chaos we all say we want to avoid. We can avoid a victory for our adversaries by taking a clear-eyed approach to identifying specifically what we can and cannot accomplish in Iraq.

With a new Congress comes a new responsibility: to get this policy right. That starts with preventing the President from going forward with this senseless escalation. And it has to end with an exit strategy that preserves our core interests in Iraq, in the region, and throughout the world. Only then will we have honored the sacrifices of our troops and the wishes of those who sent us here. Only then will we have done our duty.

The ACTING PRESIDENT pro tempore. The senior Senator from Montana.

Mr. BAUCUS. Mr. President, I think it is clear that the American people want the Senate to have a debate on this issue. There is no doubt about that. I very much hope that enough Senators, when we vote tomorrow, will vote to invoke cloture so we can do just that, have a debate. I think for the Senate to not vote to invoke cloture would be very irresponsible. I cannot for the life of me imagine why the Senate would not conduct that vote. I very much hope when we have that vote to-

morrow that 60 Senators, more than 60 Senators vote in favor of cloture so the Senate can address one of the most fundamental issues that I think is on Americans' minds.

I was going to go to Iraq tonight because I wanted to see firsthand what is going on. I wanted to talk to troops, talk to commanders. I wanted to talk to not only the American personnel but also the Iraqis. I wanted to determine, the best I could, the degree to which Prime Minister Maliki and the Iraqis are able to stand on their own two feet and do what they are supposed to do; that is, govern and run their own country. I am not going to go over tonight, obviously. I want to be here tomorrow and cast my vote so we can start debating. That is the right thing to do.

Based upon what I see in the newspapers, what I see on television, based upon the comments of my colleagues who have recently been to Iraq, I am very disturbed. To put it simply, Iraq is a mess. It is a mess because the United States, to some degree, started it by invading the country and opened up Pandora's box and got the Shias and the Sunnis and the Kurds all stirred up. Now they are fighting each other.

We did a good thing by toppling Saddam Hussein. That was the right thing to do. But we did not think through the consequences. We did not understand what we were doing as a country. We did not have an exit strategy. We did not know what the consequences of occupation would be.

Certainly, the United States, with its very superior Armed Forces, can very easily occupy Iraq—Baghdad. In fact, the occupation was probably a little easier than many people anticipated. But when you go back and talk to generals, talk to defense personnel, talk to analysts, they all—many of them, many of them are very clear in saying that they advised the Pentagon not to go ahead and do this until we knew what we were doing once we got there. It would be a big mistake, many said, to proceed unless we knew what we were doing.

Put simply, there was just no exit strategy. There was none whatsoever. I have read so many reports and quotes of so many generals advising us to not go into Iraq until we knew what we were doing that I am appalled, frankly, at how unprepared the United States was when it went in.

All Americans, if they have any second thoughts about that statement I just made, they, too, would be appalled if they would read those same statements. They are all in the record. They are all in the public domain. I strongly urge people to read them and look at them.

The key here, as has been stated by the Senator from Virginia, the senior Senator from Virginia, is: Can the Iraqis stand up on their own two feet? It is my belief that they are not standing up on their own two feet. Clearly, the continued civil war's death toll indicates that Iraq is not taking control

of the situation. There are so many reports that the Iraqi Army is unfit and that they are not doing the job. There are questions about how well it is trained or is being trained. Clearly the answer is, it is not being trained. They are not doing a good job.

My view is it doesn't make much sense to throw more troops, a modest number of more troops, at a failed policy. That is what it comes down to. The Iraqis aren't taking care of themselves, and if they aren't taking care of themselves, why should we take care of them? We have lost so many American lives, so many Montanans, young men and women who have been killed over there, and it makes no sense, in my judgment, to keep doing this.

That is why I think we should vote on this resolution on Monday and, secondly, why I think the resolution should pass. We should not continue a failed policy. I don't know very many people who think the policy is working. Most think it has failed. So let's, as the U.S. Senate, make that statement.

What do we do now? If it has failed, what do we do? I don't think anybody has a simple answer. There is no real silver bullet here. But I do think we need to give the Iraqis a set date and say to them: We are going to get out of here on this set date, and you need to know that. My fear is, if we don't do that, they are just going to keep thinking the United States is going to keep sending more troops and keep taking care of them. It is human nature for them to do so, to think that. That is why I believe we should give them a definite date we will start bringing our troops home.

I also think we have to engage other countries in the region. We are not doing a good job of doing that. This administration says: Well, we can't talk to Iran; we shouldn't do that. We can't talk to Syria; we shouldn't do that. I don't understand that. It seems to me, if you want a solution, you have to talk to people. You have to talk to people who are involved. We are talking to the Saudis, we are talking to the Jordanians, the Israelis, and others in the region. That is good. But two very key players are Iran and Syria.

In life, we talk to our friends, but we should also talk to our enemies. We don't have to agree with our enemies, but we should talk to them. When you start talking to people with whom you have disagreements, after a while you learn there may be a common assumption or two. After a while you might learn something that indicates there is progress. There might be a little bit of daylight once you start talking to somebody. You certainly aren't going to learn anything unless you talk to them. The stakes are so high and the consequences are so great, I strongly urge the administration to start talking to people. So what if the public policy was that we were not going to do that in the past. Don't be stubborn. Don't be too proud. Do what is right.

Just try to talk to the people in the region so we can find some common solutions.

I know it is not going to be easy. It will be very difficult. But I know of no other alternative—no other alternative—but to give them a date and say: we are out of here; by this certain date we are going to start repositioning troops elsewhere in the region. We should tell them that so they sober up more—not just Prime Minister Maliki but the other principals in the country—and realize they have to start getting their act together. As I said, we need to have some very serious negotiations with groups in the region and also with countries in the region so we can manage the situation as best we possibly can.

This is one of the most serious issues I have confronted since I have been in the Senate in the last several years, and I commend my colleagues for addressing it so seriously. It is the right thing to do. But it is also the right thing to do to start debating this issue in the Senate. I think we will be doing the country a great service if we do.

Mr. President, I yield the floor.

THE PRESIDING OFFICER (Mr. WEBB). The Senator from Georgia is recognized.

#### ORDER OF PROCEDURE

Mr. CHAMBLISS. I ask unanimous consent that for the next 30 minutes, I be allowed to speak for up to 10 minutes and that Senator KYL be allowed to speak for up to 10 minutes and Senator THOMAS be allowed to speak for up to 10 minutes.

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

#### IRAQ

Mr. CHAMBLISS. Mr. President, I rise today to oppose the resolution, S. 574, the Senate will vote in relation to tomorrow. This resolution states simply that:

No. 1, Congress and the American people will continue to support and protect the members of the United States Armed Forces who are serving or who have served bravely and honorably in Iraq; and No. 2, Congress disapproves of the decision of President George W. Bush announced on January 10, 2007, to deploy more than 20,000 additional U.S. combat troops to Iraq.

Mr. President, the first paragraph of that resolution is a commendable one and one every Member of this body should support, and will. However, the second paragraph is simply inconsistent with a vote every Member has already made and should be opposed by every Member of this body. Therefore, the resolution as a whole should be opposed.

Exactly 3 weeks ago, on January 26, the Senate unanimously approved GEN David Petraeus for his fourth star and to be commander of multinational forces in Iraq. No Senator opposed his nomination. In my 12 years in the Con-

gress, I do not think I have seen Members of Congress express any higher confidence or support for a nominee for any position than they have for GEN David Petraeus. I have not heard anyone criticize him, and rightly so.

In his nomination hearing, when asked about his opinion of the President's plan for Iraq that he now has the responsibility of executing, General Petraeus said:

I believe this plan can succeed if, in fact, all of those enablers and all the rest of the assistance is in fact provided.

General Petraeus supports this plan. Now, the same Senate that voted unanimously to confirm General Petraeus is going to vote on whether they agree with the plan he supports and that they confirmed him to execute. That vote has not been taken yet, so obviously we don't know the outcome.

Some people would like to mislead the American people into thinking that Republicans are opposed to debating Iraq and the various resolutions in Iraq. In fact, Republicans welcome that debate, and that is why many of us are here today. However, Republicans rightfully oppose the Democrats' dictating what resolutions can be considered.

If Senators truly disapprove of this decision, they should be willing to vote for or against a resolution that clearly expresses their convictions, and that is exactly what Senator GREGG's resolution does. However, Democrats are not willing to do that. Senator GREGG's resolution expresses the sense of the Congress that:

No funds should be cut off or reduced from American troops in the field which would result in undermining their safety or ability to complete their assigned missions.

If Senators truly do not support the mission we are sending General Petraeus and our men and women in uniform to carry out, then they should be willing to have an up-or-down vote on the Gregg resolution.

For the record, let me restate my position on the proposed troop increase. Several weeks ago, President Bush addressed the situation in Iraq before the American people, and everyone was anxious to hear his plans for a new strategy. It is clear that Americans want a victory in Iraq; however, they do not want our presence there to be open-ended. I agree, and most importantly, I believe it is time for the Iraqi Government to step up and take responsibility. They need to take control of their country, both militarily and politically. I believe the Iraqis must deliver on their promises.

I come from a strong and proud military State, home to 13 military installations, and our service men and women have answered the call of duty and performed courageously. No one questions our troops' performance and unwavering commitment, and we will continue to support them. Many of our troops, including the 3rd Infantry Division based at Fort Stewart, GA, and

Fort Benning, GA, are preparing to head overseas, some for their third tour of duty in Iraq, as we speak today.

The President's decision to send additional combat brigades to Baghdad and Anbar Province in western Iraq is aimed at defeating the insurgency in those areas and increasing stability for the Iraqi people. However, we must also see an increased commitment from the Iraqis. This is also part of the new strategy, and I am committed to holding the administration and the Iraqis accountable in this area. Those of us in Congress have a responsibility to ask questions and seek answers on behalf of the American people when our strategy and tactics are not getting the job done.

I have expressed my concern and frustration with progress on the part of the Iraqis not only to the President and the White House advisers but to our military leadership testifying before the Senate Armed Services Committee as well. In my conversations with the White House and with the Department of Defense leadership, I have made it clear that my support of any increase in troops is conditioned upon those troops being sent on a specific mission and upon the completion of that mission that they should be redeployed.

I firmly believe that just a large increase in troops without having a specific mission will only increase insurgent opposition and that a withdrawal of U.S. forces at this time would be detrimental to Iraq's security and extremely dangerous for American soldiers. That particular issue has been affirmed by every single individual in the U.S. military testifying before the Senate Armed Services Committee. Failure in Iraq will result in expanded and intensified conflict in the Middle East, and that kind of instability is clearly not in the best interests of America or the international community.

Now that the President has taken serious steps to admit his mistakes, take responsibility, and revise the strategy, Americans do seek positive results. It has been said by many of my colleagues, as well as many of my own constituents, that the situation in Iraq requires a political and not a military solution. I strongly agree with that position. However, it is not possible, in my opinion, to have a political solution or to make political progress if citizens are afraid to leave their homes for fear of being shot or kidnaped or if they are afraid to let their children go to school because it is unsafe to do so. Some level of order and stability must be in place before a political solution can take hold.

In America, we take order and stability for granted because we are blessed to live in a country that is extremely safe, secure, and stable. However, Iraq is not the same as the United States. They do not live in a secure and stable society, and order and stability must be in place before there can be

any hope for a long-term political solution. The additional troops we are sending are meant to create that order and stability, particularly in Baghdad. Unfortunately, the Iraqi military and Government is not yet mature enough to do that job themselves, so we are partnering with them to help them succeed.

There is nothing easy or pretty about war, and this war is no exception. This war has not gone as well as any of us had hoped. Additionally, the President's new plan, which is already being carried out in Iraq, is not guaranteed to work. However, it is my firm conviction that the President's plan deserves a chance to succeed, and we in the Congress should do all we can to help it succeed. The Reid resolution does not do that. That is why I urge my colleagues to vote against cloture on the motion to proceed to the Reid resolution tomorrow. The resolution opposes the President's plan without offering any alternative. It opposes the mission which the Senate has unanimously confirmed General Petraeus to carry out.

I urge a vote against the implementation of cloture tomorrow.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. KYL. Mr. President, speaking to this resolution, I wish to be clear that it had been my intention to cast a "no" vote to proceeding to this nonbinding resolution. The majority, of course, has to muster 60 votes in order to proceed on that particular resolution.

I believe my time will be more productive fulfilling a commitment I have made to lead a trip to Iraq. Without disclosing when or precisely where we will be in the Middle East, I will tell my colleagues that I will be able to personally deliver a message not only to our troops of support of the American people for their mission but also hopefully to deliver a message directly to the Prime Minister of Iraq that we expect him to continue to fulfill the commitments he has made to carry out this new strategy, which has signs of success already, and to learn directly, firsthand from our commanders and troops on the ground, their assessment of how this new mission is proceeding. What the Congress needs to do is to provide assistance and to be able to bring home a report unfiltered through the media of precisely where the conditions stand right now.

While I would have voted no, in effect, I will be voting no by my presence in Iraq.

There are three reasons I oppose the resolution to move forward with this particular nonbinding resolution. First of all, we have been debating almost nonstop this subject of Iraq, now, for several weeks—both in the House of Representatives and in the Senate. So there has been no lack of debate.

Rest assured that Republicans are committed to continuing this debate

for as long as the American people believe it is productive. We welcome debate. We also welcome something else: The opportunity to express ourselves in a meaningful way, not simply on a nonbinding resolution. We have no objection to voting on this nonbinding resolution as long as we can also vote on something that is actually more meaningful than that, and that is a resolution that demonstrates we will not withdraw support for our troops. We aim to support them in their mission.

Having been precluded, blocked, for being able to have a vote on that resolution, what we are saying is that we should move forward with the debate, but until the majority leader is willing to provide Members a vote on the resolution for support of the troops, we should not be voting on other resolutions.

I think this is time for Democrats to take a stand. Either you support the troops in the battlefield or you don't, none of this sort of slow bleed and nonbinding resolution debate. The nonbinding resolution obscures your true position. It seems to me, if you merely seem to tell the President you don't like what he is doing, you have plenty of opportunities to do that, but a resolution can have a very deleterious effect on the morale of our troops, on our enemies who see it as a sign of weakness, and perhaps on our allies who wonder if we see the mission through.

If you are serious about stopping this effort because you believe it has failed or cannot succeed, obviously you need to do what Congress has the ability to do and that is vote no on the funding of the troops.

Instead, what we have been told is that in the House of Representatives, after this first step of the nonbinding resolution, there will be a second step, this slow-bleed strategy, a concept that says Congress will begin to micro-manage how troops are deployed in the field and around the world and equipment provided to them, and that will determine whether any will receive Congress's continued support.

We cannot condition our support for the troops. They need to know that when we send them into harm's way, they will have everything they need from reinforcements to equipment. This sort of slow-bleed strategy that has been announced over in the House of Representatives is extraordinarily dangerous and deleterious to our mission.

First of all, it seems to me there are some signs of success. This is the first reason I would have voted no on the resolution. We do need to give the new strategy the President has announced a chance to succeed.

There are plenty of stories, and I will have them printed in the RECORD at the conclusion of my remarks, about some initial successes—the Shiite militia leaders appearing to leave their strongholds in Baghdad in anticipation of our plan to increase our activities there.

The powerful Shiite cleric, Moqtada al-Sadr has left Iraq, spending his time

in Iran away from the danger that might await him if he stayed in Baghdad.

In Al Anbar Province in the west, the tribal sheiks have now significantly begun to align themselves with the United States, as a result of which we have been able to recruit hundreds more police officers who were not possible to recruit in the past.

A real sign is the fact that Sunni and Shiite Arab lawmakers have announced plans to form two new political blocs in Iraq. The Iraqi military is taking a significantly, more robust role, now ordering tens of thousands of residents to leave homes—these are the so-called squatters—that they are occupying illegally, and, instead, saying they will have the original owners of those homes come back. This is important because the people who have been displaced or dispossessed primarily are Sunnis. The Shiite militias came in and kicked them out and allowed squatters in their home.

It is highly significant the Iraqi Government has said, through a LTG Aboud Qanbar, who is leading this new crackdown, that they are going to close the borders with Iran and Syria, they are going to extend the curfew in Baghdad, set up new checkpoints and reoccupy the houses that have been occupied by the illegal Shiites.

Another significant change, they actually raided a Shiite mosque which was a center of illegally armed militias, kidnapping, torture and murder activities and a place where a good deal of weapons had been stored. This, in the past, had not been done. But it is now being done, all as a part of Maliki's commitment to change the rules of engagement and to commit himself to support politically the victories that had been occurring on the ground militarily but which were fleeting because when you capture people and put them in jail, if the politicians get them out of jail the next day, you have gained nothing. We need to give it a chance.

I referred to former Representative Hamilton of the Hamilton-Baker Commission, who said in testimony:

So I guess my bottom line on the surge is, look, the president's plan ought to be given a chance. Give it a chance, because we heard all of this. This that you confirmed . . . the day before yesterday, this is his idea. He's the supporter of it. Give it a chance.

Second, we need to support this mission and oppose the nonbinding resolution opposed to it because it would send a horrible message not only to our troops and military leaders but to our allies and to our enemies.

General Petraeus, whom I mentioned a moment ago, at his confirmation hearing got this question from Senator LIEBERMAN.

Senator LIEBERMAN: You also said in response to a question from Senator McCain that adoption of a resolution of disapproval . . . would not . . . have a beneficial effect on our troops in Iraq. But I want to ask you, what effect would Senate passage of a resolution of disapproval of this new way ahead



that you embrace—what effect would it have on our enemies in Iraq?

Lieutenant General PETRAEUS: Sir, as I said in the opening statement, this is a test of wills, at the end of the day. And in that regard . . . a commander of such an endeavor would obviously like the enemy to feel that there's no hope.

Senator LIEBERMAN: And a resolution—a Senate passed resolution of disapproval for this new strategy in Iraq would give the enemy some encouragement, some feeling that—well, some clear expression that the American people are divided.

Lieutenant General PETRAEUS: That's correct, sir.

Soldiers believe the same thing. From ABC News, on February 13, they asked Army 1SG Louis Barnum what they thought of the resolution. They had strong words. Here is what one said:

Makes me sick. I'm a born and raised Democrat—it makes me sad.

On the NBC nightly news, January 26, interview of three of our soldiers.

SPC Tyler Johnson said:

Those people are dying. You know what I am saying? You may support—oh, we support the troops' but you're not supporting what they do, what they share and sweat for, what they believe for, what we die for. It just don't make sense to me.

SSG Manuel Sahagun:

One thing I don't like is when people back home say they support the troops but they don't support the war. If they're going to support us, support us all the way.

There was in the Fort Worth Star-Telegram, February 15, a poignant communication from an Army sergeant whose name is Daniel Dobson. He said:

The question has been posed to me recently what congressional resolution hurts troops morale the most. No doubt we would be happy to come home tomorrow. But the thought is bittersweet. Most servicemembers will tell you the same thing: There is no honor in retreat . . . and there is no honor in what the Democrats have proposed. It stings me to the core to think that Americans would rather sell their honor than fight for a cause. Those of us who fight [for peace] know all too well that peace has a very bloody price tag.

The American people believe this as well. FOX News, according to an opinion dynamics poll in the last couple of days, 47 percent of the American people say it is more likely to encourage the enemy and hurt troop morale compared with 24 percent who think it would make a positive difference to the policy of the United States toward Iraq.

So we better be careful what kind of message is sent through a so-called nonbinding resolution. It would not change the course of what we are doing on the ground in Iraq, but it can certainly affect our enemy and the morale of our troops and our allies.

I conclude by saying it seems to me it would be a huge mistake to proceed to vote only on a resolution which is acknowledged by its proponents as being merely a first step toward a second step of reducing and ultimately removing support for the troops whom we have sent into harm's way. Far better it would be for us to continue this debate at the conclusion of which we

would vote on another resolution which would explicitly express our support for our troops and their mission.

To expound in further detail, I oppose this resolution and would vote "no" on taking it up without considering other resolutions first, because it would put a halt to the progress which has begun to occur in Iraq since the President announced new strategy. Some examples:

#### SHIITE MILITIAS LEAVE SADR CITY

Shiite militia leaders already appear to be leaving their strongholds in Baghdad in anticipation of the U.S. and Iraqi plan to increase the troop presence in the Iraqi capital, according to the top U.S. commander in the country. "We have seen numerous indications Shia militia leaders will leave, or already have left, Sadr City to avoid capture by Iraqi and coalition security forces," Army Gen. George W. Casey, Jr. said in a written statement submitted to the Senate Armed Services Committee as part of his confirmation hearing today to be Army chief of staff.

#### MOQTADA AL-SADR LIVING IN IRAN

The powerful Shiite cleric Moqtada al-Sadr has left Iraq and has been living in Iran for the past several weeks . . . With fresh American forces arriving in Baghdad as part of the White House plan to stabilize the capital, officials in Washington suggested that Mr. Sadr might have fled Iraq to avoid being captured or killed during the crackdown.

#### SUNNIS BATTLE AL QAEDA IN AL ANBAR

Before tribal sheiks aligned themselves with U.S. forces in the violent deserts of western Iraq, the number of people willing to become police officers in the city of Ramadi—the epicenter of the fight against the insurgent group known as al-Qaeda in Iraq—might not have filled a single police pickup. "Last March was zero," said Maj. Gen. Richard C. Zilmer, the Marine commander in western Iraq, referring to the number of men recruited that month. With the help of a confederation of about 50 Sunni Muslim tribal sheiks, the U.S. military recruited more than 800 police officers in December and is on track to do the same this month. Officers credit the sheiks' cooperation for the diminishing violence in Ramadi, the capital of Anbar province.

#### SUNNIS AND SHITES MOVE AWAY FROM SECTARIANISM

Sunni and Shiite Arab lawmakers announced plans [January 31] to form two new blocs in Iraq's parliament they hope will break away from the ethnic and religious mold of current alliances and ease sectarian strife. But though both blocs said they hoped to eventually draw in members of all ethnic and religious groups, one initially will be made up entirely of Shiite Muslim politicians and the other of Sunni Muslims.

#### IRAQ MILITARY TAKING A LEADING ROLE

The Iraqi government on Tuesday ordered tens of thousands of Baghdad residents to leave homes they are occupying illegally, in a surprising and highly challenging effort to reverse the tide of sectarian cleansing that has left the capital bloodied and balkanized. In a televised speech, Lt. Gen. Aboud Qanbar, who is leading the new crackdown, also announced the closing of Iraq's borders with Iran and Syria, an extension of the curfew in Baghdad by an hour, and the setup of new checkpoints run by the Defense and Interior Ministries, both of which General Qanbar said he now controlled.

#### IRAQ SECURITY FORCES RAID SHIITE MOSQUE

A U.S. military spokesman on Thursday hailed a joint American-Iraqi raid on Baghdad's leading Shiite Muslim mosque as proof

that the Baghdad security plan is being applied evenly against all sides of the country's sectarian divide. In a statement released Thursday, the U.S. military said the mosque was raided "during operations targeting illegally armed militia kidnapping, torture and murder activities." It said the mosque had been used "to conduct sectarian violence against Iraqi civilians as well as a safe haven and weapons storage area for illegal militia groups." Sunni Muslims have reported being held and beaten in the mosque, but little had been done about it before. The Supreme Council's armed wing, the Badr Organization, has been accused of kidnapping and torturing Sunnis. The statement said U.S. forces guarded the area around the mosque while Iraqi soldiers entered it with the cooperation of its security guards.

#### BAKER AND HAMILTON HAVE URGED THE SENATE TO CAPITALIZE ON THIS PROGRESS

Hamilton: So I guess my bottom line on the surge is, look, the president's plan ought to be given a chance. Give it a chance, because we heard all of this. The general that you confirmed 80-to-nothing the day before yesterday, this is his idea. He's the supporter of it. Give it a chance.

Baker: And let me . . . read from the report with respect to this issue of the surge, because there are only two conditions upon our support for a surge. One is that it be short-term and the other is that it be called for by the commander in Iraq. President Bush said this is not an open-ended commitment. Secretary Gates said this is a temporary surge and . . . General Petraeus is the guy that's to carry it out and he was the person that originally recommended it.

I also oppose this resolution because I believe it would send a horrible message to our troops and our military leaders, our allies and our enemies.

The majority leader has said that he doesn't think the resolution "matters" substantively, and that the politics are all that is important. He said:

Well, it doesn't matter what resolution we move forward to. You know, I can count. I don't know if we'll get 60 votes. But I'll tell you one thing: There are 21 Republicans up for reelection this time.

I believe, contrary to the opinion of the Majority Leader, that the non-binding words in this resolution do matter. Here's why.

General Petraeus Believes the resolution hurts his Mission.

This is from Petraeus' confirmation hearing:

Senator LIEBERMAN. You also said in response to a question from Senator McCain that adoption of a resolution of disapproval, . . . would not . . . have a beneficial effect on our troops in Iraq. But I want to ask you, what effect would Senate passage of a resolution of disapproval of this new way ahead that you embrace—what effect would it have on our enemies in Iraq?

Lieutenant General PETRAEUS. Sir, as I stated in the opening statement, this is a test of wills, at the end of the day. And in that regard . . . a commander in such an endeavor would obviously like the enemy to feel that there's no hope.

Senator LIEBERMAN. And a resolution—a Senate-passed resolution of disapproval for this new strategy in Iraq would give the enemy some encouragement, some feeling that—well, some clear expression that the American people were divided.

Lieutenant General PETRAEUS: That's correct, sir. Soldiers believe the resolution undermines them.



ABC News, Feb. 13:

ABC News recently asked Army sergeants in Ramadi what they thought of the resolution, and they had strong words.

"Makes me sick," said First Sgt. Louis Barnum. [I'm] born and raised a Democrat—it makes me sad."

"I don't want to bad mouth the president at all. To me[,] that is treason," said SGT. Brian Orzechowski.

From NBC Nightly News, January 26:  
Specialist Tyler Johnson:

Those people are dying. You know what I'm saying? You may support—"Oh, we support the troops," but you're not supporting what they do, what they share and sweat for, what they believe for, what we die for. It just don't make sense to me.

SSG Manuel Sahagun:

One thing I don't like is when people back home say they support the troops but they don't support the war. If they're going to support us, support us all the way.

SPC Peter Manna:

If they don't think we're doing a good job, everything that we've done here is all in vain.

From Fort-Worth Star Telegram,  
February 15, 2007:

Army SGT Daniel Dobson:

The question has been posed to me recently what congressional resolution hurts troop morale the most. No doubt we would be happy to come home tomorrow. But the thought is bittersweet. Most service members would tell you the same thing: There is no honor in retreat . . . and there is no honor in what the Democrats have proposed. It stings me to the core to think that Americans would rather sell their honor than fight for a cause. Those of us who fight for [peace] know all too well that peace has a very bloody price tag.

THE AMERICAN PUBLIC BELIEVES THAT THE  
RESOLUTION UNDERMINES THE TROOPS

From FOX NEWS quoting an opinion  
dynamics poll:

47 percent say it is more likely to encourage the enemy and hurt troop morale, compared with 24 percent who think it would make a positive difference to U.S. policy toward Iraq.

Finally, this resolution is but the first step in a "slow bleed" strategy, and should be rejected for that reason as well.

Democrats claim that they just want an up or down vote on this resolution to send a message to the President, but I fear that the real plan is much more expansive. If this resolution passes, votes to cut off support for our troops and micromanaging the war won't be far behind.

In the other Chamber, Representative MURTHA has made it clear that he intends to bleed our troops of support for their mission in Iraq. Speaking about his resolution, MURTHA said: "They won't be able to continue. They won't be able to do the deployment. They won't have the equipment, they don't have the training and they won't be able to do the work. There's no question in my mind."

Speaker PELOSI essentially endorsed this slow-bleed strategy, according to reports in *The Politico* this morning.

Those who believe that this vote is a simple gesture, and that it will be the

last word on the "surge" from this body, then why did Senator FEINGOLD say on the floor just this morning that the Warner resolution is a "first step"? Please listen to these additional quotes from some of my Democratic colleagues:

This is from the Foreign Relations Committee, January 24, 2007:

Senator BIDEN: But there's also one other thing, and I commit to everyone today, and I will end with this: that unless the President demonstrates very quickly that he is unlikely to continue down the road he's on, this will be only the first step in this committee. I will be introducing—I know Senator DODD may today introduce and another may—I know Senator OBAMA, Senator KERRY, probably all of you have binding, constitutionally legitimate, binding pieces of legislation. We will bring them up.

On "Meet The Press," January 28, 2007:

Mr. Russert: Do you believe that it's inevitable Democrats will cut funding for the war off?

Senator SCHUMER: Well, we'll certainly ratchet up the pressure against President Bush. The bottom line is that this escalation, for instance, is so poorly received, not just by Democrats, but by all of the American people. Our first step will be this sense of the Senate resolution. But it's only the first step.

From Speaker PELOSI, February 13, 2007:

A vote of disapproval will set the stage for additional Iraq legislation which will be coming to the House floor.

If our Democratic colleagues don't intend to make this resolution the "first step" in a campaign to cut off funding for our operations in Iraq, then why won't they allow a vote on the Gregg resolution?

In summary, debate? Yes. But votes that are meaningful—not just on a critical non-binding resolution but on a commitment of support for our troops and their mission as well.

The PRESIDING OFFICER. The Senator from Wyoming has 10 minutes.

Mr. THOMAS. Mr. President, I thank the Senator for his remarks. I certainly agree it would be a mistake to send any message that we are not in support of our troops and, indeed, that is what voting on one message would do. Certainly, there are different views in the Senate and legitimately so. We recognize that. That is the way it is in Congress.

I resist a little bit the idea that has come up on the other side of the aisle that we have not talked about this, we have not debated it. I say we have talked about it, we have talked about it for several months. We have debated it. There is clearly a difference of view. Most everyone has the same idea that the situation must be changed and must be improved there. No one argues with that.

The issue is that we can back off and deny the support we have for what we have accomplished or we can move forward with the President, who has a change in plan. That is something we need to remember. We are not talking about simply continuing to do the

same thing. We have new leadership there, we have some new strategies there, we have some ideas as to what might be done.

Our troops continue to do an incredible job, but it has not gone as well as we would like. Therefore, it is appropriate that we make some changes. In order to make some changes, it is probably necessary to change the arrangement we have, change the numbers so we can do something and to begin again to devise a movement that will get us out of there in a relatively short time.

Our military leaders know that. They accept that. Their plans embrace that idea that we have to do something different, that we have to start coming to some transition and conclusion. The President also has acknowledged this.

It is not simple. None of us like war. None of us like to have our troops at risk, there is no question about that. But the fact is there exists a terrorism threat to the United States, somewhat centered in this area. The fact is, we need to complete the task and to be able to turn some stability over to a government in Iraq that can move forward.

The United States cannot complete this mission alone. And the Iraqis, of course, must keep their commitment to do more than they have. Fortunately, we are seeing some movement in that direction. We are seeing the support building, and we need to continue to press for that with the surrounding countries.

The President has made it very clear to the Iraqi President that our support is not open-ended. I hope we continue to do that.

The administration has installed new leadership. We have had good performance there, but we need to be moving in a somewhat different direction, a change from what we are doing. That is the plan. That is what it is all about.

I am a little discouraged that we act as if we have not talked about it, we act as if we have not made a move upon it, and now we have a nonbinding resolution. But as the previous speaker said, we also need to offer more than one amendment. There are different options. We have to recognize the Senate is close in numbers, and we have some differences. We have to have an opportunity to talk about different things. Hopefully, that is what this is all about.

It is peculiar political posturing to sound off with sense-of-the-Senate resolutions on the heels of having unanimously confirmed the general who is going over there to take over. He has a plan. It would be discouraging to him, I am sure, to learn we are sending him over there, but we are not going to do the things he needs to do. It is important for folks to understand this plan does not involve just sending troops and put a bandaid on the problem. We have commitments from the Iraqi Government to step up security and reconciliation efforts. We need to make

decisions from where we are now at this point in the fight to move in a somewhat different direction.

One thing is for sure. We are not moving the ball by just talking from the sidelines. Here we have an opportunity to do that—not a never-ending commitment but one to make some changes, complete this task. However, of course, it is a little premature to be debating a nonbinding resolution but, nevertheless, we have different views and that is where we are, and that is fine. But I think, in fairness, politically, we do need to have the opportunity to act on more than just a single amendment so we can have some chance to talk about other items that have an impact on Iraq.

The resolution will only serve to score political points and undermines our efforts to achieve a positive result in what we are seeking to do. So I am concerned today with respect to this process, but we can make it work. And we need to make it work. Here we are. Let's make sure we have an opportunity to make it balanced, we have an opportunity to talk about both sides, we have an opportunity to talk about some of the other kinds of opportunities.

The majority will not let the minority offer amendments, and they should. This is not a one-sided debate, and there are certain items we need to discuss.

Leader MCCONNELL has made more than one good-faith effort to meet the majority in the middle of the aisle, and we, I hope, will continue to do that. We must do that. We have proposed to give the majority the votes they want if they will simply give us the votes we would like to have. That seems to make a great deal of sense.

So we are in sort of a procedural tie-up on something for which we know there are differences on the policy, clearly, and we will simply have to work on that. And we have to recognize the responsibility and the commitment the President has made and the plan he has to change things there so we can go forward. So we need to give the troops and the Iraqis the opportunity to work more to change the situation there.

So the purpose of this whole exercise, of course, is to put a government in place in Iraq so they can take care of themselves, for us to be able to remove our being there and our commitment there. I think we have a chance to do this. So I hope if we are going to move, we have a chance to move on more than one opportunity and one resolution. And I think that will be the case.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, I come before the body today to let my colleagues know I intend to vote for cloture on the single and simple resolution that will be before this body tomorrow afternoon.

When one looks at the content of what is included in this resolution, it is

very simple. In its simplest terms, it says, firsts and foremost, we support our troops. We support our troops. Who in this body would disagree with that statement?

Secondly, it makes another statement, another important but very simple statement, and that is that we disagree with the President's plan to add an additional 21,500 troops into Iraq. We disagree with the President's plan.

That is a simple resolution. We should be able to bring that resolution to this floor. We should be able to have it debated. And we should be able to have an up-or-down vote on that resolution.

I wish it were otherwise. I wish that, in fact, we were debating the various resolutions that have been suggested that we debate on this floor by the majority leader in the last week, where he has offered the minority leader on the Republican side the opportunity to come in and debate the Warner resolution, the McCain-Lieberman resolution, as well as this resolution, and a number of different configurations which have been offered to the minority party.

But the reality today is this Chamber, through the minority party, wants to stop a vote on any resolution relating to Iraq. They simply want to stop a vote. What we need to do as a Chamber, in my view, is to move forward with the deliberation of the great Senators who are a part of this Senate and have a robust debate on Iraq that sets forth the different alternatives that have been presented and come to some kind of conclusion that gives direction to America and to this country on how we ought to move forward in Iraq.

I wish we were here in part debating the Warner-Levin resolution because when you think about the content of the Warner-Levin resolution, in that resolution you also find what I believe is the best of what we have to offer. You have a thoughtful proposal that says, yes, we disagree with the President, but we also have a new direction in which we believe we ought to march forward in Iraq. That bipartisan resolution, that was largely drafted by Senator WARNER and Senator NELSON and Senator COLLINS, of which I am a cosponsor, is a way forward. It is a way to describe a new direction for us as we move forward in Iraq.

I also wish we were here today and tomorrow, and even into next week, debating the resolution which has been brought forward by my dear friends, Senator LIEBERMAN and Senator MCCAIN. They have a different point of view than other Members of this body. They have a different point of view than Senator WARNER and I do with respect to how we ought to move forward in Iraq. But, nonetheless, they are people of good faith who have a point of view that ought to be debated in this body, and we ought to have a vote on it.

Unfortunately, the procedural mechanisms which have been put forward by

the minority party will keep us from actually debating that particular resolution and having a debate and a vote on that resolution.

I believe the ultimate goal we all have in this Chamber is we want to have peace in Iraq, and we want to have a peaceful Middle East. But I also believe that unless we are able to find some way of working together in a bipartisan manner, that key ingredient of how we find a peaceful avenue in Iraq and in the Middle East is going to elude us.

For sure, today is simply one of the opening chapters of the great debate we will have in this Chamber in the weeks and months, perhaps even in the years, ahead with respect to how we move forward in Iraq and how we move forward in the Middle East. Without a sense of bipartisanship, we will not be able to find that unity which is an essential ingredient for us to be able to move forward.

It dismays me we have not been able to find the bipartisanship to get us to the 60-vote threshold so we can move forward and have a robust debate on this issue that will be before the body tomorrow, as well as other issues and resolutions that would be brought forward by my colleagues.

As I speak at this time, the House of Representatives—just right down the hallway from where I stand right now—is about ready to begin a vote—a vote—on this very simple resolution. And again, its simplicity defies any logic as to why we would not want to vote on it in the Senate. It is very simple: We support our troops, and we disagree with the President's proposed escalation of troops by 21,500.

It is right that we are here this afternoon and into Saturday debating the vote on that simple resolution. That resolution addresses the most critical and important issue before our Nation today. I deeply regret the Senate has been prevented from voting on a similar resolution, and that is why I will vote for cloture on this resolution tomorrow. I believe the Senate has an obligation—it has an obligation—to debate and to vote on the issue that is most important to America today.

For me, my constituents in Colorado know where I stand. I am a cosponsor of the bipartisan resolution which Senator WARNER and Senator NELSON and Senator COLLINS and others have worked on for some time. That resolution states in clear terms that the Senate disagrees with the President's plan to send more troops to Iraq. And, at the same time, that resolution truly offers a new way for us to move forward with this seemingly intractable problem we face in that part of the world.

I have referred to the Warner resolution as a new way forward, a new plan, a plan C, if you will, because it finds a middle ground between the President's plan A, which is to escalate the military effort in Iraq, and plan B, which is pushed by some American citizens in

each one of our offices every day who say we should immediately leave Iraq—we should immediately leave Iraq. From my point of view, the bipartisan resolution we came up with offers a new direction forward.

Our bipartisan group believes what we need to do is to have a new strategy in Iraq, one based on demanding long-overdue compromises from the Iraqi Government, vigorous counterterrorism activity, continued support of our troops in the field, protecting the territorial integrity of Iraq, and a very robust and enhanced diplomatic effort in that region and in Iraq itself.

The new way forward reflected in the Warner resolution is based on a number of key principles, as follows:

First, the central goal of the American mission in Iraq should be to encourage the Iraqi Government to make the political compromises that are necessary to foster reconciliation and to improve the deteriorating security situation in Iraq.

Second, the American military strategy should be focused on maintaining the territorial integrity of Iraq, denying terrorists a safe haven, promoting regional stability, bringing security to Baghdad, and training—and training—and equipping the Iraqi forces.

These are important principles, and they continue.

Third, we say what we would like to see happen in Iraq is that the United States should engage the nations in that region to develop a regional peace and reconciliation process.

Fourth, we believe the United States should continue to engage in a strong counterterrorism activity, chasing down al-Qaida wherever al-Qaida might be.

Fifth, the American mission in Iraq should be conditioned upon the Iraqi Government meeting certain benchmarks, including ensuring an equitable distribution of oil revenues in that country.

And sixth, Congress should not eliminate or reduce funds for troops in the field because the brave men and women fighting this war need our support while they are in harm's way.

I believe plan C offers us the right way forward. It is my hope that resolution ultimately would be adopted by a large bipartisan group of Senators in this body.

I would like to discuss in further detail a couple of the key elements, at least in terms of how I see it, on how we move forward, on how we improve the security situation along Iraq's borders, and the need for an enhanced and much more robust diplomatic effort.

I believe the territorial integrity of Iraq, security along Iraq's borders, and, for that matter, security in the region is linked with the need for a renewed and vigorous diplomatic push.

The bipartisan Iraq Study Group stated in very simple terms:

The United States must build a new international consensus for stability in Iraq and the region. In order to foster such a con-

sensus, the United States should embark on a robust diplomatic effort to establish an international support structure intended to stabilize Iraq and ease tensions in other countries in the region.

In addition, the public portion of the National Intelligence Estimate—which was a consensus document produced by the 16 agencies comprising the national intelligence community—mentioned three things which could “help to reverse the negative trends driving Iraq's current trajectory.” It is important to note that each of these three strategies proposed by the NIE are fundamentally diplomatic and political, as opposed to military.

They are, first of all, a recommendation that the broader Sunni acceptance of the current political structure and federalism be brought about; secondly, that significant concessions by Shia and Kurds are required to create space for Sunni acceptance of federalism; and, third, a bottom-up approach is needed to help mend the frayed relationships between the tribal and religious groups.

The two most important documents produced on the Iraq war over the past 6 months, the Iraq Study Group report and the public portions of the NIE, recommend a renewed diplomatic and political effort as a keystone for security inside Iraq and in the region.

This is no surprise when you consider the situation along the borders of Iraq. To the east, we know of the damage Iran can potentially cause by crossing the relatively porous border in order to promote the Shia cause. Not only that, but Iran has steadfastly ignored the U.N.'s demand to halt their nuclear activities. To the south and west, Saudi Arabia might eventually decide to intervene on the side of the Sunnis, should the situation further deteriorate. To the north and west, of course, is Syria, which has a largely uncontrolled border with Iraq, across which foreign fighters and arms and terrorists cross even today as I speak. To the north is Turkey, which is watching the situation in Iraq and might decide to intervene in order to prevent an independent Kurdistan. Finally, Jordan, to the west, is feeling the strain of the massive influx of Iraqi refugees into their country, which could have a destabilizing effect on a country which is such an important ally of the United States.

Given the potential crisis on Iraq's east, west, north, and south borders, given the complex and conflicting interests the parties in the region face, and given the difficulty of imposing a military solution on this expanding, deteriorating puzzle, it is imperative to embark on a renewed and robust diplomatic and political effort in the manner outlined in the Warner resolution. That effort, in my view, must include the following:

First, it must include talks with each of the key players in the region. I agree with the Iraq Study Group report which stated that:

The United States should engage directly with Iran and Syria in order to try to obtain the commitment to constructive policies toward Iraq and other regional issues. In engaging Syria and Iran, the United States should consider incentives, as well as disincentives, in seeking constructive results.

This does not mean direct talks will necessarily succeed quickly or even succeed at all. But it does mean the United States should use every available carrot and stick, every diplomatic tool we have to try to stabilize the region.

Second, the United States and those who share a vision of a peaceful Middle East should organize an international conference to help the Iraqis promote national reconciliation and stronger relations with their neighbors.

Third, we should heed the advice of the Iraq Study Group and promote the creation of an Iraq international support group which would include each country that borders Iraq and other key countries in the region. That support group would work to strengthen Iraq's territorial and sovereign integrity and would provide a diplomatic forum for Iraq's neighbors, many of whom have competing and conflicting interests to negotiate.

We may very well engage Iraq's neighbors and find we cannot achieve common ground. But I believe that refusing to talk to our adversaries on principle simply because they are our adversaries has done us no good. Indeed, in our history, Presidents from both parties and of different ideological stripes, from Franklin Roosevelt to Ronald Reagan, have actively engaged countries and leaders with whom they strongly disagreed, and they did so because it was in the American national interest. In fact, even this administration diplomatically engaged a member of the so-called “axis of evil,” North Korea. And while this process was long and laborious, it appears to have borne fruit. I believe we are at a similar moment in Iraq, when a strong and tough diplomatic effort may offer our last best chance to achieve a measure of peace and stability for Iraq and for the region.

For that reason, I believe we should follow the advice of the Iraq Study Group, the authors of the National Intelligence Estimate, and the advice of Senators from both sides of the aisle in pursuing a new direction in Iraq. There are no guarantees of success, but we must make every effort to succeed before it is too late.

I want to make a statement relative to why I think it is such an important time for us to be involved in this debate. It was not that long ago when I went with two of the most distinguished Senators in this body to Iraq and Afghanistan and spent time in both countries with both Senator WARNER and Senator LEVIN. For all of us who are Members of this body, there are no two Senators whom we hold in higher esteem. They truly are Senators whom I would call “a Senator's Senator” because they have the respect of

their colleagues. They have the wisdom they have accumulated through their service to our country over decades, and they are always attempting to do what is best for the American interest. I remember in Baghdad having conversations with both Senator WARNER and Senator LEVIN and how they described how things had changed from the initial invasion to the time we were there in the heavily fortified Green Zone in Baghdad and as we traveled around the country.

Since that time, Senator WARNER and others have been back there. As we have heard in this Chamber, the distinguished Senator from Virginia talked about how 3 or 4 months ago, he described the situation in Iraq as drifting sideways. Today that situation is not only drifting sideways but it continues to deteriorate. So no matter how much our troops have done, the sacrifice they have made, the sacrifices their families have made, things have not only drifted sideways, they continue to deteriorate. The President's proposal, which is at the heart of this debate, has to do with whether we should send 21,500 more troops into harm's way. We should all ask the question whether that is something we shouldn't support, and we should have an opportunity to vote on that concept in this Chamber. We should have an opportunity to vote on that concept in this Chamber before the President moves forward with the escalation effort.

In my view, and part of the reason I joined Senator WARNER and Senator NELSON and others in their resolution, I don't believe it will work. I believe when we look at Operation Going Forward Together in June and Operation Going Forward Together 2 in August, they demonstrate that a surge of this kind will, in fact, not work. Indeed, the Iraq Study Group found that between the months of June and the time they issued their report, violence had escalated in Baghdad by 43 percent. So we have tried a surge twice, and it has failed. Now the President is saying we ought to go ahead and do yet another surge. I believe a simple resolution we can vote on that makes a simple statement that we support our troops and we oppose the escalation of the military effort in Iraq in the way the President has proposed is the right thing for us to vote on. It is the most important question of our time. It is appropriate for us to be spending this Friday and Saturday, and, if it so takes, all of next week, instead of going back to our respective States and working during the Presidents holiday to debate this issue, which is such a defining issue of our time. This is a defining issue for the 21st century, not only for Iraq but for the Middle East, for the war on terror which we wage around the globe; this is the defining issue, and it is appropriate for us to be having this discussion on the floor today. Hopefully, we will have an opportunity to move forward into the debate on this resolution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I rise to speak on the cloture vote on the motion to proceed to S. 574. I will vote in opposition to moving forward on that resolution because I don't believe it offers me the opportunity to express what I believe this body should be doing on the war on terror and the war in Iraq and for our men and women in harm's way. I want to take a minute to explain as well as I can why I believe so strongly and so passionately in that regard.

Ironically, 30 minutes before I came to the Chamber, I got a press release from the Department of Defense announcing that deployment of over 1,000 members of the 3rd ID stationed at Fort Stewart, GA has been accelerated from June to March of 2007. Those soldiers will shortly be leaving our great State on their way to be deployed in Baghdad, specifically as a part of the President's mission to secure and hold and to build.

I can't be certain of this, but I imagine some of those soldiers are probably watching television today in Hinesville, GA. They might even be watching C-SPAN. They might even hear these remarks. So I make them in the belief and with the hope that they are listening, as well as those soldiers in Baghdad and Balad and Tallil who are watching their monitors in the mess hall or the command post, as well as those who are our enemies, those who would do us harm, those who are the reason we are in Iraq and Afghanistan today.

It is not right to send a mixed message in a nonbinding resolution while our men and women are deploying in defense of this country and at the order of the President, our Commander in Chief. The result of that is to send a message of doubt to our men and women and a message of hope to our enemy. We can have our differences—and anybody who watches the debate on this floor knows, we certainly have our differences—but there should be no difference or equivocation in the support of our men and women in harm's way and our men and women now on the ground in Iraq and Afghanistan.

For a minute I want to talk about how deeply I believe in our options, because we only have two. The first is an opportunity for success. That is what the President has chosen. This surge, criticized by some, is even a part of the Hamilton-Baker report where they addressed a potential surge in their report. The President, after listening to many of us and to his commanders and, certainly to General Petraeus, has decided to deploy these troops to go into Baghdad, to go into Anbar, to secure it; and then, with the help of the Iraqi soldiers, to hold; and then, with the help of USAID, the State Department, and the world community, to build and to have a platform and a foundation upon which political reconciliation will take place. Every one of us knows that, ulti-

mately, reconciliation will make the difference in whether our hopes and dreams for the Iraqi people and the hopes and dreams they have for themselves will, in fact, take place.

I serve on the Foreign Relations Committee. I sat through 28 hours of testimony from countless experts, one after another. Most of them had mixed feelings on the surge. Some were unalterably opposed. Some said it may work. Some said it would work. They had differences of opinion, as we do. But in 28 hours of testimony, from expert after expert, from Madeleine Albright to Henry Kissinger, from think tank after think tank, from JACK MURTHA and Newt Gingrich—Newt a former Speaker of the House; JACK certainly outspoken on this issue in the House—every one of them agreed on one fact: A redeployment of our troops or a withdrawal would lead, at the very least, to thousands of deaths and more likely the slaughter of tens of thousands and maybe even millions of people in Iraq and possibly beyond in the Middle East.

Withdrawing, repositioning, turning our back is a recipe for disaster. And the world knows how important our success is. I spent last weekend in Munich, Germany, at the World Security Conference, where Vladimir Putin and the Iranian Foreign Secretary and Prime Minister spoke. We met with Chancellor Merkel of Germany and representatives from Bulgaria, Estonia, and Japan. Do you know what is so eye opening to me? With rare exception, each one expressed their appreciation for what the United States of America and our allies are doing, and their hope and prayer is we will succeed. They know what we know: We are in the ultimate war between good and evil. Iraq is but a battle in the war on terror that will move to other places. If we ever give comfort or hope to our enemy that we may turn and come home, leave the battlefield, leave them to their own volition, then we know it is the beginning of the end for the peaceful societies and the democracies of this world.

Chancellor Merkel of Germany—a country where popular opinion is very much against the war—announced her commitment of more Tornados to be deployed to Afghanistan. We have 46,000 troops there—23,000 Americans and 23,000 from countries around the world—pursuing to keep that fledgling democracy secure as the Taliban makes one last effort.

The enthusiasm of the world is in support of the United States and our men and women in harm's way. I think that enthusiasm should take place on the Senate floor in the United States of America as well. My vote tomorrow of "no" on the motion to proceed will not be a desire to cut off debate. It will, in fact, be a desire to elevate the debate. I think every side that is represented on this Senate floor ought to be a side that is spoken. I personally prefer the Gregg amendment and do not prefer and would not vote for the resolution

of the Senator from Nevada, which is the same resolution now being debated on the floor of the Senate. I think I ought to have an opportunity to express to the thousand members of 3rd ID leaving to go to Iraq, to the men and women in Iraq who are listening, and to the constituents I have in the State, regardless of which side of the issue they are on—the Senate deserves a right to debate all of the valid points of the questions that confront us in Iraq.

I know earlier in a speech given on the floor the content was primarily a recitation of the names of those who have died in uniform in Iraq from the United States of America. I don't take the position I take lightly, nor do I not think for a moment about the sacrifice that has already been made by men and women from my State—from PFC Diego Rincon, the first Georgian to lose his life fighting in Iraq—Diego, by the way, was not a United States citizen when he died, and we gave him citizenship posthumously because of the commitment he made to this country—to LT Noah Harris, from Eljay, GA, who was a cheerleader at the University of Georgia on 9/11. He was so moved by what happened that he jumped into ROTC in his junior year and pursued a commission in the United States Army, received it, and went to Iraq. He died fighting for what he believed this country was all about: to stand up to the agents of terror and those who would use it to pursue their cause. Also, there was SGT Mike Stokely, a brave American who died in pursuit of freedom and peace in Iraq, and the hundreds of other Georgians who have been wounded or sacrificed their lives. They should not die in vain. They went for the reason that they believed volunteers are important to them and their country. They volunteered and made that commitment knowingly and willingly. They deserve the chance to pursue this effort for success in Baghdad and Anbar with enthusiasm from our Senate and our Government. From me, they have that.

When we read a list of those who lost their lives, we have to remember how long the list is of those who live today because our men and women in the Armed Forces, in wars past and in war today, fight for security and peace and fight for us to live.

We saw on 9/11 the manifest horror tyranny and terror can bring, and we will see it again if we lose our resolve to pursue it wherever it takes us—Afghanistan, Iraq, or places yet known to us.

Mr. President, I yield the floor, with the confidence and pride in the men and women who serve in the Armed Forces and my willingness to fully support an opportunity for success rather than a recipe for disaster.

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

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

Mr. ROBERTS. Mr. President, parliamentary inquiry: I understand I have 15 minutes within which to make my remarks; is that correct?

The PRESIDING OFFICER. The minority has 8 minutes remaining at this time. It would take consent to extend that time.

Mr. ROBERTS. Mr. President, I ask unanimous consent that I may proceed and make my remarks in 15 minutes.

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

Mr. ROBERTS. I thank the Presiding Officer.

Mr. President, some weeks ago—and I mentioned this in my remarks during the debate we were having on the resolutions with regard to Iraq and the war—I said several weeks ago I had the privilege of attending and speaking at a farewell dinner in honor of LTG David Petraeus and his wife Holly at the Command and General Staff College of the United States Army at Fort Leavenworth, KS. And, of course, now General Petraeus is in Iraq and involved in the new mission as prescribed by the President and the subject of great debate not only here but in the House of Representatives, which is voting as I speak on their resolution in regard to this matter.

It was quite an evening of tribute in behalf of the general who has become admired and beloved serving as commanding general of the Army's Intellectual Center in Leavenworth, KS. Throughout the evening I had the opportunity to again visit with David Petraeus, his feelings about his new mission, his impressive knowledge with regard to this most difficult war in Iraq, the history of the region, his understanding with regard to the nature of past wars, his understanding of insurgency in past wars and the insurgency we now face in Iraq.

While at the Command and General Staff College, he wrote the Army's new manual on counterterrorism. Let me say, as a former marine, as the Presiding Officer is as well, I helped write a similar manual years ago for the U.S. Marine Corps. So I find this man unique in his knowledge and his command ability. But when I was asked to make remarks after the dinner—they would always invite a Senator to make some remarks and, unfortunately, sometimes that turns into a speech—I was glad I said what I said, and virtually everybody in that room told me I had said what they cannot say. Those who wear their officer rank on their shoulders or their enlisted stripes on their sleeves in most cases do not comment on policy decisions or politics, no matter how strongly they feel. They follow orders, and they serve their country. But I believe my remarks to the general and his officer corps and the veterans of many previous wars are

pertinent to the issue we face in this debate.

Before I express my views, I want to stress that I regret we are at a stalemate in this body. Obviously, they are not in the other body, in terms of a vote at least, on this issue of vital national security. I think most in the Senate wish we could debate this issue with comity, with cooperation, and, yes, in a bipartisan fashion. And I think the American people who are concerned, obviously frustrated and angry about the war, would certainly appreciate that, but that is not the case. This issue, very unfortunately, is wrapped around a partisan and political axle.

Our good friends across the aisle insist that we debate and vote on one of three nonbinding resolutions—there may have been an agreement on maybe one more vote—in regard to the war in Iraq, and that is all. They wish to debate and vote on the House resolution which is now being debated in the other body and about to come to a conclusion, or the Warner resolution, which I think are very similar, and then call it a day because both resolutions support the troops but not the mission.

This is the rub for many of my colleagues and myself, and it is about as far as the majority wishes to wade in the waters of withdrawal at this time. I realize if we were to consider other votes, it would be more pertinent to the issue, especially the amendment by Senator FEINGOLD, and that would be wading in the water a little deeper than they would want to at this particular time.

Others of us wish to debate and vote on the McCain resolution—I hope we can do that—and the Gregg resolution and, as far as I am concerned, the Feingold resolution. I oppose the Feingold resolution, but I admire his forthrightness and his courage. But we are being denied that opportunity.

Most perplexing to me is that those who are covering this debate within the media—and it is never a good idea to say anything that could be possibly defined as critical of the media. I note there are none or there may be two, but, obviously, everybody is watching the vote on the House side.

Having said that, how on Earth can we describe this situation by writing headlines and 15-second news sound bites saying Republicans, like myself, have voted to stifle debate? I want to debate. Let's have a debate. Let's have a full debate and vote on the House resolution and/or the Warner resolution—vote on both of them—but let us also debate and vote on resolutions offered by Senators MCCAIN, GREGG, and FEINGOLD. I will vote for Senator MCCAIN's resolution. I will vote along with Senator GREGG. I would not vote for Senator FEINGOLD's resolution but, again, I think his resolution is probably the most determining in terms of effect, and he should get a vote.

We are not stifling or shutting down debate; our colleagues in the majority

are. Either we are not capable of explaining what I believe is a very simple proposition or some in the media cannot discern what is obvious. This is like playing baseball, although it isn't like playing baseball—that is a poor allegory, but it is the one I have chosen—playing baseball with one strike and then you are out. You say: Wait a minute, usually in a baseball game you get three strikes. What happened to the three strikes? Where are my other two strikes? Where are my other resolutions that I want to debate, that I want to support because they are pertinent to this, certainly as much as the others? They are nonbinding as well. And the umpire—in this particular case the distinguished majority leader—says: Back to the dugout, Senator ROBERTS, I am sorry. We run this ball game. You don't have any further strikes.

I have information that the House has just passed the House resolution 246 to 182. That is a pretty solid vote. So, obviously, we will be getting to vote on that resolution, and I hope we will get to vote on these other resolutions.

In my remarks at the Command and General Staff College, I told General Petraeus we had not been personally acquainted over a long period of years, but in our short span of time, I certainly came to know him well. I have had several stimulating and enjoyable conversations with him over a wide range of issues, most especially the British experience in Iraq from 1921 to 1931, the example of Lawrence of Arabia. Lawrence of Arabia wrote "The Small Warfare Manual," and he wrote "The Pillars of Wisdom." As I indicated, the U.S. Marine Corps had similar manuals, one called a "Manual on Antiguerrilla Operations," which I participated in, and now the manual the general has written.

It seems we cannot get it right with regard to insurgencies. The same things we write in these manuals we have to be careful about and pretty well play out the problems, to say the least, that make it very difficult.

Anyway, with regard to General Petraeus, he is exactly the right man for the right job at the right time. He knows this. He has been to Iraq. He was successful in his second tour. He is going back. I hope and pray he will be successful in his third effort. Our brave young men and women in uniform deserve nothing but the very best leadership, and they are getting it.

But I think it is a paradox of enormous irony that the Senate confirmed David Petraeus without a dissenting vote—not one, not one Senator—a vote of confidence that is unique, certainly given today's controversy and turmoil and the times. Yet at the same time, the same Senators who gave their vote of confidence are now in the business of what I call—I don't mean to perjure them—"confetti" resolutions supporting the general and the troops but not the mission they are undertaking

now. That to me is unprecedented for the Senate. I think it is remarkable, and I have said many times that these resolutions—and it has been said many times—are nonbinding. They have no legislative impact. They are so-called sense-of-the-Senate resolutions. For those who do not pay attention to the parliamentary procedure around here, that means they are meaningless except for the message you want to send, and that can be important to the Executive, i.e., to President Bush and the folks back home.

With all due respect, we have long crossed the message Rubicon with regard to sending mixed messages to our allies, our troops, the American people, the media and, yes, our adversaries. Words have consequences and, rest assured, our adversaries will read to try and figure out, analyze every word of the resolution just passed in the House and perhaps the one, maybe two resolutions we can pass in this body, hopefully three or four, and try to figure it out. I suspect they will be absolutely flummoxed in trying to discern the sense in reading a resolution that states support for the troops and our new commander, with new rules of engagement, with a limited timeframe for achieving and reporting benchmarks of progress, but that opposes the mission. That is a mixed message, and it should cause quite a bit of head scratching among the 31 different terrorist organizations that are planning various attacks around the world and even on the United States. My real concern is that the Senate is not considering or even talking about the probable consequences of these actions, let alone our responsibilities should they happen.

I want to make it very clear I do not question the intent or purpose or patriotism of any Senator, regardless of whatever resolution they are proposing voting for. I do question the judgment and the law of unintended effects. Bluntly put, with all this debate with regard to nonbinding resolutions, we appear like lemmings splashing in a sea of public concern, frustration, and expressing anger over the war in Iraq.

In this regard, I don't know of anybody in this body or anybody in America who does not want our troops home at the earliest possible date, and stability in Iraq, if possible. If possible—and that is a real question here. That is not the issue.

When all of this confetti settles, the end result of all this frenzy will be: "General, you and the troops have our solid support—but we don't support your mission. However, press on and good luck."

I think that message is remarkable. This is not a profile in courage. This is not the Senate's finest hour. If we are going to debate and vote on nonbinding resolutions, let us at least consider resolutions that will send a clear message or which can be of useful purpose. In that regard, we should consider the McCain resolution. It lists benchmarks

of progress that General Petraeus has told Senator McCain and me would be useful in his discussions with Prime Minister Maliki, and certainly the Gregg resolution that supports spending for our troops in harm's way. I think that is the precedent we have to set. That is the killer in this debate, along with the Feingold resolution, because my colleagues across the aisle do not want to vote on the Gregg resolution, let alone the Feingold resolution.

Senator FEINGOLD has a resolution which certainly does something. I don't agree with his resolution, but he is at least very forthright and sends a clear message, and he is a good Senator.

As the former chairman of the Intelligence Committee in the Senate, let me again stress what is not happening in the Congress or the media, and has received very little public attention regarding this challenge we face in Iraq. No one is talking about the consequences of what will happen if we simply withdraw or redeploy. And we may just do that, because I do not believe this war can or should be sustained if we do not see progress in the next 6 months. If General Petraeus doesn't come back and tell us there has been measurable progress, where we can see it, feel it, and touch it, we have some serious policy decisions to make. We need to be thinking about a policy of containment as opposed to intervention if this latest mission does not work.

I would also point out that most of the time deadlines for withdrawal are either in the nonbinding resolutions or they mirror exactly the time period General Petraeus has told the Armed Services Committee he would follow in reporting whether this new effort is making any progress, pretty much along the lines of the benchmarks that are in the McCain resolution. So the obvious question is: Who can better make that judgment, General Petraeus in theater or Senators here on the floor?

We have not discussed the difficult policy decisions that may confront us if it becomes necessary to redeploy, what that mission might be if we redeploy, where are we going, what is the mission going to be, or even how to withdraw.

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

Mr. ROBERTS. Mr. President, I have about 4 minutes left. If I could ask unanimous consent that Senator DORGAN allow me that privilege, I would greatly appreciate it.

Mr. DORGAN. Mr. President, I have no objection to that, provided that the 30 minutes which was to have started for our side at 3:30 will be extended for the full 30 minutes following the completion of the presentation.

Mr. ROBERTS. I will try to finish as fast as I can. I apologize. I arrived late. I asked for 15 minutes, and I thought I could get it done in 15 minutes. Obviously, "Roberts-ese" is expanding that time period. I will try to finish as fast as I can.



Mr. DORGAN. Mr. President, I ask unanimous consent that the 30 minutes begin following the presentation of Senator ROBERTS.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ROBERTS. As I indicated, Mr. President, we have not discussed the difficult policy decisions that will confront us if it becomes necessary to withdraw or redeploy, what that mission would be, or even how to withdraw. The reality is what we will do when certain consequences would take place. These are the possible, if not probable, consequences we should be confronting and debating and explaining to the American people and ourselves and in the media, even if some may have a deaf ear.

First. A dramatic increase in sectarian violence quickly escalating to a civil war—and I mean a real civil war—and a humanitarian disaster far more devastating than what is happening now. Shia versus Shia, Shia versus Sunni. What do we do? Thousands of Iraqis have already become refugees and left the country.

Second. Given a civil war and struggle for control, we can expect an incursion of Sunni troops from other Mideast countries—I want to make it very clear about that: other Mideast countries—to prevent an Iranian takeover of Iraq and the very real possibility of an Iraq led by Muqtada al-Sadr, whose street appeal could endanger their own Governments. I am talking about other Mideast countries. When that happens, the war becomes regional. What do we do?

Third. We can expect an Iraq certainly dominated by Iran, thus completing a Shia crescent with Iran, Iraq, Syria, and Lebanon. Today, countries such as Jordan, Saudi Arabia, and Egypt are talking about building their own nuclear programs, given Iran's nuclear ambitions and progress. Iran has just refused inspectors from the IAEA. With the possibility of Shia Muslims and Sunni Muslims each working to achieve nuclear capability and weapons, what does Israel do? What do we do?

Fourth. Iraq will become a safe haven for terrorists. This time it is for real. What do we do?

Fifth. In their eyes, with the defeat of the "Great Satan" only months away, as expected—a clear signal by this body and perhaps inevitable—terrorists around the world are already emboldened, waiting us out and planning more attacks; that is, if you believe what they say.

Read Afghanistan and the Taliban and the spring offensive. Will we soon be in the business of passing non-binding resolutions about Afghanistan?

Sixth. We can expect a perceived, if not real, lack of American resolve in the eyes of adversaries and potential adversaries around the world resulting in additional national security threats.

Read Putin and Belarus and Iran, and his recent remarkable speech at Mu-

nich in Germany at the NATO security conference. Kim Jong Il. We are making some progress with North Korea right now, but he does have a penchant for missile launches on the 4th of July.

Read Hugo Chavez—31 countries in the southern command. He is the new Castro, nationalizing his oil production and directly involved in five different countries. What do we do?

The point is that globally and over the long term this is not a Bush issue or a Democratic or a Republican issue, or even how you feel about Iraq or the war. Even as we argue about whether we debate and vote on one resolution or three or four, I hope, there are terrorist organizations and their second-generation affiliates—guided and inspired—are plotting attacks against the United States and throughout the world. It is obvious we can't sustain the status quo in Iraq, but while we debate on how to proceed, these folks are not giving up.

The irony is that should the President wake up in the morning and say, well, the House has voted for this resolution, they are not for this new mission, and the Senate is about to, and they may or may not do that, so I am going to terminate it, I am going to end it, then we are back to square one, back to a stalemate, back to the status quo. That, to me, doesn't make sense.

Given the fact there were at least five successful attacks that killed Americans—and others that, thank goodness, were not successful—before President Bush came to office and before military action in Iraq—given the fact this threat will face the next President and future world leaders, surely we can figure out it makes no sense to fight each other when the terrorists then and now and in the future do not kill according to party affiliation, nationality, race, age, or gender.

We do not need a Republican approach to national security and the war. We do not need a Democratic approach to national security and the war. We need, however, an American approach to our national security and the war and to our individual freedoms. This is a time to engage in honest dialog, to work together and think through and agree on the strategy that will defeat our enemies and make the American people safe. And yes, bring our troops home but in a way that we don't have to send them back.

So I say to the leadership, with all due respect, let us end this nonbinding business and get these confetti resolutions behind us. We have all had a chance now to discuss the war and we need to vote on I think at least four resolutions, and then come together with a bipartisan commitment—a difficult and perhaps impossible task but, I believe, a task that must be undertaken for the sake of our national security.

Mr. President, I yield back the balance of my time and I thank my colleagues across the aisle for permitting me to finish my remarks.

The PRESIDING OFFICER. The majority whip.

#### ORDER OF PROCEDURE

Mr. DURBIN. Mr. President, it is my understanding we were speaking in 30-minute segments and that the Senator from Kansas was allowed a little extra time to finish his remarks, which by my reckoning was about an additional 10 minutes. I want to clarify, and if a unanimous consent request is necessary, I will make that request, that the Senator from North Dakota be allowed to speak until 10 after the hour; and then, at 4:30, the next Democratic speaker would be recognized. So I think we would be back on the schedule that was spoken to earlier.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DURBIN. Mr. President, thank you very much, and if the Senator from North Dakota will yield for a few minutes.

Mr. DORGAN. I yield to Senator DURBIN.

Mr. DURBIN. I thank my colleague for yielding.

#### IRAQ

Mr. DURBIN. Mr. President, an historic vote was announced in the House Chamber moments ago. By a vote of 246 to 182, the House of Representatives, in a bipartisan rollcall vote, has approved the resolution relative to the President's call for escalation of the number of troops serving in Iraq. That resolution is fewer than 60 words in length, and I believe it should be read into the RECORD. This is a resolution which we are hoping to bring to the Senate floor tomorrow so that the debate can begin in this Chamber. It reads:

Congress and the American people will continue to support and protect the members of the United States Armed Forces who are serving or who have served bravely and honorably in Iraq; Congress disapproves of the decision of President George W. Bush announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq.

It is unembellished, it is straightforward, and it states a position. Those who agree with this resolution, as I do, should be heard. Those who disagree and believe we should escalate the number of troops in this war have a right to be heard as well. That is the nature of this institution. It is the nature of our democracy.

For the Republicans to continue to threaten a filibuster to stop the debate in the Senate so that Members of the Senate cannot come forward and express themselves and vote on this issue is wrong. It is unfair. It is inconsistent with the reason we ran for office. We were asked by the people kind enough to entrust us with this responsibility to face the issues of our times, to address those issues in a responsible manner, to have a civilized debate on the



floor of the Senate, and to take a vote and take a stand. We are expected to do that.

We are not expected to waffle and weave and avoid the obvious. This is the issue of the moment. It is the issue of our time. With over 130,000 American soldiers' lives on the line, it is unacceptable that the minority would stop us from debating this issue. It is unacceptable to our troops and to their families who wait anxiously to know what their fate will be. It is unacceptable to the rest of the Nation, which expects the Senate to be a full partner in congressional debate.

It takes 60 votes to bring a measure to the floor in the Senate. On the Democratic side, with one absence by illness, we have 50. We need the cooperation of the Republicans to even debate the issue. They have made it clear in pronouncements on the floor and in press conferences they are going to stop this debate at any cost. They are prepared to filibuster this measure so we cannot have a debate and a vote on this critical issue. That is wrong. It is inconsistent with the reason we ran for office and the reason this institution exists.

We have to face the obvious. Since the decision was made by the United States of America to give President Bush this authorization of force, we have seen horrible results.

Mr. President, 3,132 of our best and bravest soldiers have given their lives, thousands have been seriously injured, hundreds of billions of dollars of taxpayers' money have been spent in pursuit of this war, with no end in sight. Our soldiers did their job and did it well—deposed a dictator and gave the Iraqis an opportunity for the first time in their history to stand and govern themselves and guide their nation into the future.

Instead, we have seen this situation disintegrate into a civil war, and we have watched our soldiers caught in the crossfire of a battle that started 1,400 years ago among followers of the Islamic faith. That is not what America bargained for. That is why the majority of the American people believe we need to change course, we need a new direction, and we need to bring our troops home. We need to tell the President that the escalation of this war and the escalation of the troops is the wrong policy at this moment in history.

For this Senate to speak, we need to engage in a debate, a debate which leads to a vote. There are choices before us. This choice, which I support, tells the President we disagree with his policy. It joins with the House of Representatives, which made the same decision on a bipartisan basis. We have offered to Senator McCain, a Republican from Arizona, an opportunity to bring his position forward in support of adding more troops in Iraq. That is the fair parameter of a good debate. But sadly the Republican minority has said they will deny us that opportunity.

I hope those who believe it is important for the Senate to engage in this debate will contact their Members of the Senate as quickly as possible and let them know the vote tomorrow at 1:45 in the afternoon here on the Senate floor is a historic vote, a vote of great importance. Every Member should be here. Every Member should vote. Every Member should understand the nature of this institution. The reason we serve is to give voice to the people we represent on the issues of our time. There is no more compelling and timely issue than this war in Iraq.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I appreciate the words of my colleague from Illinois. This debate we are trying to have is actually a debate about a debate. This must be the only place, the only real estate in the United States of America in which, rather than having a debate about the war and strategy, we are having a debate about whether we should debate it. It is pretty unbelievable.

This is called the greatest deliberative body in the world. It is an unbelievable privilege for me to be here. I came from a very small town of about 300 people, a high school class of 9. I am here in the greatest deliberative body in the world. I am enormously proud to be here. But I came here not to avoid debate but to engage in debate, to talk about this country and its future.

There is an old saying: When everyone is thinking the same thing, no one is thinking very much. There is a desire in this Chamber by some who have spoken that we all be thinking the same thing about these issues, that we all support President Bush and whatever his strategies might be and wherever he might take us. This Congress has a constitutional role to play, and the constitutional role is not to decide to come to the floor from Monday through Friday to support the President of the United States, it is to come to the floor of the Senate to support this country and its interests as best we see those interests.

Some long while ago, I went to a veterans hospital on a Sunday morning and I presented medals to a veteran. His name was Edmund Young Eagle. He was an American Indian. He had fought in the Second World War, had gone all around the world, had fought in northern Africa, fought at Normandy, fought across Europe, and came back to live on the Indian reservation. He never married, never had very much. He loved to play baseball. But he had kind of a tough life. At the end of Edmund Young Eagle's life, this man who served his country, at the end of his life he was dying of lung cancer. He was in the veterans hospital in Fargo, ND, and his sister called and said her brother Edmund Young Eagle had proudly served his country and had never received the medals for his service in the Second World War.

Would you get him his medals, she asked?

I said, Of course I will.

So I achieved getting the medals he earned but never received from the Pentagon, and I went to the VA hospital on a Sunday morning to present medals to Edmund Young Eagle, a Native American, one of those first Americans who served this country and then went home and lived quietly.

When I went to his room that morning, Edmund Young Eagle was very sick. I didn't know it at the time, but he would die within a week or so. We cranked up the hospital bed for Edmund Young Eagle so he was in a sitting position, and I pinned his World War II medals on his pajama tops and told him that his country was grateful for his serving our country in the Second World War.

This man, very sick, looked up at me and said: This is one of the proudest days of my life.

This man who lived in a spartan way, never having very much but served this country with honor, felt great gratitude at the end of his life for a country recognizing what he had done for us. That is the life of a soldier, someone who commits himself or herself to answer their country's call without question. So many have done it.

I will attend a funeral this week of a young man killed in Iraq. I received a call this morning from a mother, the mother of a soldier who spent a year in Iraq and returned with very difficult circumstances—post-traumatic stress, all kinds of difficult emotional problems—who just this week received the alert notice that his reserve unit will likely be called up again.

This is about war. It is about commitment. It is about our soldiers. It is about our country and our future. Some say we should not talk about that, we should not debate it. If that is the case, this is the only real estate, this is the only room in America where it is not being discussed and debated. It is being debated in the homes, in the restaurants, in the gymnasiums, in the schools, in the office. It ought to be debated here as well. This has a profound impact on our country and its future.

Make no mistake about it, our military has won every battle it has fought. Our military will win the battles they fight. But winning military battles does not win the war in Iraq. We disapprove of President Bush's plan to deepen our escalation in Iraq because it is a military response to a problem that must be resolved through diplomacy and through negotiation. The civil war and the violence in Iraq is only going to stop when there is genuine reconciliation between groups in Iraq.

Let's think through what we have done in Iraq. Through our soldiers' blood and our Treasury, we sent troops to Iraq. The Iraqi leader, Saddam Hussein, is dead. Good riddance, I say. We have unearthed mass graves in Iraq showing that hundreds of thousands of

Iraqis were murdered by a dictator. But Saddam Hussein was executed. The country of Iraq was able to vote for its own new Constitution. The country of Iraq voted for its own Government. That is very substantial progress.

But the next step has not shown much progress. The next step is this: Do the Iraqi people have the will to provide for their own security? This is their country, not ours. Iraq belongs to them, not us. The question is, Do the Iraqi people have the will to provide for their security? If they do not, this country cannot and will not be able to do that for any length of time. That is the question. Do they have the will to take back their country?

Iraqi leaders are going to have to make very difficult decisions, political decisions in some cases which may undermine their own power and their own base of support. But it is the only way this is going to be resolved. The sectarian violence that exists in Iraq today can trace its roots in some cases back to the year 700 A.D. This violence is not going to dissipate soon unless there is reconciliation between the factions. This requires Iraqi troops to fight their ethnic and religious allies who are part of the insurgency as well as fight their opponents. It requires Iraqi security, Iraqi police, and Iraqi troops to provide for the security of the whole country of Iraq.

The resolution we want to debate is a resolution which does not say we don't support our troops. Clearly we support our troops. We support our troops with everything we believe is necessary for their safety and security and for them to do their jobs the way we expect them to do their jobs. This Congress, every man and every woman, supports America's troops and prays for their safe return.

This resolution says we support our troops but we do not agree with President Bush in his desire to deepen our involvement in Iraq. Some come to the floor of the Senate and say: Your position on this emboldens the enemy. It is a message to embolden the enemy. It sends the wrong message to our troops.

It is neither of those. It is a message from the Congress of the United States to the President, and that message is we do not support his proposal to deepen our involvement in the war in Iraq.

A blue ribbon commission was put together, of some of the best thinkers, foreign policy and military thinkers in our country, headed by James Baker and Lee Hamilton, very distinguished Americans. That group included former Secretaries of State and military leaders and some outstanding thinkers. They worked for months, many months, to develop a plan. We all understand the alternatives are not good in Iraq. We understand that. If there were an easy way to deal with this, believe me, it would have been dealt with. In many ways, we found a box canyon in Iraq, and it is hard to get out of a box canyon.

The Baker-Hamilton report represented a consensus of some of the

best thinkers in our country, having worked months on this problem. The President chose to ignore that report. The President says he is the decider.

You know, the Constitution says something about that as well. I agree with my colleagues that we can't have 100 or 535 commanders in chief. I understand that. But I also understand that the Constitution has a role for the Congress. Only the Congress can declare war—only the Congress. Yes, the President is Commander in Chief, but only the Congress can declare war. Only the Congress has the power of the purse.

The question is, What do we do about what is now happening in Iraq? No other country that I am aware of, in what the President has called the coalition of the willing, has decided they are going to deepen their involvement or expand their troops to Iraq. No other country. Even Great Britain, the strongest supporter of President Bush's Iraq policy, has refused to increase their troop strength in Iraq. In fact, the British news reports say that Britain intends to have all or most of its troops withdrawn by the end of 2007. None of our allies, old or new, of which I am aware, have decided the proper approach at this point, given the sectarian involvement in Iraq, is to deepen their involvement and increase their troop strength in Iraq.

The President is saying we should surge some additional troops to Iraq. We have done that before. In early 2004, we surged 20,000 additional troops. A similar one happened in the fall of 2005. Most recently, last summer the President announced that thousands of additional troops would be surged into Baghdad. What happened as a result of that was the violence increased, and deaths and injuries to American troops went up. So we have seen some examples of a surge, and the examples have not been very helpful. In fact, it has been counterproductive.

This map is a map of the city of Baghdad—about 4 million to 6 million people, about 250 square miles. We have people in this city who have grievances that go back 1,300 and 1,400 years. The Shia and the Sunni religious split occurred in the seventh century, and they have clashed frequently since then.

This country is not put together by natural borders. This country was put together by a pen and paper, by a decision 90 years ago of how to draw the borders of this country. This was a diplomatic decision, that this should be the country of Iraq.

Let me describe what is happening now in this city. We have areas that are Shia areas and Sunni areas, and now we have areas that are turning Shia and turning Sunni. In many ways, you will see from this map the dramatic evidence of violence in this capital city of Iraq. It is getting worse, not better.

I mentioned that some of the hatred goes back 1,400 years. But a more recent example, in a story I was reading

about Iraq, a Shiite was recently driven from his home and farm by the Sunnis who killed his brother and nephew, and he was so bitter and angry, he said, "A volcano of revenge has built up inside. I want to rip them up with my teeth." It is this hatred which fuels a civil war and the atrocities that occur nearly every day.

Saturday, February 3, saw the deadliest single suicide bombing since the war began nearly 4 years ago, with 130 people killed and more than 300 wounded. It was the fourth major attack against a densely populated Shia area in less than 3 weeks. On the Thursday before, twin suicide bombers struck a market jammed with people—60 killed, 150 wounded. Again, 60 killed, 150 wounded; spraying body parts so far that police were scouring rooftops late in the night for body parts. A few days before that, 75 people killed in Baghdad's Shia neighborhoods in multiple bombings; 160 wounded. The day before that, 3 car bombs detonated within minutes of each other at the vegetable market. More than 1,000 Iraqis were killed in the last week of January. We are told there were 3,000 killed in the last 3 weeks. Unbelievably, it seems to me, they pick up bodies in the middle of the morning in Baghdad from the night's carnage with holes drilled in their kneecaps, holes drilled in their skulls. These are unbelievable signs of torture. These are acts of unimaginable violence committed against others. No one is safe, nowhere is safe, and this violence pervades nearly every aspect of daily life.

The question I think the President proposes with his suggestion of a surge of an additional 20,000 or 21,000 troops in Baghdad poses is: Will additional troops in Baghdad on street corners, going door to door, embedded with the troops, with the security of the Iraqi Government, stem the violence? The answer is likely no. We have seen this attempted previously and it did not stem the violence; the violence increased.

Let me make another point I think is important. No one has made, I think, the point that this troop escalation, whatever it is, is temporary. The United States troops are leaving Iraq. The question is when, not if. At some point, United States troops will leave Iraq. The question is: Will we leave in a time that gives us the opportunity to turn the country of Iraq back to the Iraqi people and say, this is your job to provide for your security.

Let me talk about the National Intelligence Estimate. The National Intelligence Estimate was done with 16 intelligence agencies. They spent the last 5 months analyzing the situation in Iraq, reviewed by the head of the CIA, the head of the intelligence units at the Pentagon, State Department, Justice Department, and the Director of National Intelligence, our most senior intelligence official. Some of it is top secret, but some was released publicly. Let me read something:

Even if violence is diminished, given the current winner-take-all attitude and sectarian animosities affecting the political scene, Iraqi leaders will be hard-pressed to achieve sustained political reconciliation in this time frame.

Continuing to quote:

Iraq's neighbors are influenced by the events within Iraq, but the involvement of these outside actors is not likely to be a major driver of violence or the prospect for stability because of the self-sustaining character of Iraq's internal sectarian dynamics.

That is a fancy way to describe the civil war.

I might say the last National Intelligence Estimate was done was in 2004 and it detailed 3 possible outcomes for Iraq over the next 18 months, which at the time would put us in the fall or winter of 2006. The worst-case scenario for the previous NIE was a civil war. Well, that is what the 2007 National Intelligence Estimate says has now happened. That is right; what is going on in Iraq now is the worst-case scenario of the previous National Intelligence Estimate.

Let me make a couple of other points, if I might. General Abizaid just over 2 months ago came to the Congress and here is what he said:

I met with every divisional commander, General Casey, the Corps Commander, General Dempsey, and I said, "In your professional opinion, if we were to bring in more American troops now, does it add considerably to our ability to achieve success in Iraq? And they said no."

This is our top military commander testifying to the Senate just over 2 months ago: They said no.

Now, here is why General Abizaid said the commanders did not believe they should have additional troops brought into Iraq:

The reason is because we want the Iraqis to do more. It is easy for the Iraqis to rely upon us to do this work. I believe that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future. The only way Iraq works in the future is for the Iraqis to take more responsibility for that future. That is what General Abizaid said. He was right then; he is right now. This is the testimony heard by the Senate just over 2 months ago. Interestingly enough, as a side note, just 2 weeks ago—3 weeks ago, John Negroponte, the head of the intelligence in this country at that time said this in open testimony to the Senate:

The greatest terrorist threat to America is al-Qaida and its network around the world.

The greatest terrorist threat to our country is al-Qaida and its network around the world, and he said they operate from a "secure hideaway" in Pakistan. If that is the case, if the greatest terrorist threat to our country is al-Qaida operating from a "secure hideaway" in Pakistan, and that comes from the head of our intelligence service in this country in open testimony to the Senate, if there are 21,000 additional American troops available to surge somewhere, why on Earth would we not choose to move those troops through Afghanistan near to Pakistan to eliminate the leadership of al-Qaida, the greatest terrorist threat to our

country? I do not understand the priorities coming from the administration. There has to be a change. We all understand that. We know Iraq is a different place. The various sects, tribes, religions, in some cases do not speak to each other, and in many cases don't trust each other. In other cases, they hate each other, and in too many cases, they kill each other.

That is what must change. It is why reconciliation is the key. It is why more U.S. troops are not going to make a difference.

Does anyone believe that if we go back 4 years and the President brought a proposition to the floor of the Senate and said: Look, we have a civil war in Iraq. What we ought to do is send more American troops to the middle of that civil war, or at least begin sending American troops to the middle of that civil war because we don't believe after 3 years of training that the Iraqi people are prepared to provide for their security, does anybody believe we would think it a good strategy to send additional troops to the middle of a civil war? I don't believe so.

I understand there are very different opinions here in this Chamber, and I respect them. I wouldn't diminish anyone in this Chamber for holding any views on this subject. I understand their passions. I share their passions. But I don't understand this: I don't understand how it is that this great body has to spend days debating whether we will have a debate. This is, after all, a debate about the motion to proceed. This isn't a debate about Iraq or Iraq strategy; it is about whether we can proceed to a motion on that subject. It is a debate about whether we can debate. If there is any space left in this country in which this debate should take place, it ought to be this space on this floor, this real estate. This is the great deliberative body. I do not for the life of me understand a vote against cloture that says: No, we believe the United States should not debate this issue. This is an issue the American people care a great deal about, and it is long past the time, in my judgment, for us to have this debate.

We are all united, I think, in loving this country. We want what is best for this country. We want to protect the American troops. We want our country to succeed. All of us want all of those things. I don't believe anybody who says we are undermining this or that or anything of that sort. All that is nonsense. This country deserves from this Senate a thoughtful, serious, real debate about what is happening that affects every part of American life, and that is the struggle we are involved in with respect to Iraq. The American people deserve this debate, and I hope that tomorrow when we have a vote on the motion to proceed, we will have the opportunity to proceed from that motion to a debate on the underlying petition that is on the floor of the Senate with respect to the subject of the war in Iraq.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, how much time was I allocated?

The PRESIDING OFFICER. The Senator has until 4:30.

Mr. STEVENS. Mr. President, this morning I got up and I went to get on an airplane and the plane was delayed because of mechanical issues. Then I got the word that the leader said we should come vote on questions being discussed, just as I heard now.

I am here to participate in a charade. This is nothing but a charade. It is a nonbinding resolution. We are coming back to vote on Saturday on a nonbinding resolution that the American public doesn't support. As a matter of fact, as I read in *The Hill* newspaper and as I see on the front page, there is the majority leader's photograph and a story about how the majority is trying to embarrass the 21 of us who are up for election in 2008. I think the majority—current majority, former minority—ought to look at that paper. Inside it, after giving the majority leader credit for this charade, is a poll. It is an online poll, and this was a question: Does debate on a nonbinding Iraq resolution help or harm Americans? Harm: 57 percent; help, 43 percent.

Nothing at all will be accomplished tomorrow, even if we got cloture. We would vote on a nonbinding resolution that is an embarrassment to the troops that are wearing our uniforms in Iraq. What we should be doing is voting on cloture on a series of votes which would include Senator GREGG's resolution or amendment that declares our support for our troops.

The reason we face this situation today is the new majority, with one vote—a majority of one vote—went over to the House and negotiated a resolution—a nonbinding, nothing resolution—and brought it over here and said: You are going to vote on this resolution and nothing else. If we do this, we become a lower body of the House. The House, in responding to the Rules Committee, had no chance to offer any amendments to that bill. Over here, the majority leader says: You cannot offer any amendments to this because I am the leader.

Well, it is time we showed this leader the processes of the Senate are here for the purpose of allowing debate. The House represents the population of a whole series of congressional districts. We represent our States. The national viewpoint is settled in the Senate. This is the place where debate is supposed to take place and it should not be limited.

If we voted for cloture on this resolution tomorrow, we would not be allowed to vote on the Gregg amendment. The Gregg amendment:

Expressing the sense of Congress that no funds should be cut off or reduced for American troops in the field which would result in undermining their safety or their ability to complete their assigned missions.

What is wrong with that? Why won't the leader let us vote on that? You

know why? Because it would carry. It would carry. Because Senators on that other side of the aisle know they must support the forces in the field.

Senator GREGG's amendment goes on to say:

Whereas under Article II, section 2, of the Constitution of the United States, the President is the "commander in chief of the Army and Navy of the United States", and in such capacity the President has the command of the Armed Forces, including the authority to deploy troops and direct military campaigns during wartime.

Whereas under Article I, Section 8, of the Constitution of the United States, Congress has the power of the purse specifically as it relates to the Armed Forces, and in such capacity Congress has the responsibility to fully and adequately provide funding for the United States military forces, especially when they are at war and are defending our Nation; and

Whereas the United States military forces are in harm's way and are protecting our country, Congress and the Nation should give them all the support they need in order to maintain their safety and to accomplish their assigned missions, including the equipment, logistics, and funding necessary to ensure their safety and effectiveness, and such support is the responsibility of both the Executive Branch and the Legislative Branch of Government.

Senator GREGG goes on to say this:

Resolved by the Senate (the House of Representatives concurring)—

And they have to concur if we send it back to them—

That it is the sense of Congress that Congress should not take any action that will endanger United States military forces in the field, including elimination or reduction of funds for troops in the field, as such action with respect to funding would undermine their safety or harm their effectiveness in pursuing their assigned missions.

It is nothing but a charade to say an amendment that does nothing should not have a resolution such as this attached to it. That is our purpose. That is our job. It is our constitutional responsibility to support the forces in the field.

I am ashamed the Senate is taking action to prevent the voting on a resolution, once again, establishing the principle. Our duty is to support our forces in the field.

I have a chart to show, but it is difficult for many to understand why we need surge forces. This whole concept we are talking about is safety. Senator GREGG's resolution deals with safety of our forces. This is a chart that shows the Iraqi Army and national police with lead responsibility for counterinsurgency operations in their areas.

In May of 2006 this was their deployment, fairly small. By February of 2007, this is their deployment. We are now in the process of going forward on the new plan to deal with the fact that we have trained a great many of these forces now, but they have not been moved into the areas of real combat, and those are the white spaces on this chart. The whole idea now is to start moving these forces into those areas.

By the way, the hot spots are also on arterial highways in Iraq. This dem-

onstrates where it is. The white areas are occupied by American forces and coalition forces. We want to give them a chance now to move them into those areas. As such, forces will be moving all over this country. In that period of time, these additional surge forces are necessary in order to provide the safety for the people whom they are going to be moving. They are our forces, they are their forces. Secretary Gates has said he does not think they will be there too long. He made a point to make that statement. They will come out as soon as they are no longer needed. Safety is a problem.

To those people who say: Let's get ready to withdraw, if we try to withdraw right now, there would be mass murder in this country. Think of what happened to the Russians and the Soviets when they tried to get out of Afghanistan—and multiply it by factors of 10 to 20. We are spread out all over this place and so are the Iraqis because that was the problem, we were providing for the defense until they were ready to move in and take care of their defense.

This is a chart that shows the current position of forces in Iraqi Freedom. We can see various operations, Japanese and coalition forces, including the British, around the periphery. We are there, in Baghdad, on the major highways. We are in the white spaces on the chart. To get the Iraqi forces in there, we have a new scheme where we will have Iraqi brigades—not divisions but brigades—with an embedded battalion in each brigade move in. Our people will be along with them to make sure their training is carried out and they do the job of defending themselves.

As a practical matter, in order to do that, we need the increased safety of movement in this country. I fully support the plan. It was an Iraqi plan improved on by Secretary Gates, the President, and his staff. Very clearly, the whole program is so they can provide the basic defense for themselves in areas where there is key opposition.

Assume the other side, the side who wants to withdraw, would get approval of the Congress and had some way to mandate the President to withdraw forces. The first thing that would have to be done would be to move the Iraqi forces in there where they can defend themselves and hold back the insurgents currently combatting our forces.

I am not a general, I am not even an armchair general, but I have been around wars for almost all my life now starting out when I was 19. I have seen a great many wars, and I have seen a great many problems with war. Coming back from overseas, I talked to some of my friends and I decided I was going to become an aeronautical engineer to try to find out what caused wars. I hate wars. But I know my duty is to support the military and to support those people carrying out our constitutional mandate to provide for the common defense of this country.

In my opinion, this is the common defense of our country. We have taken on the task of trying to stop a movement that could very well destroy the world. I do believe we should stop these incessant debates on resolutions that mean nothing. Why would we spend all this time and come back on Saturday in order to vote on a nonbinding resolution that would not do a thing? It would not do a thing at all for anyone in that conflict, not one thing. It is nothing but a charade, a charade. It embarrasses me to have to say that. The whole reason for it, pick up *The Hill* newspaper, back to where I started, to provide a challenge to the 21 Members, Republicans, up for election in 2008, 3 on that side of the aisle. The whole idea is to try to see if we cannot force them to come back on Saturday in order to say to our State constituents: They were not here to vote. I am here to vote. I happened to get off the airplane because I was pretty irritated when I read that story. I am still irritated.

I remember Steve Syms in 1986, when everyone was trying to embarrass people up for election, he said: I am going home and I am going to talk to my constituents, and he did not get sucked back into the debates such as this. He was reelected.

What these people do not know is, we are going to stand up and speak up. We are going to call a spade a spade. This is a charade. I have not been home since January. And I got off that plane to come back and complain about this. I have a right to go home once in a while. I live 4,500 miles from here. As a matter of fact, I am stopping off on my way home to see a very sick relative before I get to Alaska on Monday. Leadership is leadership, and I have been in leadership in this Senate. I was not elected leader, but that is another story. As a practical matter, I have seen leaders come and I have seen leaders go. My friend from Nevada has been my friend for a long time. I am saying I am not going to be embarrassed to come out and say this is nothing but a charade. We should not come back tomorrow to vote on a nonbinding resolution to see if we would vote on a resolution that doesn't tell the story that America wants us to tell, and that story is we support our forces in the field, we support what they are doing. We want them to do what we said we would do, move the forces in that are now trained in Iraq. Let them show how they can defend themselves and we then pull out our embedded battalions and we will be in a position to figure out what is the long-term plan now for this new democracy we have helped establish.

What does this nonbinding resolution do to people in the field? What does it do to the Iraqis? What is it selling them? People are telling me now we should find some way to take the money the President has asked for, the supplemental, and to use it for something else—not to use it to support the people in the field.

There is what is called the Food and Forage Act of the United States. I hope the Senate understands that act. I have been involved in defense appropriations now for over 25 years. The President of the United States has the authority to take money from wherever it is to support forces in the field. We will never abandon our people in the field. We will support them in every way possible. That is why the current majority does not want to vote on the resolution of Senator GREGG. They do not want to be put in a position of saying no to Senator GREGG because if they vote, if they support that resolution, they are continuing the concepts that have been embodied in my life and in the Senate's life as long as I have known it. That is, we support our forces in the field. We are not going to divert money they need for their support, and we are not going to waste our time on nonbinding resolutions that do not do anything to help anybody.

We have a lot of things we could be working on, immigration, energy, global climate change. What are we doing? We are spending our time coming back on Saturday to debate whether we should vote on a bill that was started in the House of Representatives, with not one amendment, and brought over here, not one amendment, and expresses a point of view that the American public does not approve of.

I hope we can get to a debate one of these days, and people will stay around after they make comments such as I heard before I came in. I guarantee, in my heart and in my mind, I know what it means to be in uniform, what it means to be in a position to feel it is necessary to have support at home.

I spent some time last night talking to Colin Powell, one of the famous generals of this country, and reminded him once when we were talking years ago, he told me about the time when he was sent into Laos as a young captain with about 12 days' rations and how when you get up on the morning of the 12th day and realize a drop mission is coming to give you your rations for the next 12 days, how you realize what it means to rely on people, to understand that people in the United States are behind their military, to know you can eat those rations because the supplies are going to come in when they are supposed to come in. That is support to people in the field.

Another concept I speak of is our people have a doctrine that hardly any armies or military in the world has had—we never abandon our forces in the field. What these people are doing now if you listen to them on this other resolution, they are saying, we are going to take and divert this money and put it somewhere else. Not this Senator. If they need that money over there to carry out the commands of the Commander in Chief, I am going to support it. The Senate should support it. We should stop this business of trying to embarrass people who are up for election and demanding they come back and vote on Saturday.

This recess was announced a month ago. Those who live a long distance from here rely on that. The Senate has to start keeping its commitments to our Members whether they are up for election or not.

This is political posturing at its worse. I will be here to vote tomorrow to represent some of those people who could not get back. I stayed to vote so I could come and say this: Political posturing has no place in the Senate of the United States.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Ms. STABENOW. Mr. President, on December 23, 1783, George Washington, having successfully led the Continental Army to victory in the Revolutionary War, appeared before the Continental Congress and resigned his commission as commander of the Armed Forces.

It was a quietly pivotal action in the history of our young country, an event so important in shaping the Nation that it is one of only eight moments in our history deemed worthy enough of gracing the walls of the Capitol rotunda.

A painting of Washington's historic act hangs not far from this Chamber alongside more well known moments in American history such as the signing of the Declaration of Independence and the Battle of Bunker Hill.

The precedent that Washington set on that December day was as revolutionary as it was clear: In the United States of America, the power to make and execute war will be held not by the military but instead by peacefully elected leaders sitting in a legislative body.

Washington understood that the will of the people—the will of the American people—shall be the guiding hand of government, even on questions of war and peace.

I wonder how President Washington would feel, I wonder what he would say to each of us today. First, I think he would be very proud of what has happened this afternoon in the House of Representatives, where they came together, after lengthy debate, to state their opinions about the most pressing issue of war, the war in Iraq. I am very proud that we saw the House of Representatives vote 246 to 182 to say, first, that they support the troops and, secondly, that they do not support the escalation of the war in Iraq.

Regardless of how each person voted today in the House, they took that vote. They were willing to stand up and be counted and give their opinion. I believe the majority of the American people—and their will, their belief—was represented in this vote today of 246 to 182.

What has happened in the Senate? Well, first of all, I commend our majority leader, Senator HARRY REID, for his perseverance, for his continuing effort to reach across the aisle with the minority leader to find a way to do the same thing the House has done. He has put forward numerous proposals, and, as late as yesterday, very simply and in a straightforward way, offered us the opportunity to vote on a resolution opposing the escalation and one that supports the President's escalation. What could be more fair? What could be simpler? Yet we continue to see the minority block the efforts to bring us to a vote.

For over 2 weeks now, I have watched the Republican leadership engage in legislative games and political posturing to avoid taking a vote on the most pressing issue of our time, the war in Iraq. They say they support it, but they will not vote on a resolution, up or down, whether or not to support the President's escalation. I believe it is because they do not like what they know the outcome will be if we are able to have that vote. They have turned their backs on their responsibility to the people who elected them and to our troops because they may lose a vote.

Four years ago, 23 of us stood on the floor of the Senate and lost a vote. It was a vote to go to war. It was a vote to give the President the authority to go to war in Iraq. It was a tough vote. We knew we were not going to win that vote, but we all—those for and against—made a determination and voted because we are elected officials, charged with overseeing the U.S. Armed Forces, and we had a responsibility to voice our opinions for the record on the question of war.

I have stood on the floor of the Senate time and time again to voice my opposition to this President's proposals of escalation—more of the same, calling it a different strategy, and yet doing the same thing over and over again. Sending more Americans into combat without a strategy for success will not improve the situation on the ground in Iraq. And it will not bring our men and women in uniform home any sooner.

Only the Iraqis can secure Iraq. Only the Iraqis can secure Iraq. We have heard that from generals and military experts and the Iraq Study Group and learned colleagues on both sides of the aisle. The American troops cannot be seen as a substitute for Iraqi resolve. Why would we go further down the path that has led us to this point? Why would we repeat our previous mistakes and call it a new strategy?

Unlike the President, all of us and our counterparts in the House will go home over recess and on weekends and face our constituents, our neighbors. We see them and talk to them at church, in the line at the bank, at our kids' schools, in the grocery store, and at countless events and meetings as we travel throughout our States.

And we are here because they elected us to be their voice.

This is not Washington, DC's, war. We may set policy here, we may make speeches here, and we may take votes here, this is America's war.

The men and women putting their lives on the line in Iraq every day are from our smallest neighborhoods and our biggest cities, from farm communities and factory towns, from places many of us have never heard of and few of us will ever go. Flint, Howell, West Branch, Hemlock, La Salle, Port Huron, Ypsilanti, Muskegon, Ann Arbor, Byron, Flushing, Bay City, Canton, Paw Paw, Lake Orion, Saginaw, Sand Creek—these are only some of the dozens of communities in my home State of Michigan that have given up a son or a daughter to this war.

We sit in this historic Capitol and argue over whether we should dignify this war with a simple vote, while these and other communities across the country bury their loved ones, while high schools hold vigils for alumni laid to rest too young, while churches comfort parishioners who have lost sons and daughters and husbands and wives and fathers and mothers.

We are the voice of these communities, of these towns and cities and counties. We were elected with their sacred trust to come here, to Washington, and to speak out for them, to make our mark for them on the issues that face this country. There can be nothing more important than the issue of war.

By continuing to stonewall a vote on this resolution, the Republican minority has stripped all of America of their voice in this debate. They have said to the people who elected us that this issue—the issue of an escalation of war—is not important enough for their elected representatives to consider.

Too often in the white noise of politics we lose sight of the responsibility we bear. We get bogged down in the politics of partisanship and lose sight of why we were elected. We owe it to the American people to take this vote. This is the most serious issue of our time. There is nothing more important or more pressing than our Nation being at war. It is the responsibility of the Congress to engage in shaping policy concerning the war on behalf of the American people.

Let me take a few moments to remind everyone what is really at stake. While some posture and jockey for legislative position, lives are on the line this moment and every moment the war goes forward. It doesn't matter if you support or oppose the war. Anyone involved in slowing a vote on this resolution should be ashamed. Our military has not failed us at any turn in this endeavor. But we are failing them as a body by failing to lead. What is at stake?

On January 21, the Grand Rapids Press published the following account on the war in Iraq:

The first roadside bomb four months ago knocked a front tire off Kyle Earl's Humvee, rang his head like a bell and made his ears bleed.

The second bomb a couple of weeks later blew out the front tires and took out the transmission but, again, spared Earl serious injury.

The third one, on Oct. 17, was his last. With the headlights out for security and wearing night-vision goggles, the 20-year-old Marine lance corporal from Cedar Springs was driving the lead Humvee returning from a night patrol in Iraq's Al Anbar province near the border with Syria. He and a Marine manning the Humvee's machine gun saw it at the same time: a hump in the road ahead, a sure sign of a buried improvised explosive device (IED).

Earl instantly made the calculation: If he swerved, the trailing Humvee carrying the company commander would hit the IED, so "I drove right into it, knowing it was probably going to kill me," he said.

He ran over the hump, igniting three 155-mm artillery shells and five propane tanks. The flash, amplified by the night-vision goggles, was brighter than anything he'd ever seen. A fireball shot through the cab, and shrapnel pierced his right leg, arm and face. The shock wave felt like someone had placed him inside a plastic bag and sucked out all the air.

Still, he remained conscious, as the Humvee rolled off the road and came to a stop. Blood streamed from his eyes, ears and nose. He reached for his 9 mm handgun, but noticed something about the size of his palm on it. He picked it up and examined it, unaware it was a chunk of his flesh, ripped from his right forearm.

He smelled something burning and realized he and the Humvee were on fire. He rolled out onto the ground as his fellow Marines kicked him to extinguish the flames.

We are here because of that lance corporal. He and his comrades, the men and women serving, deserve our best—our best judgment, our best decisions, our best funding, our best strategy for them.

On November 16, 2006, the Detroit Free Press gave us this insight into life on the ground in Iraq:

"A few days ago, from out of a crowd of kids, one of them threw a grenade and it went off under the vehicle, and my executive officer's door was peppered," said Lance Cpl. Michael Rossi, a 28-year-old student majoring in urban planning at Wayne State University who lives in Detroit. "A crowd of kids, and one of them threw a grenade." "Out here," he said, "nobody is safe."

On January 5, the editorial page of the Flint Journal paid its respects to one of Flint's fallen sons:

It's touching and laudable that the father of Marine Cpl Christopher Eskelson would want the family of a fellow Marine to understand the full heroics these men displayed in Iraq combat that claimed both their lives.

They are among more than a dozen local military men whom the Iraq war has claimed, with each succeeding loss being no less painful to an area that has supplied an ample measure of these patriots.

Of course, the grief is much greater for the families who knew the men in so many other wonderful ways. Those memories undoubtedly will be recalled during services for Miller and Eskelson Saturday and Sunday, respectively.

All of us have stories of the men and women who have served heroically and lost their lives, men and women who have come home and need our assistance now as veterans while in our hospitals and will forever carry a remem-

brance of this war through lost limbs and other health conditions. They deserve a vote on whether we believe this strategy for them and their colleagues is the right strategy. They deserve this. They expect us to stand up and speak out and work as hard as we can to get it right.

Too often on the floor of this Chamber and too often in politics, we use words such as "bravery" and "toughness" and resolve." We describe votes as "tough." We describe speeches as "brave." The men and women serving in combat know the real meaning of these words. They go about their dangerous duty with the pride of professionals. They live and work under the shadow of violence, never knowing what might be facing them around the next corner, and they do it with stoic resolve that reflects their character and their training. They do not have the luxury of picking and choosing when and where to fight. They go where their country sends them and stand shoulder to shoulder with their brothers and sisters in arms and face whatever is thrown at them. What we consider heroic, they consider doing their job.

Their sacrifices deserve and demand leadership, our leadership, collectively. We owe to it them and to every person we were elected to represent to vote on this resolution, to take a stand about how this war will proceed. It is our job. It is time to stop stalling and face our responsibility, a responsibility that pales in comparison to that which is taken every day by our troops in Iraq. I thank the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WEBB. Mr. President, I ask unanimous consent to speak for up to 10 minutes.

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

Mr. WEBB. Mr. President, I would like to state my support of the vote we will take tomorrow. Last week, I expressed my support for the bipartisan Levin-Warner resolution which was denied a vote by the full Senate due to procedural motions. Ten days later, we find ourselves in a similar situation.

Our colleagues in the House have spent the last 4 days debating the current course of action in Iraq, and they have completed a vote on final passage today. At the same time, the Senate has continued to engage in partisan bickering and political gamesmanship. The House found a way, it found a bill, and it took a vote. We have a bill, and we need to debate it.

At bottom, this debate is not about whether one is a Republican or Democrat; it is about the legislative branch exerting its proper constitutional oversight by deliberating on the most vital and challenging issue of our day. I would urge my colleagues to think about the vote that took place in 2002 authorizing the use of force in Iraq and about what happened afterward. This was not a party-line vote. I was not a



Member of this body, and I do personally believe it was an erroneous vote, at least in its outcome, but at the same time, most importantly, we should look at the lack of respect shown by the administration after the vote. This lack of respect was a clear signal that the true issues dividing us in this Government are more related to the relations between the executive and legislative branches than between our respective parties.

The administration has failed the country again and again in the conduct of this war. At the same time, it repeatedly claims that it holds the power, regardless of the input of the Congress, to continue to push our military people to the limits of their endurance, while avoiding the diplomatic options crucial to resolving the situation in Iraq which inevitably evolved from our invasion and occupation.

I have heard discussion today about the consequences of withdrawal. No one on this side is advocating a precipitous withdrawal, but the consequences that are being described—increased terrorism, the empowerment of Iran, the loss of prestige of the United States around the world, and economic distress in our country—are, quite frankly, the exact conditions many of us were warning about if we invaded in the first place. The question is not how we withdraw or should we withdraw. Some day, we are going to withdraw. Inevitably, we are going to withdraw. The question is the conditions we leave behind when we do so.

I have long advocated that an integral part of our strategy in Iraq must include engagement with all of Iraq's neighbors, including Iran and Syria. As Iraq's neighbors, they are stakeholders in both the future of Iraq and the need for stability in the region. As we seek to decrease our presence in Iraq and increase our ability to fight terrorism and address strategic challenges elsewhere in the world, we must bring those two countries to the table. An overwhelming majority of those who recently testified before hearings at the Senate Foreign Relations Committee agree with that assessment.

I have heard today the name of General Petraeus invoked several times as evidence of this body's support for the administration's current policy. I voted for General Petraeus. A vote for General Petraeus is not a vote for this administration's policy or its strategy or its, quite frankly, lack of strategy. That vote was to support the qualifications of an individual to command troops in Iraq. That was a military vote, not a political vote. If the strategy were to change, as I hope it will, I have full confidence that General Petraeus is capable of overseeing that policy as well. We must see evidence of a new diplomatic effort from this administration before we, as a Congress, not as Democrats and Republicans, ratify the expanded use of our military.

On that note, it should be emphasized that despite comments today about the

fact that the Baker-Hamilton group supported a temporary military surge in its report, it did so only in consonance with a robust regional diplomatic surge which was supposed to begin more than 2 months ago.

Many Republicans seem to be implying that we must support all of this administration's actions or, by inference, we don't support the troops. The issue is not whether we support the troops; it is whether we agree on the political issues to which they are being put. This effort demands clear direction from the top. It depends on the extent to which this Government is capable of forging a regional consensus regarding Iraq's future. This administration has refused to do so. It is not in the interest of our troops to continue sending them in harm's way without a clear strategy that will bring closure to this endeavor.

I believe very strongly that our political representatives should be careful in claiming to speak politically for our troops. Our military is a mirror of our society, and so are its political views. We have heard a lot of anecdotal evidence today—TV clips, newspaper interviews with individuals. But anecdotal evidence notwithstanding, poll after poll shows that our troops are just as concerned about this policy as is the public at large.

I have one poll from a year ago, a Zogby poll, that says that 72 percent of the people then stationed in Iraq believed the war should have ended by the end of 2006. This includes 7 out of 10 of our Regular Army soldiers and a vast majority—nearly 60 percent—of our marines. These are people who have done their job. They know what their military job is, but they have the same questions about the political policies as do the rest of Americans.

I ask unanimous consent to print the Zogby poll in the RECORD.

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

[February 28, 2006]

U.S. TROOPS IN IRAQ: 72 PERCENT SAY END  
WAR IN 2006

Le Moyne College/Zogby Poll shows just one in five troops want to heed Bush call to stay "as long as they are needed." While 58 percent say mission is clear, 42 percent say U.S. role is hazy. Plurality believes Iraqi insurgents are mostly homegrown. Almost 90 percent think war is retaliation for Saddam's role in 9/11, most don't blame Iraqi public for insurgent attacks. Majority of troops oppose use of harsh prisoner interrogation, and Plurality of troops pleased with their armor and equipment.

An overwhelming majority of 72 percent of American troops serving in Iraq think the U.S. should exit the country within the next year, and more than one in four say the troops should leave immediately, a new Le Moyne College/Zogby International survey shows.

The poll, conducted in conjunction with Le Moyne College's Center for Peace and Global Studies, showed that 29 percent of the respondents, serving in various branches of the armed forces, said the U.S. should leave Iraq "immediately," while another 22 percent

said they should leave in the next six months. Another 21 percent said troops should be out between six and 12 months, while 23 percent said they should stay "as long as they are needed."

Different branches had quite different sentiments on the question, the poll shows. While 89 percent of reserves and 82 percent of those in the National Guard said the U.S. should leave Iraq within a year, 58 percent of Marines think so. Seven in ten of those in the regular Army thought the U.S. should leave Iraq in the next year. Moreover, about three-quarters of those in National Guard and Reserve units favor withdrawal within six months, just 15 percent of Marines felt that way. About half of those in the regular Army favored withdrawal from Iraq in the next six months.

The troops have drawn different conclusions about fellow citizens back home. Asked why they think some Americans favor rapid U.S. troop withdrawal from Iraq, 37 percent of troops serving there said those Americans are unpatriotic, while 20 percent believe people back home don't believe a continued occupation will work. Another 16 percent said they believe those favoring a quick withdrawal do so because they oppose the use of the military in a pre-emptive war, while 15 percent said they do not believe those Americans understand the need for the U.S. troops in Iraq.

The wide-ranging poll also shows that 58 percent of those serving in country say the U.S. mission in Iraq is clear in their minds, while 42 percent said it is either somewhat or very unclear to them, that they have no understanding of it at all, or are unsure. While 85 percent said the U.S. mission is mainly "to retaliate for Saddam's role in the 9-11 attacks," 77 percent said they also believe the main or a major reason for the war was "to stop Saddam from protecting al Qaeda in Iraq."

"Ninety-three percent said that removing weapons of mass destruction is not a reason for U.S. troops being there," said Pollster John Zogby, President and CEO of Zogby International. "Instead, that initial rationale went by the wayside and, in the minds of 68 percent of the troops, the real mission became to remove Saddam Hussein." Just 24 percent said that "establishing a democracy that can be a model for the Arab World" was the main or a major reason for the war. Only small percentages see the mission there as securing oil supplies (11 percent) or to provide long-term bases for US troops in the region (6 percent).

The continuing insurgent attacks have not turned U.S. troops against the Iraqi population, the survey shows. More than 80 percent said they did not hold a negative view of Iraqis because of those attacks. About two in five see the insurgency as being comprised of discontented Sunnis with very few non-Iraqi helpers. "There appears to be confusion on this," Zogby said. But, he noted, less than a third think that if non-Iraqi terrorists could be prevented from crossing the border into Iraq, the insurgency would end. A majority of troops (53 percent) said the U.S. should double both the number of troops and bombing missions in order to control the insurgency.

The survey shows that most U.S. military personnel in-country have a clear sense of right and wrong when it comes to using banned weapons against the enemy, and in interrogation of prisoners. Four in five said they oppose the use of such internationally banned weapons as napalm and white phosphorous. And, even as more photos of prisoner abuse in Iraq surface around the world, 55 percent said it is not appropriate or standard military conduct to use harsh and



threatening methods against insurgent prisoners in order to gain information of military value.

Three quarters of the troops had served multiple tours and had a longer exposure to the conflict: 26 percent were on their first tour of duty, 45 percent were on their second tour, and 29 percent were in Iraq for a third time or more.

A majority of the troops serving in Iraq said they were satisfied with the war provisions from Washington. Just 30 percent of troops said they think the Department of Defense has failed to provide adequate troop protections, such as body armor, munitions, and armor plating for vehicles like Hum Vees. Only 35 percent said basic civil infrastructure in Iraq, including roads, electricity, water service, and health care, has not improved over the past year. Three of every four were male respondents, with 63 percent under the age of 30.

The survey included 944 military respondents interviewed at several undisclosed locations throughout Iraq. The names of the specific locations and specific personnel who conducted the survey are being withheld for security purposes. Surveys were conducted face-to-face using random sampling techniques. The margin of error for the survey, conducted Jan. 18 through Feb. 14, 2006, is +/- 3.3 percentage points.

Mr. WEBB. Another poll, of December 29, 2006, by the Military Times, the most credible military newspaper in America, indicates that barely one-third of our service members approve of the way the President is handling the war. In fact, only 41 percent of our military now believes the United States should have gone to war in Iraq in the first place.

I ask unanimous consent that this poll be printed in the RECORD.

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

[From the Military Times Poll, Dec. 29, 2006]

#### DOWN ON THE WAR

(By Robert Hodierne)

The American military—once a staunch supporter of President Bush and the Iraq war—has grown increasingly pessimistic about chances for victory.

For the first time, more troops disapprove of the president's handling of the war than approve of it. Barely one-third of service members approve of the way the president is handling the war, according to the 2006 Military Times Poll.

When the military was feeling most optimistic about the war—in 2004—83 percent of poll respondents thought success in Iraq was likely. This year, that number has shrunk to 50 percent.

Only 35 percent of the military members polled this year said they approve of the way President Bush is handling the war, while 42 percent said they disapproved. The president's approval rating among the military is only slightly higher than for the population as a whole. In 2004, when his popularity peaked, 63 percent of the military approved of Bush's handling of the war. While approval of the president's war leadership has slumped, his overall approval remains high among the military.

Just as telling, in this year's poll only 41 percent of the military said the U.S. should have gone to war in Iraq in the first place, down from 65 percent in 2003. That closely reflects the beliefs of the general population today—45 percent agreed in a recent USA Today/Gallup poll.

Professor David Segal, director of the Center for Research on Military Organization at

the University of Maryland, was not surprised by the changing attitude within the military.

"They're seeing more casualties and fatalities and less progress," Segal said.

He added, "Part of what we're seeing is a recognition that the intelligence that led to the war was wrong."

Whatever war plan the president comes up with later this month, it likely will have the replacement of American troops with Iraqis as its ultimate goal. The military is not optimistic that will happen soon. Only about one in five service members said that large numbers of American troops can be replaced within the next two years. More than one-third think it will take more than five years. And more than half think the U.S. will have to stay in Iraq more than five years to achieve its goals.

Almost half of those responding think we need more troops in Iraq than we have there now. A surprising 13 percent said we should have no troops there. As for Afghanistan force levels, 39 percent think we need more troops there. But while they want more troops in Iraq and Afghanistan, nearly three-quarters of the respondents think today's military is stretched too thin to be effective.

The mail survey, conducted Nov. 13 through Dec. 22, is the fourth annual gauge of active-duty military subscribers to the Military Times newspapers. The results should not be read as representative of the military as a whole; the survey's respondents are on average older, more experienced, more likely to be officers and more career-oriented than the overall military population.

Among the respondents, 66 percent have deployed at least once to Iraq or Afghanistan. In the overall active-duty force, according to the Department of Defense, that number is 72 percent.

The poll has come to be viewed by some as a barometer of the professional career military. It is the only independent poll done on an annual basis. The margin of error on this year's poll is plus or minus 3 percentage points.

While approval of Bush's handling of the war has plunged, approval for his overall performance as president remains high at 52 percent. While that is down from his high of 71 percent in 2004, it is still far above the approval ratings of the general population, where that number has fallen into the 30s.

While Bush fared well overall, his political party didn't. In the three previous polls, nearly 60 percent of the respondents identified themselves as Republicans, which is about double the population as a whole. But in this year's poll, only 46 percent of the military respondents said they were Republicans. However, there was not a big gain in those identifying themselves as Democrats—a figure that consistently hovers around 16 percent. The big gain came among people who said they were independents.

Similarly, when asked to describe their political views on a scale from very conservative to very liberal, there was a slight shift from the conservative end of the spectrum to the middle or moderate range. Liberals within the military are still a rare breed, with less than 10 percent of respondents describing themselves that way.

#### SEEING MEDIA BIAS

Segal was not surprised that the military support for the war and the president's handling of it had slumped. He said he believes that military opinion often mirrors that of the civilian population, even though it might lag in time. He added, "[The military] will always be more pro-military and pro-war than the civilians. That's why they are in this line of work."

The poll asked, "How do you think each of these groups view the military?" Respond-

ents overwhelmingly said civilians have a favorable impression of the military (86 percent). They even thought politicians look favorably on the military (57 percent). But they are convinced the media hate them—only 39 percent of military respondents said they think the media have a favorable view of the troops.

The poll also asked if the senior military leadership, President Bush, civilian military leadership and Congress have their best interests at heart.

Almost two-thirds (63 percent) of those surveyed said the senior military leadership has the best interests of the troops at heart. And though they don't think much of the way he's handling the war, 48 percent said the same about President Bush. But they take a dim view of civilian military leadership—only 32 percent said they think it has their best interests at heart. And only 23 percent think Congress is looking out for them.

Despite concerns early in the war about equipment shortages, 58 percent said they believe they are supplied with the best possible weapons and equipment.

While President Bush always portrays the war in Iraq as part of the larger war on terrorism, many in the military are not convinced. The respondents were split evenly—47 percent both ways—on whether the Iraq war is part of the war on terrorism. The rest had no opinion.

On many questions in the poll, some respondents said they didn't have an opinion or declined to answer. That number was typically in the 10 percent range.

But on questions about the president and on war strategy, that number reached 20 percent and higher. Segal said he was surprised the percentage refusing to offer an opinion wasn't larger.

"There is a strong strain in military culture not to criticize the commander in chief," he said.

One contentious area of military life in the past year has been the role religion should play. Some troops have complained that they feel pressure to attend religious services. Others have complained that chaplains and superior officers have tried to convert them. Half of the poll respondents said that at least once a month, they attend official military gatherings, other than meals and chapel services, that began with a prayer. But 80 percent said they feel free to practice and express their religion within the military.

Mr. WEBB. I believe very strongly that we should leave our military people out of these political debates. I am not using these figures to advance the Democratic Party's point. I believe it is inappropriate for the other party to use our military people in a way that might insulate them from criticism over the woeful failures of this administration's policy. The American people's confidence in this administration is at rock bottom. Many rightly believe they were misled on the reasons for going to war.

The administration's credibility has suffered—rightly so—also with respect to its intentions for dealing with Iran. I do not believe one can speak of our responsibility on these immediate issues without stating clearly our concerns about the entire region, and especially the administration's position regarding its constitutional authority to use military force outside of Iraq.

The administration's view of its Presidential authority to conduct unilateral military action against other

countries, and particularly with Iran, was documented in President Bush's signing statement accompanying the original authorization for the use of force against Iraq in October 2002. I urge my colleagues to examine this language. In part, it states:

My signing this resolution does not constitute any change in the long-standing positions of the executive branch on either the President's constitutional authority to use force to deter, prevent, or respond to aggression or other threats to U.S. interests.

In other words, if one were to read that carefully, this administration is stating that it has the authority to use force to respond to threats to our interests. What is an "interest"?

I have raised this language with the Secretary of State, as well as with the Deputy Secretary. My question was whether this administration believes that it possesses the authority to conduct unilateral military activity against Iran in the absence of a direct threat and without the approval of the Congress. I have not received a clear answer from either of them on that point. That is troubling.

This administration and its supporters must understand the realities that are causing us, as a Congress, to finally say enough is enough. After 5 years of misguided policy, ineffective leadership, and diminished U.S. stature around the world, the Congress must show the way to reclaiming the moral high ground and exert its proper oversight role more forcefully.

For these reasons, I support the pending Iraq resolution before us, and I will vote for cloture. I urge my fellow Senators to do the same.

I yield the floor.

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I was a Member of the Senate when we voted to authorize the use of force against Iraq. It was not just a rapid, quickly done deal, we talked about it for months. We talked about primarily the 16 or 17 resolutions that Saddam Hussein had failed to comply with that he agreed to with the United States and the United Nations; that he was setting about systematically to break out of the box of the embargo placed on him because he failed to comply with those resolutions.

We were flying, if you remember, aircraft over Iraq on a regular basis, and they were shooting missiles at us, trying to bring down our aircraft. We were dropping bombs on them on a weekly basis. This was the context of the debate that we entered into.

At the end, a great deal of emphasis was placed on the question of weapons of mass destruction by the President and others. But for most of us, I think it was a strategic American decision based on the fundamental questions: Were we going to give up? Were we going to let the embargo elapse? And would Saddam Hussein be able to continue to say—actually say with conviction

and some honesty—that he had won the 1991 Gulf War? He said he won the war. He never complied with the agreements that he entered into and, as a result, we entered this conflict.

The initial invasion went far better than most of us believed possible, than many predicted—those who supported the war and those who did not. The aftermath has been much more troubling and difficult. I have been one of those who shared General Abizaid's view of let's keep the number of our troops as low as we can, let's push as hard as we can to train and bring on the Iraqi forces, and let's let their government be responsible for its own activities as soon as possible. But I have to be honest, it has been more difficult than most of us would have thought. We now have many soldiers there in dangerous circumstances. So I am concerned about that. I respect anybody who is concerned about that.

I am not here to say I know you are wrong, that I know this is the only way and the only right policy, and I guarantee you it will be successful. I want to say that in the beginning. We have some difficult choices to make, and I respect people who don't agree.

I am not able, however, to justify a resolution that appears to be designed to embarrass the President, appears to be contradictory to our Nation's policy, that would indicate to our adversaries and enemies that we are divided. I cannot see that as a positive step for us. I am inclined to agree with the view of General Petraeus. He finished at the top of his class at West Point. He was No. 1 in his class at the Command and General Staff College. He got his Ph.D. at Princeton. He was in Mosul, right after the initial invasion, commanding the 101st Airborne Division. He was a Ranger, a soldier, a fabulous leader. I saw him in operation when some of the Alabama National Guard members had felt they were not being fully utilized right after they got to Mosul. I told General Petraeus, and he said:

Let's go over and meet them.

He told them:

You are part of our effort. I will be bringing you right away the Screaming Eagle patch and you are going to put it on and be one of ours. There won't be any difference in the Guard and Reserve.

That was such an example of leadership, I thought. Later, he showed how they captured Uday and Qusay under his command. He showed how they formed the government. He had a Sunni, Shia, Christian, and a Kurd on the city council. He formed a court system. He was a fabulous leader and everybody recognized that. He finished his tour and came back.

We realized that we needed to spend more effort and be more effective in training the Iraqi Army. So we sent him over there. We asked him to go back. He went back to specifically be in charge of training the Iraqi security forces. During that time, he got to know virtually every major Iraqi military leader. He knows them personally

and he worked with them and with most of the Iraqi leadership. He said he didn't know Prime Minister Maliki, but he knows most of them.

After some 15 months at that, well over 2 years in Iraq, he came back home and he was placed in charge of writing the doctrine for the U.S. Department of Defense on how to confront and defeat an insurgency operation, the so-called Counterinsurgency Manual. It is a real serious document. A lot of people don't know this, but there are ways—proven ways—to confront and defeat insurgency operations. In fact, one military historian recently pointed out that very few insurgency operations ultimately become successful. They can cause great distress for substantial periods of time, but they usually fail. There is a fairly significant number—70, 80, 90 percent—that fail, according to this report. So this manual that he painstakingly put together had incredible subtleties in it about how to handle various situations because every situation is different. What might be true in the Kurdish north may not be true in Bosra, the Shia south, or in the Sunni west. Every part of the Sunni and Shia and Kurdish areas are different themselves. Their tribes and their heritage and their religious sects are different. You have to handle them all differently.

President Bush asked General Petraeus to help formulate a plan to be successful in Iraq. He committed to him five additional brigades, over 20,000 soldiers. That is a bitter pill to me. I was very pleased—and I spoke out when some were critical—and in favor of General Casey over a year ago saying he hoped to be able to bring troops home. He brought some home. He asked for more at different times. What happened? Well, violence began to pick up substantially in Baghdad. The Sunni and al-Qaida terrorists saw the country beginning to come together, and they decided to make a devilish decision, and that decision was to deliberately provoke a sectarian conflict. They began to attack the Shia in the marketplaces and they attacked their holy mosque at Samarra. They blew up that mosque and killed people. It began to work. Shia militias began to grow and strengthen and develop, feeling they were not being protected by the government. They began to kill Sunnis, and people would find bodies that had been killed execution style. It was a very grim thing to happen. It still is going on to a substantial degree.

But I believe that this can be reversed. I cannot guarantee that, but I believe it can be reversed with the leadership of the United States, with increased effort on behalf of the Iraqi military and the country of Iraq, that they can begin to reverse this trend. I will just cite that recently General Conway testified at a hearing. He commanded the Marines in the western part of Fallujah and during some of the toughest fighting. Now commandant of

the Marine Corps, he testified a few days ago. I told him about the visit Senators LEVIN, WARNER, PRYOR, and I made to Iraq last fall. The briefing that we had gotten by the Marines in the Ramadi area really concerned me. Some of the information they gave—and the Presiding Officer and I traveled over there, and I know he cares about these issues. That briefing was one of the more troubling things I had heard in visiting there five times, as I have. He pointed out how, in just a matter of weeks, that made a dramatic change; that 12 out of 16 tribal leaders in that area have gotten fed up with al-Qaida and their murdering ways, their parasitic ways, and their domination. And they have made agreements with the U.S. military. We are helping them create their own law enforcement entities, hiring their young people, and they are resisting al-Qaida. There has been a dramatic change in the toughest area, the Sunni area, the area where most of al-Qaida has been. So that is good.

I say to my colleagues that can happen in Baghdad. Don't think that because things have been very difficult in the last year they cannot begin to get better. General Petraeus has stepped up. We are going to increase our forces. The Iraqis are going to increase their forces. I think the Iraqis know this may be their last chance to save this country as a decent and progressive country that treats people fairly and equally. I think they are beginning to wake up to that fact—I hope so. They are moving substantial numbers of troops in there. They are not as good as the American troops in many ways. They have a lot of difficulties. We know that. But they have taken more casualties than we have, and they continue to sign up. We have an opportunity, I believe, to make a difference.

If this effort does not succeed and we do not begin to notice that more progress has been made, that the Iraqis do not meet certain benchmarks we have called on them to make, then we do need to review our policy. I have to say it. What we will do then, I am not sure. But we need to be smart about it. We don't need to be aberrational or spasmodic in how we face those challenges.

What happened on the floor of the Senate is not something that I think has brought credit to this body. After approving General Petraeus to go to Iraq 94 to 0, after making clear we intend to fund the policy the President, as Commander in Chief, is executing, our soldiers are executing, and soldiers have been sent over there as part of this surge—some have already gotten there as part of this surge—it became a goal of the majority leader, Senator REID, and the Democratic leadership, apparently, to vote on a resolution that disapproved it, that criticized the President, I guess to make happy some of the people out there who oppose this war so deeply, some with great passion and legitimate concerns and some with fevered brow who believe we are over

there trying to steal Iraqi oil. But that crowd is out there. They want a resolution that is critical of the President and this policy.

Our leader, the Republican leader, said: You can have that vote, that will be all right, let's have that vote, but Senator MCCAIN has a different view. Senator MCCAIN's view is we need to set some benchmarks for the Iraqis and we need to support the President. Senator GREGG said it is most important when troops are in harm's way, when they are placing their lives at risk for us, that we tell them we are going to support them financially. Oh, no, we can't vote on those amendments. We are only going to vote on the one we want.

This resolution, by the way, should have come, by historical tradition and rules of the Senate, out of the Armed Services Committee, but it didn't come out of the Armed Services Committee. Why didn't it come out of the Armed Services Committee, of which I am a member? Because it doesn't have the votes. It wouldn't have passed out of the Armed Services Committee. So what Senator REID did is, he filed it as a bill instead of a resolution. He filed it and, under rule XIV, brought it to the floor and determined that no other amendments could be accepted or even voted on, only his view should be voted on. And they carefully calculated, I am sure, to make sure they had over 50 votes, so they would be able to pass one resolution that was deemed an attack on the President and a rejection of the policy we are now funding and is being executed by our soldiers who are far more worthy, in my view, of maturity and respect than a Congress that gets itself tied up in this kind of mess.

I think most of us on this side—even some Republicans and some Democrats who supported the resolution—have refused to vote for cloture to bring it up for a vote because they think Senator MCCAIN's and Senator GREGG's resolutions deserve a vote too. Senator MCCAIN said: I would just be satisfied if you vote on Gregg if you don't vote on mine.

I would like to vote on both of them, and I am not afraid to vote on the Democratic resolution. I would vote on all three of them. I am not afraid to talk about this war or to talk about the resolutions. But somehow the media has adopted the Democrat's talking points and suggests Republicans don't want to debate and vote on the issue. That is not true. How many times do we have to say that? I don't think what I said is inaccurate. If it is, I would like to be corrected on the fundamental debate in which we find ourselves.

But what I wish to say to my colleagues is we are, at this very moment, in reality, financially supporting the policy with which they disagree. Advice and suggestions from business, athletics, church, and families needs to be welcome, but naysaying after a decision is reached is nearly always de-

structive, in my opinion. People have to pull together once a decision is reached. We only have one Commander in Chief. We have the absolute power to shut off every dime going to Iraq and bring our troops home immediately. That is the constitutional power this Congress has. But while we are executing this effort in Iraq, we only have one Commander in Chief. And for the life of me, I can see no advantage to our Nation, to our foreign policy or to our soldiers in a resolution that disagrees with the President's plan, a plan to which we have our soldiers committing their lives this very moment.

Congress should either support it or stop it. But, of course, we all know the awesome responsibility that voting for a precipitous withdrawal out of Iraq would entail because stopping the funding for Iraq is real, just like funding Iraq is real, just like voting for General Petraeus is real. It is not positioning, it is not an expression of concern or an effort to distance oneself from a war that over three-fourths of us in this Senate voted for but has now become very difficult.

The President studied the Baker-Hamilton report, he met with his commanders in Iraq and in the United States, and he met with retired officers, elder statesmen. The Chairman of the Joint Chiefs of Staff, General Peter Pace, started a bottom-up review of our Iraq policy in August. I called him about that time to raise some questions and urge that he do that. He said: Senator, I have started that already. After all of this evaluation and receipt of ideas for improvement, both public and private, our President, the one given the power to decide such issues in our system, made his call. He changed his policy. Perhaps he should have done it earlier. I think this kind of review would have been more appropriate earlier.

The President has gone through a deliberative process, though, and made his decision, and I have decided the right response for me, as a Member of this Senate trying to serve the national interest, is to support that policy, at least for the immediate future, and to support those who will execute it—our military personnel.

Others may disagree. An official expression of disagreement, though, about a policy we authorized and we are now funding and our soldiers are executing does not meet, I believe, high standards of responsibility to which a great Senate should adhere. Please remember also that what we do is not contained just in these Halls. I am not persuaded there can be any effect, other than a pernicious one, on those allies and other nations that are assisting us in our efforts. Nor do I see how the threat of an imminent withdrawal could cause the Iraqi Government and the leaders of the various sects and groups to be more willing to reach an accord than would be achieved if we continue assistance in restoring

order, particularly in the nation's capital. I don't know. I don't think so myself. If it was so, I would be persuaded. If that would be the result of a rapid withdrawal, that they would all get together and reach an accord, then I would support it because I don't think we need to be an occupying force in Iraq. But this is not what our generals tell us. It is not what we have heard from the intelligence community.

Some people said: I talked to a retired general; that is what he said. Maybe that is what he said. Maybe that retired general is right. The people we are hearing about are not saying this is any kind of panacea, to pull out, and there is going to be harmony and compromise reached all at once.

In fact, many are saying the violence in Baghdad is so significant that if we allow it to continue to grow, it makes it harder for the warring factions to get together and reach an accord.

Still, despite the difficulties, our experts in public and private conversations believe there is hope for stability with this new policy in Iraq, this new surge. They give that evaluation with full and realistic evaluations of all the challenges we face. The new Iraqi permanent Government has only been formed for 8 months, maybe 9 months now. That Government has only been up for 8 or 9 months. The forces of violence, oppression, and extremism have attacked it full force. They are determined to bring it down. But it still stands, and it has made new commitments to taking the necessary steps toward security and progress.

This is a test for them, no doubt. Maybe they will fail. Maybe they would not meet the commitments they have made. But perhaps not. Perhaps this fragile Government and the Iraqi Army working in new and better ways with General Petraeus and our forces together can be successful, as our experts tell us is possible and realistic.

I, thus, have concluded this Congress should fund this new strategy, not adopt a resolution that has any tendency whatsoever to lessen the chance of that strategy being successful.

Finally, I do not see how a congressional resolution that disagrees with, or one that rejects the President's new policy will have any other effect than to reduce the morale of our soldiers.

Right out here a couple of days ago, I talked with a group from Hartsville, AL. The man pulled me aside and said his son was an infantry officer at Fort Benning. He said: Senator, I want you to know one thing. When you make your decisions, don't think they don't know what is going on. He said: "They are watching you like a hawk."

We have a responsibility to them. Yes, we have a responsibility to say pull out if we have to pull out, if that is the thing to do—and I don't think it is yet; I think we have a chance for success. If that is our decision, so be it. But when we send them over there, they should be supported. They should have no doubt that we are going to be with them.

We are waging a war against violent extremists who bomb markets, who beat people who disagree with them, who murder, who kill, who destroy teachers because they teach young girls how to read and write. So this is a complex effort. It is an important effort that to date has protected our homeland from further attack.

We didn't choose this duty. It has fallen to us. By working together, I believe we can achieve more in Iraq than many people think.

And I will say this, while we are being very serious about the challenges we face. I have had personal meetings with Secretary Gates, the new Secretary of Defense, and an extended meeting with GEN Peter Pace, the Chairman of the Joint Chiefs, and I had a good long conversation with General Petraeus, the new commander in Iraq, and Admiral Fallon, who is going to be the Central Command, commander. I have asked them, and each one of them stated to me that they fully understand their responsibility to give us their best military advice, and if at any time this conflict in Iraq becomes untenable, if at any time they conclude that putting more soldiers into harm's way will not be successful and will not achieve the aims which we are seeking there, they will tell us.

I asked Peter Pace that in an open hearing, and he said: "Yes, sir, Senator, I understand that." Secretary Gates cut in and said: "Senator, I fully understand that, and I feel like that is my number one responsibility." I asked General Petraeus that, and he said the same. And I asked him if he believed he could be successful. Remember, this is the man who spent over 2 years in Iraq. He is the best of the best. He has written a manual on how to confront and defeat an insurgency. His answer to whether he can be successful, in sum, was: "Senator, I do, and I wouldn't be going over there if I didn't think I could be."

I know people are worried about this conflict. I am worried about it. I talked to a widow yesterday, whose fabulous husband was killed in Iraq, and I don't take it lightly at all. But we are a nation that has been attacked and we have a responsibility to defend our just national interest, and our just national interest would be greatly served by a prosperous, free, democratic Iraq, where terrorists do not find haven and which is not subverted by hostile forces. We have a national interest in that, as well as a humanitarian interest.

I think we need to give General Petraeus a chance. I think we may find that progress in Baghdad can occur, even when it is dark, as it did in Al Anbar Province a few months ago. I was feeling pretty discouraged about what was happening there, but great progress has been made in the last few weeks there. It is time for us to stick together.

I don't think this resolution is good. If we are going to vote on it, we ought

to vote on the Gregg resolution and we ought to vote on the McCain resolution. Because only together will that convey to the world, our allies, and our soldiers the real feelings and insights of this Congress. As I have said from the beginning, I don't favor any resolution. We have done what we have to do. We sent General Petraeus and we sent money to execute the policy. I don't know why we have to have a resolution at all.

Mr. President, I yield the floor, and 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. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. CASEY. Mr. President, I rise today to voice my strong support for the motion to invoke cloture to proceed to S. 574 so the Senate can undertake a full, vigorous, and honest debate on the future course of American policy for the war in Iraq.

As we speak about and debate the war, let us never forget our troops in battle, those troops in battle on the streets in Baghdad, in Anbar Province, or other areas of Iraq. We also remember, as we debate this issue, their families and their sacrifice. Finally, today, and in all the days we debate this critically important issue to our country, we honor the sacrifice of those soldiers and marines who gave, as President Lincoln said at Gettysburg, "the last full measure of devotion to their country." We pray for them today and always, and we pray for ourselves that we may be worthy of their valor.

At this time in the Senate we are confronted with two simple questions: First, does the Senate agree with President Bush's plan to escalate our military involvement in Iraq by deploying some 21,000 more troops? Second, will the Senate vote tomorrow to allow debate to go forward?

Just those two questions confront us today and tomorrow. There will be further debate about our policy in Iraq in the weeks and months ahead, but for the next few days it is those two questions.

As I have stated before, I oppose this escalation, but I also support debating it. The grave question of war must always be—always be—the subject of vigorous debate, especially in the Senate. As a Senator from the Commonwealth of Pennsylvania, a State that has lost 150 young men and women in combat, I have a solemn obligation to speak out about the escalation.

Many of these brave Americans from Pennsylvania come from small towns such as Rockport and Connellsville and Beaver Falls, and from cities such as Bethlehem and Pittsburgh and Philadelphia. I have an obligation to speak out against those policies that only increase the likelihood that even more of

Pennsylvania's sons and daughters will die or be grievously wounded on behalf of a flawed strategy.

I had hoped, like many in this Chamber, we could have moved forward with the debate on Iraq 2 weeks ago. The American people don't understand why the Senate isn't debating this war when all of America expects us to do so. Perhaps a rare Saturday vote will help this body realize the importance as this debate moves forward.

We owe it to the troops, their families, and to those who have loved and lost someone dear to them in this war to debate our Iraq policy and to clearly express our opposition to the President's escalation. The American people have clearly voiced their strong support and their desire for their elected representatives to address this issue. The elections last November turned in large part on the failure of the previous Congress to engage in adequate oversight of the administration and ask the tough questions when it came to the execution of the war. Debating is essential to good oversight.

We know that recent polls conducted across America reveal Americans consider the war as one of the two most important problems facing our Nation. An overwhelming 63 percent of respondents in a recent national poll expressed concern that the Senate had been unsuccessful to date in attempts to hold a debate on the war in Iraq. We have an obligation to act, and that begins with a full debate.

S. 574 is short but eloquent. It respects and honors our troops who are serving or who have served with distinction in Iraq, and it communicates our disapproval of the President's escalation of the war. It mandates—mandates—additional reporting requirements so there is transparency with regard to military, political, and diplomatic operations in Iraq. This resolution deserves our support because it sends the right message to the President to change course in Iraq.

In the first 5 weeks of this new Congress, as a member of the Foreign Relations Committee, I have listened carefully to more than 25 witnesses over the course of a dozen hearings, some 50 hours of testimony from generals and other military experts, diplomats and foreign policy experts, the cochairmen of the Iraq Study Group, and so many others. I have asked tough questions, and I have listened to statements and questions from my colleagues, some of whom have had decades of experience in foreign affairs and the oversight of military operations. After all these hearings, I am even more certain that this escalation is the wrong strategy.

The National Intelligence Estimate—we know it by the acronym NIE—released in January on Iraq's prospects for near-term stability paints a dire picture. The unclassified version describes a growing sectarian-based polarization, ineffective security forces with questionable loyalties, and an all-but-certain rise in communal violence

in the coming months. The National Intelligence Estimate clarifies that Iraq's violence today is primarily driven by "the self-sustaining character of Iraq's internal sectarian dynamics."

Reading the key judgments of the NIE, I can only conclude that political reconciliation between the respective leaders of Iraq's varied populations is the best way and probably the only way to reduce the violence and to begin to create a stable state that is not a threat to its neighbors. Escalating military conflict by inserting additional U.S. troops in Iraq is not the answer.

As Chairman BIDEN remarked during the Foreign Relations Committee's deliberations on a related resolution, this effort is not inspired by a desire to embarrass or isolate President Bush. Rather, it is an attempt to demonstrate to the President that his approach is flawed and will not result in the outcome he seeks. The President is still searching for a military solution when, in fact, it is time for a political solution led by the Iraqis themselves. Iraqi Prime Minister Nuri al-Maliki himself declared last November, "The crisis is political, and the ones who can stop the cycle of aggravation and bloodletting of innocents are the politicians."

What we need is not just a political strategy; we need sustained and vigorous diplomatic engagement that I would argue has been lacking. The President and his senior officials have failed to make the case that the so-called new way forward in Iraq is, in fact, new or promises significant changes needed to achieve real victory. Instead, the President's escalation strategy risks repeating mistakes already made. It inserts more American troops into the crossfire of growing sectarian conflict, and it ignores the urgent need to reorient the mission of U.S. forces in Iraq toward those objectives which offer our best chance to leave behind a secure and stable Iraq.

In spite of all the rhetoric from the White House in recent weeks, I believe, and many in this Senate believe, that the President's policy is more or less more of the same: Stay the course. The United States today has approximately 137,000 troops in Iraq, growing by the day and by the week. Sending an additional 21,000 troops will not fundamentally change the current dynamic in Iraq.

The reality is that more American troops is not the answer in Iraq. General Abizaid, the outgoing U.S. Central Command commander, testified in November that the unanimous opinion of his top subordinates was that more American troops would only perpetuate the dependence of Iraqi troops and would not offer a positive solution. No matter how many troops we send, they cannot provide lasting security on the streets of Baghdad or other Iraqi cities. Only fully equipped, trained, and dedicated Iraqi military and police forces—those who do not pick and choose sides

among sectarian groups—only they can provide the type of permanent security that will enable the Iraqi political and civilian life to emerge and the nation to embark on a path to reconciliation.

We heard from former Congressman Lee Hamilton during our Foreign Relations Committee hearings. He noted in his testimony before that committee that the money, time, and attention we are devoting to escalating the level of U.S. forces in Iraq must not detract from what should be a primary mission for the United States: training Iraqi security forces to enhance their capability to take the lead and allow U.S. forces to redeploy out of that country.

Congressman Hamilton and so many others have placed the primacy on the question of training. Instead, by adopting the President's strategy, I fear we are sending an additional 21,000 troops without a more focused mission and lacking a solid plan to accomplish it.

I fear we are still investing too much trust in the Maliki government, a regime that has failed to demonstrate it is acting on behalf of all Iraqis and may be focused only on one sectarian group. I fear American forces will continue to serve as a bull's-eye target for those resentful of a prolonged U.S. occupation in Iraq. In short, I fear, and many in this Senate fear, we are sending more American men and women into Iraq without a new blueprint for victory and without the essential political, diplomatic, and international groundwork required to succeed.

The President has based his troop escalation on the hope—the risky hope, I would argue—that this time the Maliki regime will carry through on its commitments and deliver the required Iraqi forces to help U.S. forces secure neighborhoods throughout Baghdad and, more important, then remain to allow reconstruction to proceed and normal life to return. Yet the record is not encouraging. In Operation Together Forward, Prime Minister Maliki had pledged six battalions, but only two were sent. Some of those Iraqi units suffered subsequent serious attrition rates. Many of those forces have been infiltrated by the very sectarian militias they are now being asked to disarm.

We are already seeing troubling signs in the initial stages of this latest escalation. The New York Times, January 22, the Washington Post, USA Today, and so many other news articles which I will not repeat here today have talked about the problems with Iraqi security forces showing up late or not showing up at all, not serious about their mission, not trained, not focused, and frankly not helping enough in terms of helping American forces. Americans are dying because of that incompetence. The fact remains that it is very difficult to rely on Iraqi forces when you have to ask them to deploy outside of their normal areas of operation and their ethnic strongholds.

I also retain real doubts when the President insists that this time, this

time it will be different, that Mr. Maliki now means it when he says Iraqi forces will truly crack down on all troublemakers, whether they are Shia or Sunni. The Government of Iraq has promised repeatedly to assume a greater share of security responsibilities, disband militias, consider constitutional amendments, and enact laws to reconcile sectarian differences and improve the quality of essential services for the Iraqi people. Yet, despite those promises, little has been achieved by the Iraqis.

Moreover, I am skeptical of this escalation of U.S. troops because we have seen it before. We have seen it before, tried over and over again. Operation Together Forward in 2006 represented a similar escalation; 12,000 additional U.S. troops were introduced into the city of Baghdad, only to see U.S. and Iraqi casualties spike considerably without a sustained reduction in sectarian violence. We have seen similar efforts to “flood the zone” with additional U.S. troops in places such as Fallujah and Ramadi, only resulting in temporary gains. If more troops have not worked in the recent past, why should we have any reason to believe it will work this time?

I am concerned, as are so many others, about the dual-chain-of-command concept that is being introduced as part of this escalation. Recently, Prime Minister al-Maliki's commander in the region and the capital itself has been trying to carry out part of this strategy. At the same time, there will be a separate or parallel U.S. command headed by MG Joseph Fil, Jr. Both commanders will have ultimate control over their own national troops, but this “partnered” command could create serious complications if there are disputes between U.S. and Iraqi military forces over specific operations. A unified chain of command is one of the hallmark principles that have long governed deployment of U.S. forces abroad.

Finally, I oppose this escalation strategy because I fear it will only exacerbate the longstanding strains on our Nation's military overall. Seven years ago, President Bush declared that his predecessor was leaving office with a military in decline. He alleged that the previous administration had not adequately funded our Armed Forces while simultaneously deploying those forces in excessive engagements around the world. It is one of the most tragic ironies that this President is himself now stretching our military to a genuine breaking point, as he pursues a misguided strategy in Iraq.

The Washington Post recently published an important article documenting the impacts of this proposed troop escalation. According to the Post, the Army and Marine Corps already lack thousands of necessary vehicles, armor kits, and other equipment needed to supply the extra forces. Diverting 21,000 troops from other essential missions around the world will

only further deteriorate the readiness of our overall ground forces, making it more difficult to respond quickly and decisively in the event of other military contingencies, and raise the likelihood of greater U.S. casualties.

Our Nation's military is facing a genuine crisis. The war in Iraq has exacted a heavy toll—in casualties, first and foremost, but also in terms of combat equipment that undergirds our fighting men and women. Our National Guard and Reserve troops in particular are paying a heavy price. Army data shows that the Army National Guard units today only have, on average, 40 percent of their required equipment—40 percent. National Guard combat brigades are being involuntarily mobilized, and reservists are being sent back to the command theater on a repeated basis.

Representative JOHN MURTHA, a decorated marine from my home State of Pennsylvania, painted a distressing picture of our military's readiness—or I should say lack thereof—during recent testimony before the Senate Foreign Relations Committee. As he noted:

At the beginning of the Iraq war, 80 percent of all Army units and almost 100 percent of active combat units were rated at the highest state of readiness. Today, virtually all of our active duty combat units at home and all of our guard units are at the lowest state of readiness, primarily due to equipment shortages resulting from repeated and extended deployments in Iraq.

Chairman MURTHA then went on to cite recent House testimony from a senior Pentagon official that our country was threatened because we lacked readiness at home.

I welcome, as so many do, the President's intention to expand our military—permanently elevating the Army and Marine Corps' Active-Duty ranks over the next 5 years. But that is only a long-term solution. Our current forces are badly overextended, and an escalation in strategy in Iraq will only worsen that condition. Our Nation faces growing challenges around the world. We must ensure that our military forces receive adequate training, are fully equipped, and retain the necessary flexibility to quickly respond to contingencies wherever they may arise. Pouring more troops into Iraq does not make those requirements any easier to meet.

Just listen to the bipartisan Iraq Study Group on this matter:

America's military capacity is stretched thin; we do not have the troops or equipment to make a substantial sustained increase in our troops presence.

The Iraq Study Group goes on to say:

Increased deployments to Iraq would also necessarily hamper our ability to provide adequate resources for our efforts in Afghanistan or respond to crises around the world.

So says the Iraq Study Group.

For all these reasons, I am proud to stand here today in support of a bipartisan effort to send the President a message that the troop escalation in Iraq is the wrong choice for our Nation. Instead, our Iraq strategy should em-

phasize a new direction, encouraging Iraqi leaders to make political compromises that will foster reconciliation and strengthen the unity of the Government, laying the groundwork for an improved security situation, and redeploing our military forces in Iraq so they can focus on maintaining that nation's territorial integrity. We also must deny al-Qaida and other terrorists a safe haven, conduct counterterrorism operations, promote regional stability, and, most important, train and equip Iraqi forces to take the lead in security and combat operations. The President's escalation strategy of throwing more U.S. troops into Iraq's burgeoning civil war undercuts and detracts from each of these objectives: A campaign of escalation is incompatible with securing a new and better direction in Iraq. For those who argue that supporting this resolution only offers criticism but does not offer specific alternatives, I urge you to listen to what I and others have said in these days and what we will say in the next couple of days especially.

We have heard from the opponents about what this all means. I will not go into their opinions today. But I will say this: Every Member of this Chamber in both parties honors our troops, no matter which way we stand on escalation. We honor their sacrifices—the sacrifices they and their families make on a daily basis. But we must examine—we have an obligation to examine our national policies which we are asked to carry out and to be supportive of or in opposition to. If we disagree with the broad strategic direction in which the President is taking our Nation, it is our duty to speak out. To remain silent or passive in the face of an approach we believe is misguided and not in the national interests is an abdication of the responsibilities of our offices.

Our military forces and their loved ones have paid a heavy price for this mission in Iraq. As I have noted before, at least 150 Pennsylvanians have given their lives, with hundreds more suffering from serious and lifelong injuries. PFC Ross A. McGinnis of Knox, PA, was one of those killed in action. He was 19 years old. He died of injuries on December 4, 2006, after a grenade was thrown into his vehicle in Baghdad. Private McGinnis has been nominated by his commanders for the Medal of Honor. He was manning the gunner's hatch when a grenade was thrown into his humvee. He could have jumped out to save himself, but he threw himself on the grenade to save the lives of his crew members. We must always remember this debate we must have must not have a focus on abstract policy matters. This has real implications for our men and women in the Armed Forces. We cannot forget the lessons and the life of Private McGinnis or any of the more than 3,000 Americans who have died during this conflict. Our troops are deserving of our support and the support of all the American people.



Mr. President, I conclude with this: A troop increase will only endanger more young Americans in Iraq without any clear hope of success. For that reason, I support honest and open debate on the merits of the President's plan and an opportunity for the Senate to declare its views. I will vote to allow this important debate to proceed, and I will vote in favor of S. 574.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. VOINOVICH. Mr. President, I must say I am disappointed the Democratic leadership continues to preclude the Senate from debating and amending the insufficient resolution sent over from the House of Representatives. This denies the Senate from robustly debating other alternatives, including the bipartisan Warner resolution.

The strategy is to avoid controversial procedures that split the Democratic caucus regarding cutting off funding for the troops and capping the deployment of troops in Iraq. We have the same kind of split to a degree in the Republican caucus. The Warner resolution represents a negotiated agreement that reflects a bipartisan approach to the war and deserves to be debated and voted upon.

This is the second piece of legislation this week that Democratic leaders have brought to the Senate floor straight from the House with no amendments for debate allowed, and I think this is setting a dangerous precedent and frustrates the role the Constitution envisions for the Senate.

I will continue to back the minority's right to bring up amendments and participate in real debate, even if I don't agree with those ideas. I tried to support that when we were in the majority. The American people want Congress to play a role in the way this war is being handled. The first step is to demand a better plan, and we owe the people more than 10 lines in the House Resolution. You can't even begin to address a real solution to a complex situation in 10 lines.

I wish to emphasize to my colleagues that there are 15 cosponsors of the Warner resolution, 6 of whom are Republicans and 9 are Democrats. The resolution has the support of the Democratic chairman of the Foreign Relations Committee, JOSEPH BIDEN, who has been here for many years—a very wise individual. It has the support of the Democratic chairman of the Armed Services Committee, CARL LEVIN. It also has the support of the No. 2 ranking Republican on the Senate Foreign Relations Committee, Senator CHUCK HAGEL. I mention this because I wish to stress that the Warner resolution is believed to be a fair and reasonable resolution that is broadly supported by both Republicans and Democrats. I believe, if given the opportunity, that resolution will attract over 60 votes of the Senate.

That is why tonight I wish to share some of my thoughts about our current

situation in Iraq. I wish to stress that had we received better, more comprehensive prewar intelligence and done our homework about what would be needed after the military offensive, we could have entered Iraq adequately prepared to win the war and secure the peace. We would have been more adequately prepared. Both the administration and Congress should have recognized that by removing Saddam Hussein from office, we would shift the balance of power within the country from Sunni to Shiite and change the contour of the region. Our intelligence errors, our lack of troop preparation, and the bungling of the initial efforts on the ground, specifically disbanding the Army and isolating former Baathists—in spite of advice from people such as GEN Jake Garner and others—is unacceptable. And today, we are paying the price for that, which means all of us have to pay a lot more attention to every decision and plan we endorse from here on out.

I cannot support the proposed troop surge. In spite of meetings at the White House, two with the President, private-session briefings as a member of the Foreign Relations Committee, and a meeting with General Petraeus for over 40 minutes, I am not convinced the additional troops who are proposed is the best means toward success in Baghdad. That is why I have decided to support the Warner resolution.

A military solution is not sufficient to win the peace in Iraq. As I will get into it, Iraq faces political problems, a power struggle, and primal hate between the fighting sects. More troops alone cannot solve these problems. That being said, I continue to have the highest praise for the generals and, more importantly, for their troops who have remained steadfast in their efforts to secure Iraq. I am grateful to those who have served and continue to serve our Nation in a time of need. I am especially indebted to those who made the ultimate sacrifice and whose families have suffered and who will grieve and those whose lives have been changed forever, as well as some 25,000 men and women who have been wounded over there, 13,000 of them not able to go back into the service.

Winning this war, securing peace in Iraq and stability in the region requires a comprehensive approach and the use of different tools, the most important of which is the will of the Iraqis. At this point, I am afraid we have focused disproportionately on the military component of this war, and we have not adequately stressed the non-military arm of our strategy.

Moving forward in Iraq, we must focus on strengthening our nonmilitary or political tactics. That is why now, more than ever before, I am concerned about Iraq's willingness to bring an end to the violence. As the Warner resolution states:

The responsibility for Iraq's internal security in halting sectarian violence must rest primarily with the government of Iraq and Iraq security forces.

I recently met with a young man from Ohio out of Bethesda who had completed three tours of duty in Iraq and who was wounded by an IED. I asked him what he did. He said: My main goal, Senator, every day was to keep my men alive and keep peace in the neighborhood.

We have to ask ourselves: How long can we continue to do this? Even if the surge is successful, how long will we have to stay before the Iraqis can handle the situation themselves? Even when I talked with General Petraeus, he did a good job in Mosul—they secured the neighborhoods—but when the Iraqis came in and they left, they lost it. How many American lives will be lost in what is best described as a civil war between Sunni and Shiite that has 1,400 years of Sunni domination over Shiite at its root? More of our Members of the Senate should read about the history of Iraq and the people who are there.

After many closed-session briefings with the National Security Council, four meetings at the White House, including two with the President, and as I mentioned, 40 minutes with General Petraeus, and after hearing hours of witnesses testifying before the Senate Foreign Relations Committee, I can feel confident saying it is time for the Iraqi people and their leadership to stand up to the sectarian violence between Sunni and Shiite. They need to recognize that all Iraqis and the future of the Nation of Iraq is threatened by this constant bloodshed, and their future is in their hands, not our hands.

U.S. Central Commander GEN John Abizaid, who the President relied upon to lead the ground campaign in Iraq, testified to Congress on November 15:

I met with every divisional commander, General Casey, the Corps commander and General Dempsey. We all talked together. And I said, "In your professional opinion, if we were to bring in more American troops now, does it add considerably to our ability to achieve success in Iraq?" They all said no. The reason is because we want the Iraqis to do more. It is easy for the Iraqis to rely upon us to do this work. I believe that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future.

That is General Abizaid. If we don't follow the advice of our generals and other military people I have talked to, we run the risk of helping one side at the expense of another, and the Sunnis could interpret our offensive as part of a larger effort to do the dirty work of the Shiite. And don't you think the Sunnis would not spin it that way.

The reality we face today is that an overwhelming majority of the Muslim population in Iraq, be they Shiite or Sunni, look upon us as infidels and occupiers. They do. And our presence there is exploited every day by our enemies. In fact, one poll claimed 60 percent of the people in Iraq said it is OK to kill Americans. While we cannot even begin to capture what is happening in the hearts and minds of the Iraqis with one poll, it sends a striking



message about what additional troops might face there.

We have to consider the reliable information we have that suggests the surge could ignite an even more aggressive countersurge, in which every martyr—every martyr—in the country is drawn to Baghdad to defeat the infidels, as the Sunnis were drawn to Mecca on Ramadan. We could see a terrible situation there, and I don't want—I wish to make clear I am not analogizing the Sunnis going to Mecca on Ramadan. I am saying it would bring lots of people into Baghdad.

The fact of the matter is we cannot stop the sectarian violence with combat brigades and more forces alone. Implementing martial law in Iraq would be impossible because of the sheer number of Iraqi citizens and our commitments elsewhere around the globe. At this point, we wouldn't begin to have enough forces.

Mr. President, the only way to bring stability to Iraq is by addressing a number of serious political problems that lie at the root of this violence. Before the war, Iraq was united by Saddam's reign of terror, as Slobadan Milosevic kept everybody under his control or, before him, Marshal Tito in Yugoslavia. When he was removed from office, the major power struggle ensued, and it is not surprising. In fact, it should have been expected. In fact, as we later found out, many academics and intelligence officers did predict this. In the aftermath of Saddam's regime, many different sects and local leaders realized a power shift was taking place, and they wanted to come out on top. They knew the greatest source of potential power is in oil. That is why the critical component of the political solution must be to reach a decision on how the oil can be distributed to all sects and communities in Iraq. It is absolutely critical that Prime Minister Maliki moves quickly—tomorrow—to pass the legislation that guarantees that all Iraqis will benefit from oil. If he can do this, it will show the sects how the power in Iraq will be dispersed in the future.

Recently, I met with the Foreign Minister, Deputy Prime Minister of Turkey. The Foreign Minister agreed that the oil situation is the most important issue today and the one that will have profound impact on the long-term stability of Iraq. This must be a component of the overall national reconciliation plan to unite Iraqis and give them confidence in their Government.

A second key political priority must be the reintegration of the Sunni Baathists into society. When we went into Iraq, we cut the Baathists out of the military and security forces. The result of the policy was they had nowhere to go. They were frightened about their futures. They could not feed their families. They were angry. They were resentful. So they went to the streets. Before long, they became part of the problem, joining with mili-

tias and other fighters to resist the Shia government. So a major political priority must be to develop a plan to reintegrate the former Baathists and it needs to happen now. It is essential that the Iraqi Government work toward provincial elections so there is more equal representation of the different sects.

The third vital component of our nonmilitary strategy must be greater regional diplomacy. We must work to encourage Iraq's neighbors to get involved in containing the violence. Specifically, these neighboring countries have the ability to put pressure on the different sects and local leaders to help unite the Iraqi Government. They have the ability to pass debt relief, participate in border control, and help avoid a potential refugee problem. I don't think people realize that there have been over 3.5 million refugees who have come out of Iraq.

In December 2006, the bipartisan Iraq Study Group issued their recommendations for a successful United States strategy in Iraq. A core component of their proposal was that the United States act immediately to undertake a "diplomatic offensive" consisting of "new and enhanced diplomatic and political efforts in Iraq and the region." The recommendation called on the administration to engage the international community, the Arab League, traditional United States allies in the Middle East, and all Iraq's bordering neighbors in order to address regional conflicts and jointly bring stability to Iraq. They advised the administration to work quickly to convene a regional conference—it has not happened—which would complement the Iraq Compact undertaken by the United Nations. We need to embrace the study group's recommendations on this issue and act now to increase diplomatic engagement with the international community.

Without a broad political strategy, our military objectives, no matter what the tactic, will be pursued in vain. These political elements must be the focus of our plan in Iraq. And that said, I agree there is a military component here, as well. I want to be very clear that I do not support a military withdrawal from Iraq nor do I support disengagement from the Middle East.

As we debate this issue, we must consider our broader national security interests in the Middle East. We are only focusing on Iraq. We have to start thinking about the whole greater Middle East area. Despite one's views about the current situation in Iraq, it is in our country's vital security interest to pursue a strategy of diplomacy and military action in the region. To put it simply, the stakes are too high for us to sit on the sidelines. We must remain active players in the Middle East to maintain regional stability, to protect vital energy supplies, and to guarantee peace and security at home.

We have had long-standing economic and military interests in the Middle

East and we were involved in the region long before we decided to challenge Saddam Hussein for his defiance of the U.N. Security Council. But today, with conflicts brewing in Iraq, Iran, Lebanon, between Israel and the Palestinian territories, it is even more critical we remain steadfast in our commitment. Despite what one might believe about the President's strategy in Iraq, we cannot confuse debate over tactics with the nonnegotiable need to remain engaged in the Middle East.

Currently, the greatest threat to the stability in the Middle East is the possibility of failure in Iraq which threatens to destabilize the region and poses a critical national security risk to the United States. A premature withdrawal from Iraq will signify in essence that we are abandoning the region in its entirety. Our departure could greatly damage, if not sever, relationships with key allies, resulting in dire political and social consequences throughout the world.

The long-term security interests of the United States will be best served by a peaceful Iraq that can sustain, govern, and defend itself. That is why we must figure a way forward and why we cannot withdraw from Iraq.

The National Intelligence Estimate which was just released underscores the danger of withdrawal, stating succinctly:

If coalition forces were withdrawn rapidly during the term of this estimate, we judge that this almost certainly would lead to significant increase in the scale and scope of sectarian conflict in Iraq, intensify Sunni resistance to the Iraq government, and have adverse consequences for national reconciliation.

They conclude that the immediate withdrawal of United States troops likely would lead the Iraq security forces to unravel, encourage neighboring countries to engage openly in the conflict, and lead to massive civilian casualties and population displacement. It is also very likely, were the United States to pull out of Iraq prematurely, al-Qaida would use Iraq as a training ground to plan future attacks, and this escalation of violence could ultimately prompt Turkey to launch a military incursion of its own. These are outcomes we cannot afford to risk.

I will refer to a few of the experts whom I have met or who have testified before the Senate Foreign Relations Committee in recent weeks.

Former Secretary of State Henry Kissinger testified that "withdrawal is not an option" and continued that:

An abrupt American departure would greatly complicate efforts to stem the terrorist tide far beyond Iraq: Fragile governments from Lebanon to the Persian Gulf would be tempted into preemptive concessions. It might drive the sectarian conflict in Iraq to genocidal dimensions, beyond levels that impelled U.S. interventions in the Balkans.

Think of that. It might drive sectarian conflict in Iraq to genocidal dimensions beyond levels that impelled United States intervention in the Balkans.

The new Ambassador from Jordan sat next to me at the prayer breakfast, and we started talking about Iraq and the Middle East. He told me that if you do not handle this right, we could see a schism between the Sunni and Shiite that extends from Malaysia to Indonesia.

Another reason I back the Warner resolution is it does not in any way threaten to reduce or jeopardize critical funding for United States troops serving in Iraq. In fact, the resolution states explicitly:

Congress should not take any action that will endanger the United States military forces in the field, including the elimination or reduction of funds for troops in the field, as such an action with respect to funding will undermine their safety or their effectiveness in pursuing their assigned missions.

A decision to cut funding would be a serious, irreversible mistake.

Last month, this Senate confirmed General Petraeus as the commanding general of the multinational force in Iraq without a dissenting vote. He is carrying out the orders of the President. It is critical that General Petraeus get the resources and equipment he believes are necessary to complete the mission and keep his forces safe in the field. I spoke to General Petraeus and I told him to make sure to ask for what he needs to be successful. He is concerned about receiving the equipment and other nonmilitary resources he will need to be successful, such as contributions of the State Department and other agencies. We cannot send our forces into the field without the necessary equipment. We did this at the beginning of the war. Our soldiers were underequipped. It was despicable. It cannot happen again. We have the resources in this country to ensure that our men and women have everything they need in combat.

We also must provide the funding to reset the equipment when it comes home and to keep the Armed Forces from breaking under the strain of the war. We must ensure that soldiers have the proper training before they leave and we must fund the mobilization centers and other military facilities at home so we can undergo the necessary training.

In my State of Ohio, I met this week with the head of the Ohio National Guard who is now being told he is going to have to train the troops in Ohio because they do not want to send them someplace else because they want them trained fast so they can get them to Iraq and Afghanistan. The fact is, he said:

I don't have the additional funds or equipment to do this.

We have lost 150 Ohioans, 150 in Iraq. In terms of the States, we are probably two or three in the United States in the number of members lost. We lost two because humvees rolled over and they were not trained to drive those humvees. Now they are much heavier than they were before.

The Warner resolution makes it clear that we must guarantee the troops

what they need when they need it. And the Gregg amendment underscores the point further. The best exit strategy for United States troops is a multifaceted and comprehensive strategy focused on creating an Iraq for the Iraqis. We must focus on training the Iraqi security forces so the Iraqis can defend and protect themselves. The Iraqi people must understand they will be given the full responsibility of defending and rebuilding their country. We must remove any ambiguity in the minds of Iraqis about our intention and desire to lead and make it clear we do not want to be there. In fact, they need to understand we want to bring our troops home and we want to help them develop the political and military tools necessary to carry on this mission without us.

Bringing stability to Iraq will require our best minds, our resources, and our bipartisan cooperation. We need a massive improvement in interagency coordination, better communication, better reporting to Congress, and the help of our allies and friends throughout the region.

This is my responsibility as a Member of Congress, to exercise oversight and to contribute to our national security. That is why I support the bipartisan Warner resolution. Again, I am confident that given the opportunity, over 60 Members of this Senate will support it.

Last but not least, all of us who represent the people of this country should get down on our knees and ask the Holy Spirit to enlighten the President and us in our decisionmaking because the impact of Iraq will not only affect Iraq, the Middle East, and world peace, but it will impact dramatically the national security of the United States of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, from the gravity of the terms with which the senior Senator from Ohio has spoken, I know the Senator speaks from his heart. This Senator certainly concurs it is of the utmost importance of the interests of the United States that we are successful in Iraq because of the threat to the security interests to our country in that region of the world.

If someone will look at a map, we have the Persian Gulf, and on the eastern portion of the Persian Gulf is the Strait of Hormuz, which is only 19 miles wide, through which most of the super oil tankers of the world have to flow out of the Persian Gulf, or if you are from an Arab country, the Arabian Gulf into the great oceans of the world to an oil-thirsty world. That is clearly one interest.

Another interest is clearly the fact that Iran wants to build a nuclear weapon. What an enormously destabilizing situation that would be to put in a rogue nation's hands that is not unaccustomed to peddling things to

itchy fingers that like to exact mischief on the rest of the world. You put a nuclear weapon in those itchy fingers, and we have a whole new kind of threat to the stability of the civilized world.

But there are other reasons—the reasons of countries that have been in enormous strife, countries that have been very favorable to the United States, as the country of Jordan and all of the internal turmoil they have. I could go on and on, but there are so many reasons why it is very necessary that the United States have success in that part of the world.

But what we are coming down to is a momentous decision tomorrow, at 1:45 p.m., on whether we are going to continue a policy of this administration of stay-the-course or whether we are going to change that course. This Senator believes we should change that course and that the President's decision to put additional troops into Baghdad is not changing the course, it is more of the course. It is putting more American lives into a sectarian violence caldron where the temperature is so high that we see the reports every day of more and more killings.

Now, this violence did not just start. This violence started 1,327 years ago, when, after the death of Mohammed, the prophet, there was a power play, and his grandson was eliminated as one of the natural heirs to the Prophet Mohammed, and the power was controlled within the clerics who had succeeded Mohammed. It was in that grandson's clan that they then started a resistance born out of revenge, and that then started the separation of the Shiites from what are today the Sunnis. And that has happened for 1,327 years. In the midst of that full-scale civil warfare, this Senator does not believe it is in the interest of our country to put in an additional 17,500 American lives. This Senator believes we ought to force the Iraqis to stop killing each other and to start working out their differences.

Now, at the same time, as recommended by the Iraq study commission, it is clearly important that we have a vigorous international diplomatic initiative to engage all the countries in the region to help bear upon Iraq and that sectarian warfare to get them to try to come to their senses, to try to start striking peace instead of warfare, because all of the countries in the region clearly understand that is in their interest. You take a country such as Saudi Arabia. One of the worst things in the world would be if Iraq was just completely enveloped in chaos; the same with Jordan—two of our friends in the region.

It is in the interests of the United States to conduct this diplomatic initiative in a way that it has not been done in the last 4 years: engaging people whom we have refused to engage, listening and learning in the process, instead of always imposing or giving the perception of imposing ourselves on

everybody else, and at the same time letting the forces that are there stabilize instead of putting more American lives at risk.

So we come to a momentous decision that will come tomorrow afternoon: Do we keep the same course or do we start changing the course with new and fresh ideas, with ideas that have clearly been laid out in the Iraq study commission? It is the conclusion of this Senator that we ought to send a very strong message to the White House that the time for changing the stay-the-course policy is now.

TRIBUTE TO DAN SHAPIRO

Mr. President, I want to make note, in the presence of my longtime, very faithful staff member, Dan Shapiro, who has served me so ably for over 6 years as legislative director, that the needs of providing for his little family have called upon him to leave the public sector, where he has been engaged for years, to enter into the private sector. I want to say on behalf of the people of Florida and the people of the Nelson office that we are grateful for his public service.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Thank you, Mr. President.

Mr. President, I rise today to speak on behalf of thousands of Rhode Islanders who have talked with me about the need for a new direction in Iraq and the need to bring our troops home.

I speak on behalf of the veterans' families who traveled here to Washington to speak to me about their memories of war and the need for this one to end.

I speak on behalf of the brave men and women serving in Iraq who have sacrificed so much and whose families anxiously await their return.

I speak on behalf of mothers I met who felt they had to buy body armor for their sons and daughters headed for Iraq because they could not trust this administration to provide what was needed.

The Senate may have been muzzled in recent days, but Rhode Islanders certainly have not been. More than 2,000 of them have reached out to my office in frustration, in anger, and in concern—and in the hope that this new Democratic Senate will listen to them and hear them, as this administration will not.

I want to share some of what they have written me:

I was at Michael Weidemann's funeral.

Mr. President, Michael was a 23-year-old Army sergeant from Newport, killed in an IED blast in Anbar Province last November.

The letter continues:

Please, if nothing else, take care of things, so that we do not have to go through what we went through at that funeral. Michael and my son . . . were in the JROTC together. . . . He is on his second tour of Iraq. Please, don't make yesterday a dress rehearsal for me. I want my son to come home, safely.

From Johnston, Rhode Island:

My son . . . is presently serving in Iraq and on his second tour of duty there. . . . The President's plan ignores the American people who voted for change in November, and who continue to demand we bring our troops home. . . . The people made their voice heard, and if the President isn't going to listen, the Democratic Congress will. The President's policies have failed!

From Portsmouth, Rhode Island:

President Bush has ignored the advice of experience, lied to us all, lacked any plan and seems to be expecting his successor to solve the problems. It is our only hope that you, as a member of Congress, can work toward bringing our troops home soon.

From Kingston:

I am appalled at the loss of life—today it was reported 20 more service people were killed. The Kurds are deserting rather than fight in Baghdad. . . . We are not just losing people, we are losing big money. We have seven grandchildren. What kind of debt are we placing on those future generations?

From Warwick:

We never should have begun this war, let's now have the sense to end it, not prolong it. Please do whatever you can to stop the president's initiative to increase our military presence in Iraq. . . . to spend even more money waging a war that your constituents have indicated they no longer support.

From North Kingstown:

We are looking to you to do whatever is in your power to stop the U.S. escalation of troops in Iraq. I and many in our nation feel this will only make a bad situation worse, widen what is essentially a civil war and lead to further casualties and costs without contributing towards a political solution. . . . We are counting on you and your colleagues on both sides of the aisle to stand up and be counted and forge a bipartisan solution to end this war.

And finally, a woman from Cumberland forwarded me a message she sent to President Bush:

My nephew . . . is in the 82nd Airborne serving our country in Iraq. He is the bravest person I have ever known, along with all the other men and women serving this country. I am proud to be an American! Please, please, on behalf of my family and the families of all U.S. troops—bring them home now!

Mr. President, these voices will not be unfamiliar to anyone in this body. In every State, we have heard similar voices. You have heard them in Colorado, Mr. President. My friend, Senator SANDERS, has heard them in Vermont. People all across America are speaking to all of us, and it is time for us to listen and to show that we have heard and to start to bring our soldiers home.

The President has not heard these voices. He wants to send tens of thousands more troops to Iraq. He calls this a surge. We consider it a grave mistake.

Tomorrow, our vote can stop the parliamentary maneuvers that have stalled us, and this great deliberative body can begin to debate the most pressing question of this day.

Let's talk for a moment about that question. The other side wishes to debate every question, any question—any question but the escalation by this President of our troops in Iraq by over 21,000 men and women. But this ques-

tion we want to debate is not a question selected by Democrats for political reasons. It is possible here to choose self-serving questions and to force a debate on those questions just to make a political point. But we have not done that.

This question, whether to escalate the war in Iraq, is not an invention of the Democratic Party. It is not an invention of the Senate. It is President Bush, who proposed to send tens of thousands more troops into harm's way and to escalate this conflict, who has presented this question. This question is what was presented to us by President George W. Bush, and by him alone, and it is the pressing question of today.

For weeks, we on this side of the aisle have emphasized and reemphasized our strong commitment to having a real debate—a debate to a vote—to telling the American people where we stand and to casting our votes on the precise question the President of the United States has presented to America. But we have been impeded, obstructed, maneuvered away from this critical question.

The other side argues that to dispute this President's judgment is to fail to support the troops—even though that judgment has failed the troops and has failed our country and has left us with few good options.

But that is a false choice, Mr. President. And this hour demands better of this institution.

There are ways to accomplish the change America demands, and that reason and good conscience dictate. For instance, I believe that rather than send a single additional American soldier into the sands and marshes of Iraq, this President can announce clearly and unequivocally that our troops will be redeployed from Iraq and will soon come home.

The most powerful motivating force at our country's disposal today is the prospect of our redeployment out of Iraq. Let me repeat that. The most powerful motivating force at our country's disposal today is the prospect of redeployment out of Iraq. Using this power wisely, deftly, and thoughtfully would accomplish three critical objectives that, as I have said, would make great strides toward security in Iraq and stability in the region.

First, a clear statement of our intent to redeploy our troops from Iraq would eliminate the sense there that we are an Army of occupation. This in turn would quiet the nationalist sentiment of the Iraqi people, now aroused against us. Many Iraqis are now so opposed to our presence they think killing American soldiers is acceptable.

Second, without America's intervening presence, the world community would have to face directly the consequences of the situation in Iraq. The prospect of our departure would compel the world to take a more active role to work together with America to bring peace and stability to the region. We

cannot continue as we are now, in every meaningful way completely alone.

Third, Iraq's neighbors will be obliged to assume greater responsibility for averting the risk of a Sunni-Shiite conflict igniting in Iraq and spreading beyond Iraq's borders. Without us in Iraq as a police force for a civil war, neighboring nations will have an enlivened incentive to avert a wider war.

Finally, the Bush administration's preoccupation with Iraq leaves us weakened in our capability to address other obligations around the world, from the changing situation in North Korea, to the ongoing battle for Afghanistan, to the serious threat posed by Iran's nuclear program.

Mr. President, these are serious matters, and they deserve the serious and sustained attention of the Senate. I hope tomorrow's vote will allow us to bring this question that attention.

Mr. President, I will support that vote tomorrow. I ask other Senators, who hear our fellow Americans' genuine and sincere concern about our national interest, will do the same.

I will support not only the resolution disapproving of the President's escalation plan and supporting our troops, but also other, stronger measures that will follow, and that will continue to put pressure on this administration to finally bring our troops home.

Thank you, Mr. President. I yield the floor.

I yield the floor.

The PRESIDING OFFICER (Mr. CASEY). The Senator from Vermont is recognized.

#### IRAN

Mr. SANDERS. Mr. President, before I begin discussing the war in Iraq, I wish to say a few words about another issue that is perhaps even more important and that is the constitutional issues at the very heart of this entire debate.

Let me be very frank: I am not a great fan of the Bush administration. And of the many grave concerns I have about President Bush and his actions, at the top of that list is that the President seems not to understand what the Constitution of the United States is all about. Whether it is the consistent attack on our constitutional rights which his administration has pursued for a number of years or his "signing statements" which attempt to circumvent legislation passed by Congress, the President appears to believe he can do whatever he wants, whenever he wants to. That, in my view, is not what the United States of America is all about, and it is not what our Constitution provides for.

In that regard, I wish to inform my colleagues in the Senate that I have submitted a resolution, similar to one introduced by Congressman DEFAZIO in the House, that makes it very clear the President does not have the constitu-

tional authority to start a war against Iran without the express authority of the Congress. There are many people in my State of Vermont—and there are people all over this country—who are deeply worried that the President may take us into a war in Iran and that he is currently laying the groundwork for that war in exactly the same way he led us into the war in Iraq.

So let me be very clear: If President Bush were to start a war in Iran without receiving the authority to do so from Congress, he would not only be creating, in my view, an international disaster, he would also be creating a major constitutional crisis. I hope very much he does not do that.

President Bush fails to understand the power to declare war under the Constitution is given to the Congress, not the President. My resolution, S. Con. Res. 13, is very simple. It states clearly that it is "the sense of Congress that the President should not initiate military action against Iran without first obtaining authorization from Congress." I hope my colleagues will give strong support to this resolution.

Mr. President, in my State of Vermont and all across this Nation, the American people are increasingly concerned about the war in Iraq. As others have stated more eloquently than I, the American people want real debate in Washington, in the Senate, on this issue that is worrying people all across our Nation. More importantly, not only do they want debate, they want action, and they want action now.

Frankly, I have a hard time understanding why some of my colleagues would try, through parliamentary maneuvers, to prevent a vote on what is at best a very modest proposal. This issue is not complicated in terms of what will be taking place tomorrow on this floor. It seems to me that if you support President Bush's escalation of the war in Iraq—and there are many who do—then vote against the resolution. That is your right. On the other hand, if you don't believe that an escalation of this war is a sensible idea—and I certainly do not—then vote for the Reid resolution. But at the very least, there should be a vote. Let the American people know how we stand.

Let me be clear in giving you my perspective on this war: In my view, President Bush's war in Iraq has been a disaster. It is a war we were misled into and a war many of us believe we never should have gotten into in the first place, a war I voted against as a Member of the House. This is a war the administration was unprepared to fight. The administration has shown little understanding of the enemy or the historical context in which we found ourselves.

Who will ever forget President Bush declaring "mission accomplished" aboard the aircraft carrier Abraham Lincoln when, in fact, the mission had barely begun. Who will forget Vice President CHENEY telling us that the

insurgency was "in its last throes" just before some of the bloodiest months of the war. Who will forget those Bush advisors who predicted the war would be a cakewalk, nothing to worry about, and that we would be greeted in Iraq as liberators.

This war in Iraq has come at a very high price in so many ways. This is a war that has cost us terribly in American blood. As of today, we have lost over 3,100 brave American soldiers. In my own small State of Vermont, we have lost 25. Twenty-three thousand more Americans have been wounded, and tens of thousands will be coming home with posttraumatic stress disorder which will impact their lives forever. This is a war which, with the President's proposed increase in funding, will cost us some \$500 billion, with the price tag going up by \$8 billion every month. This cost is going to add to the huge national debt we are leaving to our children and our grandchildren and it is going to make it that much more difficult for us to fund health care, education, environmental protection, affordable housing, childcare, and the pressing needs of the middle class and working families of our country which have been so long neglected. Yes, for more military spending; no, for the needs of ordinary Americans who are struggling so hard to keep their heads above water.

This increased expense for the war will make it that much harder for us to fund the needs of our veterans whose numbers are increasing as a result of this war. This is a war which has caused unimaginable horror for the people of Iraq. People who suffered so long under the brutality of the Saddam Hussein dictatorship are suffering even more today. There are estimates that hundreds of thousands of Iraqis have been killed or wounded and almost 2 million have been forced to flee their own country, some 8 percent of their entire population. While civil war tears neighborhoods apart, children are without schools, people are without electricity, health care, and other basic necessities of life. The doctors and nurses, teachers and administrators who have provided the professional infrastructure for the people of Iraq are now long gone.

This is a war which has lowered our standing in the international community to an all-time low in our lifetimes, with leaders in democratic countries hesitant to work with us because of the lack of respect their citizens have for our President. Long-time friends and allies are simply wondering: What is going on in the United States of America, that great country? This is a war which has stretched both our Active-Duty military to the breaking point as well as our National Guard and Reserve forces.

Morale in the military is low, and this war will have a lasting impact on the future recruitment, retention, and readiness of our Nation's Armed Forces.

This is a war which has, in many respects, lowered our capability to effectively fight the very serious threats of international terrorism and Islamic extremism. Five years after the horrific attacks of 9/11, Osama bin Laden remains free. Using the presence of U.S. troops in Iraq as their rallying cry, al-Qaida's strength around the world continues to grow. And currently the situation in Afghanistan is becoming more and more difficult.

Tragically, this administration has refused to listen to the American people who, in this last election, made it very clear they want a new direction in Iraq and they want this war wound down. This administration has refused to listen to the thoughtful suggestions of the bipartisan Iraq Study Group, which included two former Secretaries of State, including President Bush's own father's Secretary of State, as well as a former Presidential Chief of Staff and a former Secretary of Defense, that it was time for a change of direction. The President didn't listen to them. This administration has refused to listen to the advice of our military leaders in Iraq who told us increasing troops from the United States would make it easier for the Iraqi Government and military to avoid their political and military responsibilities. The more troops that come in, the easier it is for the Iraqi Government to avoid making the political compromises and the tough choices they have to make.

This administration has refused to listen to the Iraqi people, who, according to a number of polls, tell us very strongly that they believe in the midst of all of the chaos and horror taking place in Iraq today, the Iraqi people say they would be safer and more secure if our troops left their country. In fact, this administration has tragically refused to listen to anybody, except that same shrinking inner circle, led by Vice President CHENEY, who has been consistently wrong from day one. Those are the people the President continues to listen to.

As most everybody understands, and as the recent National Intelligence Estimate has recently confirmed, the situation in Iraq today is extremely dire. The sad truth is that now there are no good options before us; there are simply less bad options. In Iraq today, according to Secretary of Defense Bob Gates, there are now at least four separate wars being fought—four separate wars that our soldiers, who have fought with incredible bravery and skill, now find themselves in the middle of.

Let me quote Secretary Gates, who has recently stated:

I believe there are essentially four wars going on in Iraq: One is Shia on Shia, principally in the south; second is sectarian conflict, principally in Baghdad, but not solely; third is the insurgency; and fourth is al-Qaida.

The reality today, as described by the Secretary of Defense, has nothing to do with why President Bush got us into this war in the first place. In

March of 2002, he told us Iraq had weapons of mass destruction and that they were poised to use them against us. That was not true and certainly has no relevance to the war today. In 2002, he told us Iraq was somehow linked to al-Qaida and had some responsibility for the 9/11 attack against our country. That also turned out not to be true and certainly has no relevance today to the situation in which we find ourselves.

In the 2006 elections, the American people, in a loud and unmistakable voice, told us they no longer had confidence in the Bush administration's handling of the war in Iraq. In my view, they told us they wanted Congress to begin asserting its constitutional authority over this war and that they wanted us to rein in this administration. Most importantly, they told us they wanted us to begin the process of bringing our troops home as soon as possible. And as a Vermont Senator, that is exactly the effort I intend to make.

In my view, the Reid resolution before us is but a small first step at moving us forward. If it is passed—and I hope it will be—it must be followed with much stronger legislation that has real teeth in it. That is what the American people want. I have cosponsored legislation, introduced by Senator KENNEDY, that would prohibit the use of funds for an escalation of U.S. military forces without a specific, new authorization from the Congress—a prohibition also included in the legislation introduced by Senator OBAMA, whose bill I also support.

Instead of just voicing our disapproval of President Bush's escalation of the war in a nonbinding manner, we should now be considering legislation that provides for the safe and orderly redeployment of virtually all of our troops out of Iraq within the next year, even as we continue to give support to the Iraqi Government and their military for the purpose of helping them accept their political and military responsibilities. That is the legislation we should be passing.

Senator FEINGOLD has introduced legislation requiring that our troops be redeployed from Iraq within 6 months of passage of the bill. Senator OBAMA has introduced similar legislation requiring that our troops be redeployed starting this May.

In my view, while I will vote for the Reid resolution tomorrow, and while I think it is terribly important that we bring together a bipartisan effort to tell the President this escalation is wrong, the bottom line is we must go forward well beyond that, and we must do that in the near future. We must exercise the constitutional responsibility we have over the power of the purse.

We are mired in a war that has now gone on longer than any American involvement—longer than American involvement in either the First World War or the Second World War. We will spend more money on this war in real dollars than we spent on either the Ko-

rean war or the Vietnam war. Our standing in the international community has declined and our ability to combat international terrorism has been seriously compromised.

It is time to say no to this ill-conceived escalation. It is time to deploy our troops out of harm's way. It is time to end this war and to bring our troops home as soon as we possibly can.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I thank my colleagues. I have listened carefully to the remarks of the Senator from Vermont, Mr. SANDERS. I know of his passion and his knowledge on the subject. That was demonstrated by his words this evening. He speaks from the heart on many issues. I know he spoke from his heart this evening about this war in Iraq. Before him, Senator WHITEHOUSE, a new colleague from Rhode Island, read letters he received from constituents asking the same questions we are hearing across Illinois and across the country—questions about why we are in this war and how we will start to bring our troops home.

Today, in the House of Representatives, in a historic vote, by a margin of 246 to 182, the House of Representatives made it clear they do not approve of President Bush's new policy to escalate this war in Iraq.

I think you have to step back for a moment and reflect on what happened today. Four years into a war—which Senator SANDERS has reminded us has lasted longer than World War I or II—we are now engaged in the first meaningful debate about the course of that war since the invasion; and 3,132 American soldiers have died, thousands have been injured, billions have been spent, and for years the Congress, in the thrall of another party, didn't have a hearing, didn't have a debate, and didn't question the policy of this war.

It is no surprise that the American people reached the limit of their tolerance and, in the last election, made it clear they want a change—not just a change in Congress but a change in the policy when it came to this war in Iraq. I was heartened after the election, particularly when President Bush asked for the resignation of Secretary of Defense Rumsfeld. I thought that finally we were going to see a breakaway from this so-called neocon theory that dragged us into this terrible conflict. Unfortunately, what I hoped for wasn't realized. Even though I think Robert Gates, the successor of Rumsfeld, is a good man and will be a good Secretary of Defense, when it came time for the President to talk about the policies of the war and what we would do, he dug the hole deeper.

I am not a military strategist and don't profess to be. There are people in our caucus with military experience who can speak to a wise strategy and an unwise strategy. I am not necessarily one of those, nor do I profess to be. But I have been to Iraq twice—first, in the early stage, when we visited the Green Zone in Baghdad and it

was so dangerous that we could not even stay overnight. In October, we were allowed to stay the night and visit with troops in the field and talk to some of the people who were working in Iraq. I will share some of those recollections in a moment.

First, let me tell you that my highest priority was to sit across the table from our soldiers, to break bread with them and talk about home and try to take their minds away from the danger of their daily lives. These men and women are the best. These are the best and bravest among us. They are volunteers to a person. They have enlisted in the services and they risk their lives every single day.

Unfortunately, many want to drag this debate into a referendum about whether we respect, admire, and honor these troops. Any honest person would tell you that you should concede the obvious: We all respect, admire, and honor these troops. Many of us believe the best way to honor them is to start bringing them safely home. When I think about what they have faced, and continue to face, and I think about these young men and women getting into these humvees or walking the streets of Baghdad and other cities, risking their lives every day, I want this to end and end soon.

What those on the other side argue is the opposite. They argue that the President is right, that sending more troops into harm's way is the best way to end the war. I could not disagree more. But the point of that disagreement is the reason the debate is necessary. It happened in the House. It should happen in the Senate.

Tomorrow, we will have a chance, at 1:45 p.m. eastern time, to vote as to whether we will have a real debate on this war in Iraq. I am not hopeful. We need the cooperation of Republican Senators to even debate the issue. Many have already announced they are opposed to this debate; they don't want it to occur. I think they are wrong. I think they are walking away from our basic responsibility as Members of the Senate.

I think those who want an escalation of the war need to answer some fundamental questions. I think they should answer the question: How many troops will be involved here? Will it be 21,000, as the President says or, as the CBO tells us, a number much larger than 21,000, which represents combat troops; they may need an equal or larger number to support those combat troops, endangering the lives of 40,000 more soldiers, not 20,000.

Outgoing Army Chief of Staff Peter Schoomaker said yesterday that an increase of 17,500 Army combat troops in Iraq represents, in his words, "only the tip of the iceberg." It worries me that this is the beginning of a spiraling escalation, endangering even more troops.

Army officials have also stated that virtually all of the U.S.-based Army combat brigades are not prepared to be

deployed. The Army is scrambling to find the gear and personnel for units that are being sent to Iraq and Afghanistan, pulling both people and equipment out of other units, scavenging for pieces of equipment that are necessary, to get them ready in some fashion for battle. General Schoomaker testified before the Senate Armed Services Committee that—pay special attention to this—"I am not satisfied with the readiness of our nondeployed forces."

We ask a lot of our men and women in uniform. We ask for their commitment to our country. We ask them to be trained and to be brave. But we should never ask them to go into battle without the equipment they need in order to come home safely.

What this general says, the outgoing Army Chief of Staff, is that that is exactly what is going to happen with this escalation. Men and women will be sent into dangerous situations without the protection they need.

On January 25, the Department of Defense inspector general released a summary report that stated that American forces in Iraq and Afghanistan experienced "shortages of force-protection equipment, such as uparmored vehicles, electronic countermeasure devices, crew-served weapons, and communications equipment." January 25, just a few days ago.

The report went on to say:

As a result, servicemembers were not always equipped to effectively complete their missions.

We have a special responsibility—those who make the policy in this town and those who vote for it—to keep our promise to these soldiers and their families that we will give them the training and equipment they need so they can perform their missions effectively.

The same report I referred to stated that when servicemembers were asked to perform tasks outside their usual duties, they often did not receive the equipment necessary to perform their wartime mission.

These were tasks such as training Iraqi forces, one of our most important missions, or disposing of explosives, a highly dangerous undertaking.

Today's Washington Post states that approximately 40 percent of Army and Marine Corps equipment is now in Iraq or Afghanistan or undergoing repair or maintenance.

It is inexcusable that 4 years and almost \$400 billion into this war, we should be sending our troops into action without the equipment they need. Those who support the escalation and say they are supporting the troops need to be asked, and answer, the basic question: How can you support a soldier if you don't give them the equipment they need to be safe, perform their mission, and come home?

Army Deputy Chief of Staff of Force Development, LTG Stephen Speakes, recently said the Army would need 1,500 up-armored trucks for the new forces that were being sent to Iraq. But he went on to say:

We don't have the [armor] kits, and we don't have the trucks.

He said it will take the Army months, probably until the summer, to supply and outfit additional trucks. In the meantime, units are sharing vehicles, many of which are not properly protected so that these soldiers will be safe.

The Washington Post interviewed commanders in Iraq about the equipment situation. These commanders doubted that the new units would receive the full complement of humvees that they need.

One senior Army official was quoted as saying shortfalls would be inevitable "unless five brigades of uparmored humvees fall out of the sky." This official predicted some units would have to rely more heavily on Bradley fighting vehicles and tanks.

The good news is that these vehicles are very highly armored, but they may not be the best vehicles for the mission.

Our troops are the best. Shouldn't their equipment be the best? If you believe that an escalation of this war and more soldiers thrown into the crossfire of the civil war is in the best interest of America, shouldn't those same Senators step forward and demand that these soldiers be given the equipment they need?

These equipment shortfalls are more acute on the battlefield, of course, but they are echoed throughout our military, including the Guard and Reserve. I recently met with Lieutenant General Blum, Chief of the National Guard Bureau at the Pentagon. He reports that National Guard equipment readiness levels are at 34 percent. Guard units have about one-third of the equipment they need to be ready for battle. That is 34 percent of the equipment they need for missions at home and abroad. That is another direct cost of the war in Iraq.

I asked the general what the Pentagon's plans were to address this situation. He said there was a 5-year budget plan to bring the Guard up to a readiness level of 60 percent, which incidentally is below the level of readiness when this war began.

In the world we live in, 60 percent is not good enough if it is your son, your daughter, your brother, your sister, your husband, or your wife. It will cost another \$40 billion to bring the Guard up to the readiness level that we really need. I think that is an investment we ought to make.

That is one of the real costs of this war—to make sure our troops, our Guard, have the equipment they need. These issues demand our attention, our debate, and our vote.

Tomorrow, if the Republicans refuse to cross the aisle to cooperate, to start this debate, these questions will not be addressed as part of this debate over the escalation of this war. That is not fair to these soldiers. That is not fair to their families. It certainly is not fair to the States and the people we represent.



We should have an up-or-down vote, a basic exercise of Congress's responsibility. We have offered to the Republicans an opportunity to vote not only on the measure that passed the House today but on an alternative offered by Senator MCCAIN, who is asking we increase the troops who will be involved.

I have read many things about this war. Some of them I think are extremely insightful; some of them are troubling. Yesterday in the Washington Post, there was an article which laid out what was expected to happen in Iraq and never occurred.

When GEN Tommy Franks and his top officers got together in August 2002 to review the invasion plan for Iraq, they reflected on what would likely occur. By their estimate today, we would have 5,000 American soldiers left in that theater. Instead, we have over 130,000 and a President wanting to increase that number by 20,000 or 40,000 more. It shows that the planning and vision of the people who scheduled this invasion was seriously flawed.

I joined 22 others on the floor of the Senate voting against the authorization for this war. I felt at the time that the American people had been deceived—deceived about weapons of mass destruction that did not exist, deceived about connections with al-Qaida terrorists and 9/11, which did not exist, deceived about nuclear weapons and mushroom clouds when there was no threat.

That deception that occurred in the fear and panic that still followed 9/11 led many of my colleagues to vote for this war. I was not one of them. But then came the time when I was challenged, and others, as to whether we would vote for the money to wage the war. I stopped and reflected and said if my son or my daughter was in uniform, I would want them to have everything they need to come home safely, even if I think this policy is wrong.

These soldiers, sailors, marines, and airmen didn't write this policy. It was written in the Pentagon and the White House. They were sent into battle with the battle plans that were handed to them, not battle plans that they wrote. They deserve a lot better. They deserve to come home. If they are going to war, they deserve the equipment they need. They deserve leadership in the White House and in Congress that is sensitive to their bravery and responds with real caring for their future.

#### DARFUR

Mr. DURBIN. Mr. President, I rise today to come to the floor, as I have done many times before, to speak on the crisis in Darfur, Sudan. I keep coming because at the very least, I want to do that, to keep speaking out. But this Senator, this Congress, this country, and the world must all do more. None of us have done enough.

Last fall, U.S. Special Envoy to Darfur Andrew Natsios declared that on January 1, 2007, the United States

would launch a forceful "plan B," as he called it, if Sudan did not accept the joint United Nations-African Union peacekeeping mission that is desperately needed in Darfur. As described in the Washington Post, plan B was to include aggressive economic measures against Sudan.

Today is February 16. There are only a handful of U.N. peacekeepers in Darfur. Still no sign of plan B, other than four U.S. Army colonels who have been stationed along the Chad-Sudan border.

Last week, according to a student publication at Georgetown University and other news sources, Ambassador Andrew Natsios told a student audience that genocide was no longer taking place in Darfur. He was quoted as saying:

The term genocide is counter to the facts of what is really occurring in Darfur.

I understand it is possible to get entangled in words and semantics in the definition of "genocide," but I was truly surprised to read this statement from Ambassador Natsios.

On December 10, not that long ago, the White House released a statement headlined in part, "President Bush Appalled by Genocide in Darfur."

The President's statement continued:

Our Nation is appalled by the genocide in Darfur, which has led to the spread of fighting and hostility in the Republic of Chad and the Central African Republic.

Nothing that I have seen or been told convinces me that conditions in Darfur are significantly better today than they were on December 10 when President Bush reconfirmed the ongoing horror of genocide. I can only assume the President was troubled by the Special Envoy's statement as well.

The State Department has since sought to clarify these remarks and stated that it remains the administration's position that the situation in Darfur is genocide. The State Department explained that the Special Envoy was referring to the fact that death rates are lower now, but the conditions could escalate.

I would argue that they are already escalating. People continue to be murdered and villages have been attacked by air. Humanitarian aid workers have come under special assault recently. These brave men and women, unarmed, working for the poorest people on Earth, have been subjected to beatings, rape, and arrests.

These concentrated attacks threaten the people of Darfur who depend on thin relief lines for survival. If the relief workers are forced to withdraw and these lines are severed, hundreds of thousands of lives will be in jeopardy.

Recently, along with Senator COBURN, I held the first hearing of the Judiciary Subcommittee on Human Rights and the Law. The focus of the hearing was genocide and the rule of law. Before this hearing, we noted that the United States was a late signatory to the treaty on genocide. One of our predecessors in the Senate, Senator

William Proxmire of Wisconsin, literally came to the floor of the Senate every day it was in session for years to convince the Senate to ratify this treaty. Finally, it happened. We focused on that treaty and the rule of law.

Given the ongoing crisis in Darfur and our own ineffectual attempts to halt the killing, I felt that should be the first topic of this new subcommittee.

The witnesses who came before us included the Canadian general, former U.N. general, and now Senator in Canada, Romeo Dallaire.

In 1994, General Dallaire commanded a small U.N. force in Rwanda. When the first wave of murders began, General Dallaire called for 5,000 troops—5,000 troops—to halt the killing.

My predecessor, my mentor, Senator Paul Simon of Illinois, along with Senator Jim Jeffords from Vermont, of the opposite party, both came together and called on President Clinton to help. Sadly, the Clinton administration did not. In fairness, they have acknowledged it was the most serious foreign policy mistake of their years in Washington.

General Dallaire did not receive the reinforcements. Instead, this tiny force of 2,500 was reduced. His country started withdrawing their soldiers from the U.N. force until there were only 450 left on the ground. They couldn't deal with the slaughter that followed. It is estimated that over 800,000 people were murdered in a very short period of time.

In Darfur, the African Union has tried to stop the killing, but after 4 years, U.N. peacekeeping forces have not even reached the level of 450. In his statement for the subcommittee hearing on genocide, General Dallaire said this of Darfur:

I have on occasion considered bringing a flak jacket I wore during the Rwandan genocide—a jacket that was blood-soaked from carrying a 12-year-old girl who had been mutilated and repeatedly raped—into the [Canadian] Senate chamber and throwing it in the middle of the room. Maybe this would finally capture the attention of the political elite in a way words fail to do. Maybe it would finally bring home the point that human rights are not only for those who have the money to buy and sustain [them]; they are the privilege and the right of every human being.

Mr. President, we must do more in Darfur. The United States must work through the United Nations and with other countries of influence to compel the Khartoum Government to accept a peacekeeping mission, and we must help provide the resources to make that possible.

Here at home we can do more as well. I am a strong supporter of divestment. I served in the House of Representatives during apartheid in South Africa when we tried everything in our power to stop the racist government. We suggested divestment. Many said it would be worthless; it wouldn't have an impact. But I think it was a positive

thing, and I am glad that we moved forward.

We need to do the same in Sudan today. Millions of Americans are unknowingly investing in companies that do business in support of the Khartoum Government. I know because I was one of them. I discovered that fact when a reporter, who researched my publicly disclosed investments—not a massive portfolio, I might add—told me one of the mutual funds I owned included the stock of a company doing business in Sudan. I immediately sold it. But that reporter's question was a powerful wake-up call for me.

A growing number of States, led by my home State of Illinois and State Senator Jacqueline Collins, a real leader on this issue, and a growing number of colleges and universities, including Northwestern University—and I particularly salute President Henry Bienen—have taken steps to address this issue of investing in Sudan. Some have sought to fully divest pension funds and endowments, others have adopted more targeted measures to restrict investments in the largest companies operating in Sudan.

I salute these efforts, and I plan to introduce legislation to help provide Federal support for these efforts as well.

Our subcommittee's genocide hearing also identified a serious loophole in Federal antigenocide law that Congress needs to close. Genocide is a Federal crime, but under the law, as currently written, only genocide that takes place in the United States or is committed by a U.S. national can be punished by our courts. Federal investigators have identified war criminals who were involved in the Rwandan genocide and the Srebrenica massacres who have found safe haven in our country. These are people perpetrating genocide in other places on Earth now safely ensconced in the United States. But because they are not U.S. nationals, because the genocide didn't occur within our borders, we cannot, under our current law, prosecute them.

The Justice Department has been unable to prosecute these individuals, and we need to take another look at it. Let me give an example: Salah Abdallah Gosh is the head of security of the Sudanese government. He reportedly has played a key role in the government's genocidal campaign in Darfur. In the year 2005, Mr. Gosh came to Washington to meet with senior administration officials. Under current law, the Justice Department could not arrest him for the crime of genocide.

I am developing legislation that closes this loophole, giving Federal prosecutors the tools they need to prosecute individuals who have committed genocide that are found in the United States. No one guilty of genocide should ever view the United States as a safe haven.

This change in the law would simply bring the antigenocide statute into line with a lot of other Federal laws that

cover crimes committed outside the United States, including torture, piracy, material support to terrorists, terrorism financing, and the taking of hostages. Genocide should be subject to the same basic penalties.

I hope these initiatives will be bipartisan, as much of the Congresses work on Darfur has been. These steps I have mentioned will not stop the killing in Darfur, but they will add to our arsenal of weapons against genocide. We should do far more to deal with these dangerous situations, more to prevent mass atrocities from occurring, more to stop crimes against humanity once they begin, and more to help those who have been victimized, punishing the perpetrators.

Eleanor Roosevelt once asked: "Where do universal human rights begin?" And she answered: "They begin in small places, close to home. So close and so small that they cannot be seen on any maps of the world. Yet they are the world of the individual person; the neighborhood he lives in; the school or college he attends; the factory, the farm, or office where he works."

I believe the means to stopping genocide in Darfur begins with each of us, and so does the responsibility.

I will close with one observation. As a student at Georgetown University many years ago, I had an outstanding government professor named Jan Karski. Professor Karski had been involved in the Polish underground during World War II. He was a brave man who risked his life fighting the Nazis. He learned of the Holocaust, came to the United States, barely speaking English, trying to find people in Washington who would listen and who could understand that hundreds of thousands of innocent people were being killed. He couldn't find an audience with those who could make a difference.

I thought about that course, and I thought about the course of history, how the Holocaust unfolded during World War II and at least 6 million died, maybe many more, and nothing happened. And I wondered, despite all that time and all that notice, why couldn't they do something?

Now I know.

It has been 4 years since we declared a genocide in Darfur. People continue to be murdered on our watch. I hope my colleagues in the Senate on both sides of the aisle will join me not only in these efforts but efforts they believe will move us toward a day when there is peace in this region of the world. We have a responsibility to do that to these people and to the cause of humanity.

Mr. President, I yield the floor, and 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. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

## VOTING RIGHTS ACT REAUTHORIZATION

Mr. SALAZAR. Mr. President, it gives me great pleasure to come before the Senate today to speak on legislation that the Senate passed last night, S. 188.

Just last month, I introduced S. 188 with Senators REID, LEAHY, FEINSTEIN, BOXER, and MENENDEZ. This straightforward measure would incorporate César E. Chávez—a truly remarkable civil rights leader and American—into the title of the reauthorization of the Voting Rights Act passed last year.

César Chávez is an American hero. Like the venerable American leaders who are now associated with this effort, he sacrificed his life to empower the most vulnerable in America. For this reason, he continues to be an important part of our country's journey on the path to a more inclusive America. César Chávez believed strongly in our American democracy and saw the right to vote as a fundamental cornerstone of our freedom. I believe it is fitting that his name be a part of the reauthorization of the Voting Rights Act.

I would like to thank Senator LEAHY, chairman of the Senate Judiciary Committee, for his support. I sincerely appreciate his efforts to quickly steer S. 188 through his committee. I enthusiastically supported last year's Voting Rights Act reauthorization. I firmly believe that this landmark civil rights legislation has opened the door for millions of Hispanic Americans to fully exercise their right to participate in our democracy.

Adding César E. Chávez's name sends an important message to Hispanic Americans. It signals to the Nation's 40 million Hispanics that the Voting Rights Act has been reauthorized with their interest and constitutional rights in mind. During the Judiciary Committee's consideration of S. 188, Senator LEAHY offered an amendment that incorporated another important American leader. His amendment to add William C. Velásquez to the title of the Voting Rights Act reauthorization bill has my strong and unequivocal support.

In 1974, Mr. Velásquez founded the Southwest Voter Registration Education Project, SVREP. Using his powerful slogan—Su Voto es Su Voz or your vote is your voice—he energized the Hispanic community and registered many to vote. Mr. Velásquez envisioned a time when Latinos would play an important role in the American democratic process. When SVREP was established, there were only 1,566 Latino elected officials. Today, there are over 6,000 Hispanics elected to local, State, and Federal office, including 3 U.S. Senators and 23 U.S. Representatives. Like César E. Chávez, Mr. Velásquez did not live to see the remarkable progress our country has made. He passed away in 1988 from kidney cancer. However, I am sure he is looking down on this body with joy and pride.

In addition, Senator CORNYN sought to include the name of former Congresswoman Barbara Jordan, who also played an integral part in the history of the Voting Rights Act, and Dr. Hector Garcia, founder of the American GI Forum.

Congresswoman Jordan was certainly a remarkable civil rights and social justice leader and I support her inclusion in my legislation. In addition, Dr. Garcia fought for half a century for civil and education rights for Mexican Americans.

Former President Bill Clinton, who first met Dr. Garcia while registering voters in the Rio Grande Valley in 1972, called him a "national hero." In the coming months, I will work with Senator CORNYN to find another appropriate manner to honor Dr. Garcia's work with the American G.I. Forum. The American G.I. Forum was established in the wake of World War II when Hispanic veterans returned home and were categorically denied their G.I. Bill of Rights benefits. Dr. Garcia was propelled into the national spotlight when he fought to have Army PVT Longoria buried alongside others in the local cemetery in his hometown of Three Rivers, TX. Dr. Garcia called Members of Congress and alerted the press to this injustice.

Within 24 hours, he received a telegram from then Senator Lyndon B. Johnson that stated:

I deeply regret to learn that the prejudice of some individuals extends even beyond this life. I have no authority over civilian funeral homes. Nor does the federal government. However, I have made arrangements to have Felix Longoria buried with full military honors in Arlington National Cemetery ... where the honored dead of our nation's war rest.

As our Nation moves forward toward the next chapter of civic equality and inclusion, starting, last year, with the reauthorization of the Voting Rights Act, it is fitting that we honor civil rights leaders whose contributions and courage helped pave the way for today's more inclusive democracy.

With the Senate's passage of S. 188, my attention and efforts will now focus on the U.S. House of Representatives. I am hopeful that they will approve this measure so that this landmark law can now be known as the Fannie Lou Hamer, Rosa Parks, Coretta Scott King, César E. Chávez, Barbara Jordan, William C. Velásquez, and Hector P. Garcia Voting Rights Act Reauthorization and Amendments Act of 2006.

Mr. ROBERTS. Mr. President, today I wish to speak about the accomplishments of the Kansas Air National Guard, and specifically of the 190th Air Refueling Wing.

I have made several statements on the floor recently regarding my feelings on these resolutions. And today, instead of repeating my feelings on the subject, I would like to acknowledge some of our country's brave men and women.

As we all know, our Nation has been relying heavily on our National Guard

in the war on terror. In Kansas, it is no different. However, these men and women continually rise to the challenge, saving lives and defending democracy at home and abroad.

Next week, we commemorate the 50th Anniversary of the 190th Air Refueling Wing in Kansas. The enormous sacrifice and dedication of the men and women serving in 190th brings great credit to their unit and to the State of Kansas.

This outstanding organization began as the 117th Fighter-Interceptor Squadron in Hutchinson, KS. The unit was federally recognized on February 23, 1957.

Next week they will celebrate 50 years of flying aircraft—from the F-80 to the B-57 to the KC-135 tankers they maintain today.

Since 1967, the 190th has been based in our State capital of Topeka, KS. They continue to be leaders in the State and in the Air National Guard, which is evident through their most recent awards—the Spaatz trophy for outstanding Air National Guard Flying Wing and the Air Force Outstanding Unit Award.

As we continue to debate the difficult topic of our presence in Iraq, I hope my colleagues will take a moment to recognize, with me, the outstanding contributions of our Nation's troops. Not only has our volunteer force proven themselves the best in the world, our citizen soldiers have proven themselves second to none.

I hope we will remember the personal sacrifices of these men and women as we debate our support for them and their mission.

#### ARMITAGE II

Mr. MCCAIN. Mr. President, I would like to draw my colleagues' attention to a report released today by a bipartisan panel of Asia specialists co-chaired by Richard L. Armitage and Joseph Nye. The report, "The U.S.-Japan Alliance: Getting Asia Right Through 2020," highlights major trends in Asia and provides the panel's comprehensive analysis with security and economic policy recommendations, with specific reference to our bilateral relations with Japan.

Many Senators will recall that Ambassador Armitage and Dr. Nye issued a report in October 2000 titled "The United States and Japan: Advancing Toward a Mature Partnership." This landmark document, which subsequently became known as the Armitage Report, aimed at strengthening the U.S.-Japan relationship in the areas of politics, security, Okinawa, intelligence, economics and diplomacy. This new report, which is already being called "Armitage II," continues to emphasize the importance of the alliance but goes a step further, by addressing the ways in which the alliance can work to positively influence future affairs in Asia.

The report, which is available on the CSIS Web site at: <http://www.csis.org/>

*component/option.com—csis—pubs/task/view/id,3729/typ.* is not a political document. It reflects the views of the study group members only. Nevertheless, it represents a serious attempt to outline a vision that would achieve a balance of power in Asia through 2020 that favors American interests and values and promotes regional stability.

I encourage all Senators and their staffs to examine this serious and significant new report.

#### ADDITIONAL STATEMENTS

##### 100TH ANNIVERSARY OF THE BRIGHT STAR RESTAURANT

• Mr. SESSIONS. Mr. President, I am pleased to have the opportunity to recognize the 100th Anniversary of the Bright Star Restaurant in Bessemer, AL. Since 1907, the Bright Star has been providing the citizens of our State and its visitors with delicious food and superior service. Today, this family-owned business, led by Jimmy and Nick Koikos, continues to build on this tradition. While America is famous for its chain restaurants, there remain many of the old ones which have atmosphere, friendship, and good food. They are a valuable part of our communities and unite us in many ways. The Bright Star is a classic.

Known for fresh gulf seafood, quality steaks, and fresh vegetables, the Bright Star is certain to satisfy every palate. The restaurant's Greek style specialties are my personal favorites. In fact, I don't believe the broiled snapper, along with the Greek salad, can be topped. Although, admittedly, the daily meat and three-vegetable specials certainly give them a run for their money.

Famous faces, like legendary coach Paul "Bear" Bryant and former Senator Howell Heflin, frequented the Bright Star. I am certain that virtually all of our congressional delegation have eaten there including my colleague, Senator SHELBY, on many occasions. It is the place for good friends, good food, and even a small taste of politics. Today, you will still see Alabama coaches and fans filing through the dining room on their way to and from seeing the Crimson Tide play.

Not so long ago, I brought John Ashcroft by for dinner. This was his first visit to Alabama after becoming the U.S. Attorney General, and I will never forget the wonderful reception Jimmy and the staff gave us. I wanted to show off the best of Birmingham, so dinner at this fine restaurant was a no-brainer. Jimmy gave us a mouth-watering overview of the menu, emphasizing as I had hoped that he would, the renown seafood dishes. Everything sounded delicious, however it turned out that the Attorney General was allergic to seafood and shellfish. I seem to recall he had a steak that he enjoyed, but he certainly missed out on those fresh gulf delicacies.

Located just outside of Birmingham in the quaint downtown area of Bessemer, the Bright Star is easily accessible and certainly a destination attraction. Moreover, you can always expect a good crowd of folks dining there on any day of the week. Luckily, expansions to the building over the years, including ample banquet space, enable diners to be comfortably accommodated. I look forward to the lunch I have scheduled there for next week, and I highly recommend a visit to all.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a treaty which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE

At 4:27 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 63. Concurrent resolution disapproving of the decision of the President announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq.

H. Con. Res. 67. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

The message also announced that pursuant to section 2(a) of the National Cultural Center Act (20 U.S.C. 76h(a)), amended by Public Law 107-117, and the order of the House of January 4, 2007, the Speaker appoints the following Members of the House of Representatives to the Board of Trustees of the John F. Kennedy Center for the Performing Arts: Mr. KENNEDY of Rhode Island, Ms. DELAUNO of Connecticut, and Ms. PRYCE of Ohio.

At 5:51 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 976. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for small businesses, and for other purposes.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 641. A bill to express the sense of Congress that no funds should be cut off or re-

duced for American troops in the field which would result in undermining their safety or their ability to complete their assigned missions.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 200. A bill to require the Secretary of the Interior, acting through the Bureau of Reclamation and the United States Geological Survey, to conduct a study on groundwater resources in the State of Alaska, and for other purposes (Rept. No. 110-20).

S. 235. A bill to authorize the Secretary of the Interior to convey certain buildings and lands of the Yakima Project, Washington, to the Yakima-Tieton Irrigation District (Rept. No. 110-21).

S. 263. A bill to amend the Oregon Resource Conservation Act of 1996 to reauthorize the participation of the Bureau of Reclamation in the Deschutes River Conservancy, and for other purposes (Rept. No. 110-22).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 264. A bill to authorize the Bureau of Reclamation to participate in the rehabilitation of the Wallowa Lake Dam in Oregon, and for other purposes (Rept. No. 110-23).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 265. A bill to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct a water resource feasibility study for the Little Butte/Bear Creek Subbasins in Oregon (Rept. No. 110-24).

S. 266. A bill to provide for the modification of an amendatory repayment contract between the Secretary of the Interior and the North Unit Irrigation District, and for other purposes (Rept. No. 110-25).

S. 220. A bill to authorize early repayment of obligations to the Bureau of Reclamation within the A & B Irrigation District in the State of Idaho (Rept. No. 110-26).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments:

S. 275. A bill to establish the Prehistoric Trackways National Monument in the State of New Mexico (Rept. No. 110-27).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. GRASSLEY (for himself, Mr. KENNEDY, Mr. ENZI, Mr. MARTINEZ, Mr. AKAKA, Mrs. DOLE, Mr. BROWN, Mr. LIEBERMAN, Mr. ISAKSON, Mr. NELSON of Florida, and Ms. LANDRIEU):

S. 655. A bill to amend the Congressional Charter of The American National Red Cross to modernize its governance structure, to enhance the ability of the board of governors of The American National Red Cross to support the critical mission of The American Red Cross in the 21st century, and for other purposes; to the Committee on the Judiciary.

By Mr. REED:

S. 656. A bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residence; to the Committee on the Judiciary.

By Mr. REED (for himself, Mr. ROBERTS, Mr. KENNEDY, Mr. BURR, Mrs.

MURRAY, Mr. HATCH, Mr. BROWN, Mrs. CLINTON, Mr. ISAKSON, Mr. BINGAMAN, Ms. COLLINS, and Mr. BIDEN):

S. 657. A bill to amend the Public Health Service Act to add requirements regarding trauma care, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THOMAS (for himself, Mr. ENZI, Mr. ALLARD, Mr. CRAIG, and Mr. HAGEL):

S. 658. A bill to amend the Endangered Species Act of 1973 to improve the process for listing, recovery planning, and delisting, and for other purposes; to the Committee on Environment and Public Works.

By Mr. HAGEL:

S. 659. A bill to amend section 1477 of title 10, United States Code, to provide for the payment of the death gratuity with respect to members of the Armed Forces without a surviving spouse who are survived by a minor child; to the Committee on Armed Services.

By Mr. DODD:

S. 660. A bill for the relief of Majan Jean; to the Committee on the Judiciary.

By Mr. REID (for Mrs. CLINTON (for herself, Ms. SNOWE, and Mr. COCHRAN):

S. 661. A bill to establish kinship navigator programs, to establish guardianship assistance payments for children, and for other purposes; to the Committee on Finance.

By Ms. SNOWE:

S. 662. A bill to authorize the Secretary of the Interior to conduct a special resource study to evaluate resources at the Harriet Beecher Stowe House in Brunswick, Maine, to determine the suitability and feasibility of establishing the site as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MCCAIN:

S. 663. A bill to amend title 10, United States Code, to repeal the statutory designation of beneficiaries of the \$100,000 death gratuity under section 1477 of title 10, United States Code, and to permit members of the Armed Forces to designate in writing their beneficiaries of choice in the event of their death while serving on active duty; to the Committee on Armed Services.

By Mr. LANDRIEU (for herself, Mr. LIEBERMAN, Mr. REID, and Mr. STEVENS):

S. 664. A bill to provide adequate funding for local governments harmed by Hurricane Katrina of 2005 or Hurricane Rita of 2005; to the Committee on Homeland Security and Governmental Affairs.

By Mr. COLEMAN (for himself and Ms. KLOBUCHAR):

S. 665. A bill to require congressional approval of loans made by the Secretary of Transportation in excess of \$1,000,000,000; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHUMER:

S. 666. A bill to amend the Internal Revenue Code of 1986 to terminate certain incentives for oil and gas; to the Committee on Finance.

By Mr. BOND (for himself and Mrs. CLINTON):

S. 667. A bill to expand programs of early childhood home visitation that increase school readiness, child abuse and neglect prevention, and early identification of developmental and health delays, including potential mental health concerns, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself and Mr. ISAKSON):

S. 668. A bill to require the Food and Drug Administration to conduct consumer testing to determine the appropriateness of the current labeling requirements for indoor tanning devices and determine whether such requirements provide sufficient information to consumers regarding the risks that the use of such devices pose for the development of irreversible damage to the skin, including skin cancer, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CANTWELL (for herself, Mr. WYDEN, and Mrs. MURRAY):

S. 669. A bill to amend the Low-Income Home Energy Assistance Act of 1981 to provide procedures for the release of Low-Income Home Energy Assistance Program contingency funds; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for Mrs. CLINTON):

S. 670. A bill to set forth limitations on the United States military presence in Iraq and on United States aid to Iraq for security and reconstruction, and for other purposes; to the Committee on Foreign Relations.

By Mr. AKAKA (for himself, Mr. REID, Mr. INOUE, Mrs. BOXER, Ms. CANTWELL, and Mr. KENNEDY):

S. 671. A bill to exempt children of certain Filipino World War II veterans from the numerical limitations on immigrant visas; to the Committee on the Judiciary.

By Mr. SALAZAR (for himself and Mr. SMITH):

S. 672. A bill to amend the Internal Revenue Code of 1986 to provide tax-exempt financing for qualified renewable energy facilities, and for other purposes; to the Committee on Finance.

By Mr. SALAZAR (for himself, Mr. SMITH, Mr. DORGAN, and Mr. CRAIG):

S. 673. A bill to amend the Internal Revenue Code of 1986 to provide credits for the installation of wind energy property, including by rural homeowners, farmers, ranchers, and small businesses, and for other purposes; to the Committee on Finance.

By Mr. OBAMA:

S. 674. A bill to require accountability and enhanced congressional oversight for personnel performing private security functions under Federal contracts, and for other purposes; to the Committee on Armed Services.

By Mr. HARKIN (for himself, Mr. GRASSLEY, Mr. COCHRAN, Mr. DODD, Mr. DURBIN, Mr. KERRY, Mr. KOHL, Mrs. MURRAY, Mr. ROCKEFELLER, Ms. SNOWE, and Ms. STABENOW):

S. 675. A bill to provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, and for other purposes; to the Committee on Commerce, Science, and Transportation.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LAUTENBERG (for himself, Mr. LOTT, Mr. DURBIN, and Mr. COLEMAN):

S. Res. 85. A resolution expressing the sense of the Senate regarding the creation of refugee populations in the Middle East, North Africa, and the Persian Gulf region as a result of human rights violations; to the Committee on Foreign Relations.

## ADDITIONAL COSPONSORS

S. 3

At the request of Mr. REID, the name of the Senator from Michigan (Mr.

LEVIN) was added as a cosponsor of S. 3, a bill to amend part D of title XVIII of the Social Security Act to provide for fair prescription drug prices for Medicare beneficiaries.

S. 21

At the request of Mr. REID, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 21, a bill to expand access to preventive health care services that help reduce unintended pregnancy, reduce abortions, and improve access to women's health care.

S. 22

At the request of Mr. WEBB, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 22, a bill to amend title 38, United States Code, to establish a program of educational assistance for members of the Armed Forces who serve in the Armed Forces after September 11, 2001, and for other purposes.

S. 435

At the request of Mr. BINGAMAN, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 435, a bill to amend title 49, United States Code, to preserve the essential air service program.

S. 469

At the request of Mr. BAUCUS, the names of the Senator from Colorado (Mr. SALAZAR) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 469, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 479

At the request of Mr. HARKIN, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 479, a bill to reduce the incidence of suicide among veterans.

S. 487

At the request of Mr. CHAMBLISS, his name was added as a cosponsor of S. 487, a bill to amend the National Organ Transplant Act to clarify that kidney paired donations shall not be considered to involve the transfer of a human organ for valuable consideration.

S. 519

At the request of Mr. MCCAIN, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 519, a bill to modernize and expand the reporting requirements relating to child pornography, to expand cooperation in combating child pornography, and for other purposes.

S. 535

At the request of Mr. DODD, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 535, a bill to establish an Unsolved Crimes Section in the Civil Rights Division of the Department of Justice, and an Unsolved Civil Rights Crime Investigative Office in the Civil Rights Unit of the Federal Bureau of Investigation, and for other purposes.

S. 561

At the request of Mr. BUNNING, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 561, a bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs.

S. 563

At the request of Ms. COLLINS, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 563, a bill to extend the deadline by which State identification documents shall comply with certain minimum standards and for other purposes.

S. 579

At the request of Mr. HATCH, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 579, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

S. 583

At the request of Mr. SALAZAR, the names of the Senator from Arkansas (Mrs. LINCOLN) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 583, a bill to create a competitive grant program for States to enable the States to award salary bonuses to highly qualified elementary school or secondary school teachers who teach, or commit to teach, for at least 3 academic years in a school served by a rural local educational agency.

S. 585

At the request of Mr. DORGAN, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 585, a bill to require the Secretary of the Treasury to mint and issue coins in commemoration of Native Americans and the important contributions made by Indian tribes and individual Native Americans to the development of the United States and the history of the United States, and for other purposes.

S. 593

At the request of Mr. BURR, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 593, a bill to amend the Public Health Service Act to establish a grant program to provide supportive services in permanent supportive housing for chronically homeless individuals, and for other purposes.

S. 597

At the request of Mrs. FEINSTEIN, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Oklahoma (Mr. COBURN) were added as cosponsors of S. 597, a bill to extend the special postage stamp for breast cancer research for 2 years.

S. 634

At the request of Mr. DODD, the names of the Senator from Ohio (Mr.



BROWN) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 634, a bill to amend the Public Health Service Act to establish grant programs to provide for education and outreach on newborn screening and coordinated followup care once newborn screening has been conducted, to reauthorize programs under part A of title XI of such Act, and for other purposes.

S. 637

At the request of Mr. SESSIONS, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 637, a bill to direct the Secretary of the Interior to study the suitability and feasibility of establishing the Chattahoochee Trace National Heritage Corridor in Alabama and Georgia, and for other purposes.

S. 641

At the request of Mr. GREGG, the names of the Senator from Idaho (Mr. CRAIG), the Senator from Colorado (Mr. ALLARD), the Senator from Oklahoma (Mr. COBURN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Alabama (Mr. SHELBY), the Senator from Texas (Mr. CORNYN), the Senator from Alaska (Mr. STEVENS), the Senator from Kansas (Mr. ROBERTS), the Senator from Arizona (Mr. MCCAIN), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Florida (Mr. MARTINEZ), the Senator from Arizona (Mr. KYL), the Senator from Alabama (Mr. SESSIONS), the Senator from Georgia (Mr. ISAKSON) and the Senator from South Carolina (Mr. DEMINT) were added as cosponsors of S. 641, a bill to express the sense of Congress that no funds should be cut off or reduced for American troops in the field which would result in undermining their safety or their ability to complete their assigned missions.

S. CON. RES. 7

At the request of Mr. WARNER, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress on Iraq.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS—THURSDAY, FEBRUARY 15, 2007

By Mr. KENNEDY (for himself, Mr. BOND, Mr. AKAKA, Mr. LEAHY, Mr. MENENDEZ, Mr. CRAIG, and Mr. SHELBY):

S. 626. A bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. BOND. Mr. President, with more than 100 different forms, arthritis is one of the most widespread and devastating health conditions in the United States. Nearly 46 million, or one in every five, American adults suffer from arthritis or chronic joint

symptoms, and 300,000 children live with the pain, disability and emotional trauma caused by juvenile arthritis.

As the leading cause of disability in the United States, arthritis is a painful and debilitating chronic disease affecting men, women and children alike. This is why the Federal Government must make a stronger investment in research, treatment and prevention of arthritis.

We know that early diagnosis, treatment, and appropriate management of arthritis can control symptoms and improve quality of life. The Arthritis Prevention, Control and Cure Act will expand the Federal Government's efforts to find new ways to prevent, treat, and care for patients with arthritis and related rheumatic diseases by: (1) improving coordination among Federal agencies and the public with regard to the Federal investment in arthritis research and public health activities through a National Arthritis and Rheumatic Diseases Summit; (2) accelerating research that will lead to improved treatments and a cure for juvenile arthritis; (3) investing in a nationwide public health initiative designed to reduce the pain and disability of arthritis through early diagnosis and effective treatment of the disease; and (4) ensuring kids with arthritis have access to specialty care by addressing the nationwide shortage of pediatric rheumatologists.

We have a responsibility to look for solutions to this issue in a comprehensive manner. I look forward to working with Senator KENNEDY on this important legislation which will make a real difference in the lives of the millions of Americans, both young and old, who suffer from this debilitating disease.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY (for himself, Mr. KENNEDY, Mr. ENZI, Mr. MARTINEZ, Mr. AKAKA, Mrs. DOLE, Mr. BROWN, Mr. LIEBERMAN, Mr. ISAKSON, Mr. NELSON of Florida, and Ms. LANDRIEU):

S. 655. A bill to amend the Congressional Charter of The American National Red Cross to modernize its governance structure, to enhance the ability of the board of governors of The American National Red Cross to support the critical mission of The American Red Cross in the 21st century, and for other purposes; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the text of The American National Red Cross Governance Modernization Act of 2007 be printed in the RECORD.

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

S. 655

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "The American National Red Cross Governance Modernization Act of 2007".

#### SEC. 2. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress makes the following findings:

(1) Substantive changes to the Congressional Charter of The American National Red Cross have not been made since 1947.

(2) In February 2006, the board of governors of The American National Red Cross (the "Board of Governors") commissioned an independent review and analysis of the Board of Governors' role, composition, size, relationship with management, governance relationship with chartered units of The American National Red Cross, and whistleblower and audit functions.

(3) In an October 2006 report of the Board of Governors, entitled "American Red Cross Governance for the 21st Century" (the "Governance Report"), the Board of Governors recommended changes to the Congressional Charter, bylaws, and other governing documents of The American National Red Cross to modernize and enhance the effectiveness of the Board of Governors and governance structure of The American National Red Cross.

(4) It is in the national interest to create a more efficient governance structure of The American National Red Cross and to enhance the Board of Governors' ability to support the critical mission of The American National Red Cross in the 21st century.

(5) It is in the national interest to clarify the role of the Board of Governors as a governance and strategic oversight board and for The American National Red Cross to amend its bylaws, consistent with the recommendations described in the Governance Report, to clarify the role of the Board of Governors and to outline the areas of its responsibility, including—

(A) reviewing and approving the mission statement for The American National Red Cross;

(B) approving and overseeing the corporation's strategic plan and maintaining strategic oversight of operational matters;

(C) selecting, evaluating, and determining the level of compensation of the corporation's chief executive officer;

(D) evaluating the performance and establishing the compensation of the senior leadership team and providing for management succession;

(E) overseeing the financial reporting and audit process, internal controls, and legal compliance;

(F) holding management accountable for performance;

(G) providing oversight of the financial stability of the corporation;

(H) ensuring the inclusiveness and diversity of the corporation;

(I) providing oversight of the protection of the brand of the corporation; and

(J) assisting with fundraising on behalf of the corporation.

(6)(A) The selection of members of the Board of Governors is a critical component of effective governance for The American National Red Cross, and, as such, it is in the national interest that The American National Red Cross amend its bylaws to provide a method of selection consistent with that described in the Governance Report.

(B) The new method of selection should replace the current process by which—

(i) 30 chartered unit-elected members of the Board of Governors are selected by a non-Board committee which includes 2 members of the Board of Governors and other individuals elected by the chartered units themselves;



(ii) 12 at-large members of the Board of Governors are nominated by a Board committee and elected by the Board of Governors; and

(iii) 8 members of the Board of Governors are appointed by the President of the United States.

(C) The new method of selection described in the Governance Report reflects the single category of members of the Board of Governors that will result from the implementation of this Act:

(i) All Board members (except for the chairman of the Board of Governors) would be nominated by a single committee of the Board of Governors taking into account the criteria outlined in the Governance Report to assure the expertise, skills, and experience of a governing board.

(ii) The nominated members would be considered for approval by the full Board of Governors and then submitted to The American National Red Cross annual meeting of delegates for election, in keeping with the standard corporate practice whereby shareholders of a corporation elect members of a board of directors at its annual meeting.

(7) The United States Supreme Court held The American National Red Cross to be an instrumentality of the United States, and it is in the national interest that the Congressional Charter confirm that status and that any changes to the Congressional Charter do not affect the rights and obligations of The American National Red Cross to carry out its purposes.

(8) Given the role of The American National Red Cross in carrying out its services, programs, and activities, and meeting its various obligations, the effectiveness of The American National Red Cross will be promoted by the creation of an organizational ombudsman who—

(A) will be a neutral or impartial dispute resolution practitioner whose major function will be to provide confidential and informal assistance to the many internal and external stakeholders of The American National Red Cross;

(B) will report to the chief executive officer and the audit committee of the Board of Governors; and

(C) will have access to anyone and any documents in The American National Red Cross.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) charitable organizations are an indispensable part of American society, but these organizations can only fulfill their important roles by maintaining the trust of the American public;

(2) trust is fostered by effective governance and transparency, which are the principal goals of the recommendations of the Board of Governors in the Governance Report and this Act;

(3) Federal and State action play an important role in ensuring effective governance and transparency by setting standards, rooting out violations, and informing the public; and

(4) while The American National Red Cross is and will remain a Federally chartered instrumentality of the United States, and it has the rights and obligations consistent with that status, The American National Red Cross nevertheless should maintain appropriate communications with State regulators of charitable organizations and should cooperate with them as appropriate in specific matters as they arise from time to time.

### SEC. 3. ORGANIZATION.

Section 300101 of title 36, United States Code, is amended—

(1) in subsection (a), by inserting “a Federally chartered instrumentality of the United

States and” before “a body corporate and politic”; and

(2) in subsection (b), by inserting at the end the following new sentence: “The corporation may conduct its business and affairs, and otherwise hold itself out, as the ‘American Red Cross’ in any jurisdiction.”.

### SEC. 4. PURPOSES.

Section 300102 of title 36, United States Code, is amended—

(1) by striking “and” at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting “; and”; and

(3) by adding at the end the following paragraph:

“(5) to conduct other activities consistent with the foregoing purposes.”.

### SEC. 5. MEMBERSHIP AND CHAPTERS.

Section 300103 of title 36, United States Code, is amended—

(1) in subsection (a), by inserting “, or as otherwise provided,” before “in the bylaws”; (2) in subsection (b)(1)—

(A) by striking “board of governors” and inserting “corporation”; and

(B) by inserting “policies and” before “regulations related”; and

(3) in subsection (b)(2)—

(A) by inserting “policies and” before “regulations shall require”; and

(B) by striking “national convention” and inserting “annual meeting”.

### SEC. 6. BOARD OF GOVERNORS.

Section 300104 of title 36, United States Code, is amended to read as follows:

#### “§300104. Board of governors

“(a) BOARD OF GOVERNORS.—

“(1) IN GENERAL.—The board of governors is the governing body of the corporation with all powers of governing and directing, and of overseeing the management of the business and affairs of, the corporation.

“(2) NUMBER.—The board of governors shall fix by resolution, from time to time, the number of members constituting the entire board of governors, provided that—

“(A) as of March 31, 2009, and thereafter, there shall be no fewer than 12 and no more than 25 members; and

“(B) as of March 31, 2012, and thereafter, there shall be no fewer than 12 and no more than 20 members constituting the entire board.

Procedures to implement the preceding sentence shall be provided in the bylaws.

“(3) APPOINTMENT.—The governors shall be appointed or elected in the following manner:

“(A) CHAIRMAN.—

“(i) IN GENERAL.—The board of governors, in accordance with procedures provided in the bylaws, shall recommend to the President an individual to serve as chairman of the board of governors. If such recommendation is approved by the President, the President shall appoint such individual to serve as chairman of the board of governors.

“(ii) VACANCIES.—Vacancies in the office of the chairman, including vacancies resulting from the resignation, death, or removal by the President of the chairman, shall be filled in the same manner described in clause (i).

“(iii) DUTIES.—The chairman shall be a member of the board of governors and, when present, shall preside at meetings of the board of governors and shall have such other duties and responsibilities as may be provided in the bylaws or a resolution of the board of governors.

“(B) OTHER MEMBERS.—

“(i) IN GENERAL.—Members of the board of governors other than the chairman shall be elected at the annual meeting of the corporation in accordance with such procedures as may be provided in the bylaws.

“(ii) VACANCIES.—Vacancies in any such elected board position and in any newly created board position may be filled by a vote of the remaining members of the board of governors in accordance with such procedures as may be provided in the bylaws.

“(b) TERMS OF OFFICE.—

“(1) IN GENERAL.—The term of office of each member of the board of governors shall be 3 years, except that—

“(A) the board of governors may provide under the bylaws that the terms of office of members of the board of governors elected to the board of governors before March 31, 2012, may be less than 3 years in order to implement the provisions of subparagraphs (A) and (B) of subsection (a)(2); and

“(B) any member of the board of governors elected by the board to fill a vacancy in a board position arising before the expiration of its term may, as determined by the board, serve for the remainder of that term or until the next annual meeting of the corporation.

“(2) STAGGERED TERMS.—The terms of office of members of the board of governors (other than the chairman) shall be staggered such that, by March 31, 2012, and thereafter, 1/3 of the entire board (or as near to 1/3 as practicable) shall be elected at each successive annual meeting of the corporation with the term of office of each member of the board of governors elected at an annual meeting expiring at the third annual meeting following the annual meeting at which such member was elected.

“(3) TERM LIMITS.—No person may serve as a member of the board of governors for more than such number of terms of office or years as may be provided in the bylaws.

“(c) COMMITTEES AND OFFICERS.—The board—

“(1) may appoint, from its own members, an executive committee to exercise such powers of the board when the board is not in session as may be provided in the bylaws;

“(2) may appoint such other committees or advisory councils with such powers as may be provided in the bylaws or a resolution of the board of governors;

“(3) shall appoint such officers of the corporation, including a chief executive officer, with such duties, responsibilities, and terms of office as may be provided in the bylaws or a resolution of the board of governors; and

“(4) may remove members of the board of governors (other than the chairman), officers, and employees under such procedures as may be provided in the bylaws or a resolution of the board of governors.

“(d) ADVISORY COUNCIL.—

“(1) ESTABLISHMENT.—There shall be an advisory council to the board of governors.

“(2) MEMBERSHIP; APPOINTMENT BY PRESIDENT.—

“(A) IN GENERAL.—The advisory council shall be composed of no fewer than 8 and no more than 10 members, each of whom shall be appointed by the President from principal officers of the executive departments and senior officers of the Armed Forces whose positions and interests qualify them to contribute to carrying out the programs and purposes of the corporation.

“(B) MEMBERS FROM THE ARMED FORCES.—At least 1, but not more than 3, of the members of the advisory council shall be selected from the Armed Forces.

“(3) DUTIES.—The advisory council shall advise, report directly to, and meet, at least 1 time per year with the board of governors, and shall have such name, functions and be subject to such procedures as may be provided in the bylaws.

“(e) ACTION WITHOUT MEETING.—Any action required or permitted to be taken at any meeting of the board of governors or of any committee thereof may be taken without a meeting if all members of the board or

committee, as the case may be, consent thereto in writing, or by electronic transmission and the writing or writings or electronic transmission or transmissions are filed with the minutes of proceedings of the board or committee. Such filing shall be in paper form if the minutes are maintained in paper form and shall be in electronic form if the minutes are maintained in electronic form.

“(f) VOTING BY PROXY.—

“(1) IN GENERAL.—Voting by proxy is not allowed at any meeting of the board, at the annual meeting, or at any meeting of a chapter.

“(2) EXCEPTION.—The board may allow the election of governors by proxy during any emergency.

“(g) BYLAWS.—

“(1) IN GENERAL.—The board of governors may—

“(A) at any time adopt bylaws; and

“(B) at any time adopt bylaws to be effective only in an emergency.

“(2) EMERGENCY BYLAWS.—Any bylaws adopted pursuant to paragraph (1)(B) may provide special procedures necessary for managing the corporation during the emergency. All provisions of the regular bylaws consistent with the emergency bylaws remain effective during the emergency.

“(h) DEFINITIONS.—For purposes of this section—

“(1) the term ‘entire board’ means the total number of members of the board of governors that the corporation would have if there were no vacancies; and

“(2) the term ‘emergency’ shall have such meaning as may be provided in the bylaws.”.

#### SEC. 7. POWERS.

Paragraph (a)(1) of section 300105 of title 36, United States Code, is amended by striking “bylaws” and inserting “policies”.

#### SEC. 8. ANNUAL MEETING.

Section 300107 of title 36, United States Code, is amended to read as follows:

##### “§ 300107. Annual meeting

“(a) IN GENERAL.—The annual meeting of the corporation is the annual meeting of delegates of the chapters.

“(b) TIME OF MEETING.—The annual meeting shall be held as determined by the board of governors.

“(c) PLACE OF MEETING.—The board of governors is authorized to determine that the annual meeting shall not be held at any place, but may instead be held solely by means of remote communication subject to such procedures as are provided in the bylaws.

“(d) VOTING.—

“(1) IN GENERAL.—In matters requiring a vote at the annual meeting, each chapter is entitled to at least 1 vote, and voting on all matters may be conducted by mail, telephone, telegram, cablegram, electronic mail, or any other means of electronic or telephone transmission, provided that the person voting shall state, or submit information from which it can be determined, that the method of voting chosen was authorized by such person.

“(2) ESTABLISHMENT OF NUMBER OF VOTES.—

“(A) IN GENERAL.—The board of governors shall determine on an equitable basis the number of votes that each chapter is entitled to cast, taking into consideration the size of the membership of the chapters, the populations served by the chapters, and such other factors as may be determined by the board.

“(B) PERIODIC REVIEW.—The board of governors shall review the allocation of votes at least every 5 years.”.

#### SEC. 9. ENDOWMENT FUND.

Section 300109 of title 36, United States Code is amended—

(1) by striking “nine” from the first sentence thereof; and

(2) by striking the second sentence and inserting the following: “The corporation shall prescribe policies and regulations on terms and tenure of office, accountability, and expenses of the board of trustees.”.

#### SEC. 10. ANNUAL REPORT AND AUDIT.

Subsection (a) of section 300110 of title 36, United States Code, is amended to read as follows:

“(a) SUBMISSION OF REPORT.—As soon as practicable after the end of the corporation’s fiscal year, which may be changed from time to time by the board of governors, the corporation shall submit a report to the Secretary of Defense on the activities of the corporation during such fiscal year, including a complete, itemized report of all receipts and expenditures.”.

#### SEC. 11. COMPTROLLER GENERAL OF THE UNITED STATES AND OFFICE OF THE OMBUDSMAN.

(a) IN GENERAL.—Chapter 3001 of title 36, United States Code, is amended by redesignating section 300111 as section 300113 and by inserting after section 300110 the following new sections:

##### “§ 300111. Authority of the Comptroller General of the United States

“The Comptroller General of the United States is authorized to review the corporation’s involvement in any Federal program or activity the Government carries out under law.

##### “§ 300112. Office of the Ombudsman

“(a) ESTABLISHMENT.—The corporation shall establish an Office of the Ombudsman with such duties and responsibilities as may be provided in the bylaws or a resolution of the board of governors.

“(b) REPORT.—The Office of the Ombudsman shall submit a report annually to Congress concerning any trends and systemic matters that the Office of the Ombudsman has identified as confronting the corporation.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 3001 of title 36, United States Code, is amended by striking the item relating to section 300111 and inserting the following:

“300111. Authority of the Comptroller General of the United States.

“300112. Office of the Ombudsman.

“300113. Reservation of right to amend or repeal.”.

Mr. ENZI. Mr. President, I rise today to co-sponsor the American National Red Cross Governance Modernization Act of 2007. This legislation, a product of close cooperation with my colleagues Senator GRASSLEY and Senator KENNEDY, seeks to create a more efficient governance structure of the American Red Cross, and to enhance the Board of Governors’ ability to support the critical mission of the American Red Cross in the 21st Century.

Charitable organizations are an indispensable part of American society, but these organizations can only fulfill their important roles by maintaining the trust of the American public. This trust is fostered by effective governance and transparency, which are the principal goals of this legislation. The role of the American Red Cross is one of vital significance to the American people. The ability of the American Red Cross to meet its responsibilities requires a governance structure that reflects a need for clear mission and a culture of accountability.

This past October the American Red Cross Board of Governors announced its unanimous support for a series of important changes to its charter and business practice. The American National Red Cross Governance Modernization Act of 2007 enables a number of those changes, including clarifying the role of the Board of Governors as one of governance and strategic oversight. As this bill facilitates these governance reforms, the American Red Cross is expected to continue to implement amendments to its bylaws consistent with those described in the Governance Report to clarify further the role of the Board of Governors and to outline areas of its responsibility.

This bill ensures that the American Red Cross will remain a federally chartered instrumentality of the United States, and it has the rights and obligations consistent with that status. Consistent with that status Congress expects that the American Red Cross will maintain appropriate communications with State regulators of charitable organizations and to cooperate with them as appropriate in specific matters as they arise from time to time.

Finally, we believe the effectiveness of the American Red Cross will be promoted by the creation of a Red Cross ombudsman to be a dispute resolution practitioner to provide confidential and informal assistance to the many internal and external stakeholders of the American Red Cross. The American Red Cross ombudsman will report to Congress, the American Red Cross chief executive officer, and the audit committee of the Board of Governors. The Red Cross ombudsman will have access to anyone and any documents in the American Red Cross. This is an important tool for improving processes and protections for those inside the American Red Cross who wish to express concerns about the organizations practices and procedures, and an important tool for Congress in providing oversight of the activities of the American Red Cross.

I urge my colleagues to vote for the American National Red Cross Governance Modernization Act of 2007.

By Mr. REED (for himself, Mr. ROBERTS, Mr. KENNEDY, Mr. BURR, Mrs. MURRAY, Mr. HATCH, Mr. BROWN, Mrs. CLINTON, Mr. ISAKSON, Mr. BINGAMAN, Ms. COLLINS, and Mr. BIDEN):

S. 657. A bill to amend the Public Health Service Act to add requirements regarding trauma care, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, I am pleased to join my colleague, Senator ROBERTS, along with Senators KENNEDY, BURR, MURRAY, CLINTON, BROWN, BINGAMAN, COLLINS, ISAKSON, and BIDEN in introducing the Trauma Care Systems Planning and Development Act.

Our Nation's emergency medical system is a system on the brink. We need to support and strengthen this essential component of our health care system. The Trauma Care Systems Planning and Development Act is an important building block to achieving an improved national network of care across the country.

Unintentional injury is the leading cause of death among people between the ages of 1 to 44 and in 2002, injuries were responsible for 161,000 deaths. In 2004, about 29.6 million people were treated for an injury in U.S. hospital emergency departments, of which nearly 2 million injuries were severe enough to require hospitalization. Yet, between 20,000 and 25,000 trauma deaths are preventable each year.

A trauma system is an organized, coordinated effort in a specific area that delivers the full range of care to all injured patients. It provides resources, supporting equipment, and personnel along a continuum of care including pre-hospital, hospital, and rehabilitation services. Trauma systems have been proven to reduce mortality rates and provide efficient, cost-effective, and timely care. Since 1990, the Federal Government, through Title XII of the Public Health Service Act, has helped States and territories develop and implement regional and statewide trauma care systems.

The legislation I am introducing today along with my colleagues will reauthorize and reaffirm the Federal Government's commitment to trauma care systems. It will also authorize additional resources for systems planning and development, as well as improved data collection and analysis and the inclusion of an Institute of Medicine study on the state of trauma care and trauma research.

Trauma care is not only critical to providing timely access to lifesaving interventions for persons suffering from serious unintentional injuries, it is central to our national security and disaster preparedness. The tragic events of September 11, 2001 and Hurricanes Rita and Katrina serve as stark reminders of the potential intentional and natural disasters that threaten our Nation. Trauma care systems are an important element of our security and response efforts.

I look forward to working with my colleagues toward expeditious passage of this legislation. I ask unanimous consent that the text of the Trauma Care Systems Planning and Development Act be printed in the RECORD.

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

S. 657

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Trauma Care Systems Planning and Development Act of 2007".

#### SEC. 2. ESTABLISHMENT.

Section 1201 of the Public Health Service Act (42 U.S.C. 300d) is amended to read as follows:

##### "SEC. 1201. ESTABLISHMENT.

"(a) IN GENERAL.—The Secretary shall, with respect to trauma care—

"(1) conduct and support research, training, evaluations, and demonstration projects;

"(2) foster the development of appropriate, modern systems of such care through the sharing of information among agencies and individuals involved in the study and provision of such care;

"(3) collect, compile, and disseminate information on the achievements of, and problems experienced by, State and local agencies and private entities in providing trauma care and emergency medical services and, in so doing, give special consideration to the unique needs of rural areas;

"(4) provide to State and local agencies technical assistance to enhance each State's capability to develop, implement, and sustain the trauma care component of each State's plan for the provision of emergency medical services;

"(5) sponsor workshops and conferences; and

"(6) promote the collection and categorization of trauma data in a consistent and standardized manner.

"(b) GRANTS, COOPERATIVE AGREEMENTS, AND CONTRACTS.—The Secretary may make grants, and enter into cooperative agreements and contracts, for the purpose of carrying out subsection (a)."

#### SEC. 3. CLEARINGHOUSE ON TRAUMA CARE AND EMERGENCY MEDICAL SERVICES.

The Public Health Service Act (42 U.S.C. 201 et seq.) is amended—

(1) by striking section 1202; and

(2) by redesignating section 1203 as section 1202.

#### SEC. 4. ESTABLISHMENT OF PROGRAMS FOR IMPROVING TRAUMA CARE IN RURAL AREAS.

Section 1202 of the Public Health Service Act, as redesignated by section 3(2), is amended to read as follows:

##### "SEC. 1202. ESTABLISHMENT OF PROGRAMS FOR IMPROVING TRAUMA CARE IN RURAL AREAS.

"(a) IN GENERAL.—The Secretary may make grants to public and nonprofit private entities for the purpose of carrying out research and demonstration projects with respect to improving the availability and quality of emergency medical services in rural areas—

"(1) by developing innovative uses of communications technologies and the use of new communications technology;

"(2) by developing model curricula, such as advanced trauma life support, for training emergency medical services personnel, including first responders, emergency medical technicians, emergency nurses and physicians, and paramedics—

"(A) in the assessment, stabilization, treatment, preparation for transport, and resuscitation of seriously injured patients, with special attention to problems that arise during long transports and to methods of minimizing delays in transport to the appropriate facility; and

"(B) in the management of the operation of the emergency medical services system;

"(3) by making training for original certification, and continuing education, in the provision and management of emergency medical services more accessible to emergency medical personnel in rural areas through telecommunications, home studies, providing teachers and training at locations accessible to such personnel, and other methods;

"(4) by developing innovative protocols and agreements to increase access to prehospital care and equipment necessary for the transportation of seriously injured patients to the appropriate facilities;

"(5) by evaluating the effectiveness of protocols with respect to emergency medical services and systems; and

"(6) by increasing communication and coordination with State trauma systems.

"(b) SPECIAL CONSIDERATION FOR CERTAIN RURAL AREAS.—In making grants under subsection (a), the Secretary shall give special consideration to any applicant for the grant that will provide services under the grant in any rural area identified by a State under section 1214(d)(1).

"(c) REQUIREMENT OF APPLICATION.—The Secretary may not make a grant under subsection (a) unless an application for the grant is submitted to the Secretary and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out this section."

#### SEC. 5. COMPETITIVE GRANTS.

Part A of title XII of the Public Health Service Act, as amended by section 3, is amended by adding at the end the following:

##### "SEC. 1203. COMPETITIVE GRANTS FOR THE IMPROVEMENT OF TRAUMA CARE.

"(a) IN GENERAL.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, may make grants to States, political subdivisions, or consortia of States or political subdivisions for the purpose of improving access to and enhancing the development of trauma care systems.

"(b) USE OF FUNDS.—The Secretary may make a grant under this section only if the applicant agrees to use the grant—

"(1) to integrate and broaden the reach of a trauma care system, such as by developing innovative protocols to increase access to prehospital care;

"(2) to strengthen, develop, and improve an existing trauma care system;

"(3) to expand communications between the trauma care system and emergency medical services through improved equipment or a telemedicine system;

"(4) to improve data collection and retention; or

"(5) to increase education, training, and technical assistance opportunities, such as training and continuing education in the management of emergency medical services accessible to emergency medical personnel in rural areas through telehealth, home studies, and other methods.

"(c) PREFERENCE.—In selecting among States, political subdivisions, and consortia of States or political subdivisions for purposes of making grants under this section, the Secretary shall give preference to applicants that—

"(1) have developed a process, using national standards, for designating trauma centers;

"(2) recognize protocols for the delivery of seriously injured patients to trauma centers;

"(3) implement a process for evaluating the performance of the trauma system; and

"(4) agree to participate in information systems described in section 1202 by collecting, providing, and sharing information.

"(d) PRIORITY.—In making grants under this section, the Secretary shall give priority to applicants that will use the grants to focus on improving access to trauma care systems.

"(e) SPECIAL CONSIDERATION.—In awarding grants under this section, the Secretary shall give special consideration to projects that demonstrate strong State or local support, including availability of non-Federal contributions."

**SEC. 6. REQUIREMENT OF MATCHING FUNDS FOR FISCAL YEARS SUBSEQUENT TO FIRST FISCAL YEAR OF PAYMENTS.**

Section 1212 of the Public Health Service Act (42 U.S.C. 300d-12) is amended to read as follows:

**“SEC. 1212. REQUIREMENT OF MATCHING FUNDS FOR FISCAL YEARS SUBSEQUENT TO FIRST FISCAL YEAR OF PAYMENTS.**

**“(a) NON-FEDERAL CONTRIBUTIONS.—**

**“(1) IN GENERAL.—**The Secretary may not make payments under section 1211(a) unless the State involved agrees, with respect to the costs described in paragraph (2), to make available non-Federal contributions (in cash or in kind under subsection (b)(1)) toward such costs in an amount that—

**“(A)** for the second and third fiscal years of such payments to the State, is not less than \$1 for each \$1 of Federal funds provided in such payments for such fiscal years; and

**“(B)** for the fourth and subsequent fiscal years of such payments to the State, is not less than \$2 for each \$1 of Federal funds provided in such payments for such fiscal years.

**“(2) PROGRAM COSTS.—**The costs referred to in paragraph (1) are—

**“(A)** the costs to be incurred by the State in carrying out the purpose described in section 1211(b); or

**“(B)** the costs of improving the quality and availability of emergency medical services in rural areas of the State.

**“(3) INITIAL YEAR OF PAYMENTS.—**The Secretary may not require a State to make non-Federal contributions as a condition of receiving payments under section 1211(a) for the first fiscal year of such payments to the State.

**“(b) DETERMINATION OF AMOUNT OF NON-FEDERAL CONTRIBUTION.—**With respect to compliance with subsection (a) as a condition of receiving payments under section 1211(a)—

**“(1)** a State may make the non-Federal contributions required in such subsection in cash or in kind, fairly evaluated, including plant, equipment, or services; and

**“(2)** the Secretary may not, in making a determination of the amount of non-Federal contributions, include amounts provided by the Federal Government or services assisted or subsidized to any significant extent by the Federal Government.”.

**SEC. 7. REQUIREMENTS WITH RESPECT TO CARRYING OUT PURPOSE OF ALLOTMENTS.**

Section 1213 of the Public Health Service Act (42 U.S.C. 300d-13) is amended to read as follows:

**“SEC. 1213. REQUIREMENTS WITH RESPECT TO CARRYING OUT PURPOSE OF ALLOTMENTS.**

**“(a) TRAUMA CARE MODIFICATIONS TO STATE PLAN FOR EMERGENCY MEDICAL SERVICES.—**With respect to the trauma care component of a State plan for the provision of emergency medical services, the modifications referred to in section 1211(b) are such modifications to the State plan as may be necessary for the State involved to ensure that the plan provides for access to the highest possible quality of trauma care, and that the plan—

**“(1)** specifies that the modifications required pursuant to paragraphs (2) through (11) will be implemented by the principal State agency with respect to emergency medical services or by the designee of such agency;

**“(2)** specifies a public or private entity that will designate trauma care regions and trauma centers in the State;

**“(3)** subject to subsection (b), contains national standards and requirements of the American College of Surgeons or another appropriate entity for the designation of level I and level II trauma centers, and in the case

of rural areas level III trauma centers (including trauma centers with specified capabilities and expertise in the care of pediatric trauma patient), by such entity, including standards and requirements for—

**“(A)** the number and types of trauma patients for whom such centers must provide care in order to ensure that such centers will have sufficient experience and expertise to be able to provide quality care for victims of injury;

**“(B)** the resources and equipment needed by such centers; and

**“(C)** the availability of rehabilitation services for trauma patients;

**“(4)** contains standards and requirements for the implementation of regional trauma care systems, including standards and guidelines (consistent with the provisions of section 1867 of the Social Security Act) for medically directed triage and transportation of trauma patients (including patients injured in rural areas) prior to care in designated trauma centers;

**“(5)** subject to subsection (b), contains national standards and requirements, including those of the American Academy of Pediatrics and the American College of Emergency Physicians, for medically directed triage and transport of severely injured children to designated trauma centers with specified capabilities and expertise in the care of the pediatric trauma patient;

**“(6)** utilizes a program with procedures for the evaluation of designated trauma centers (including trauma centers described in paragraph (5)) and trauma care systems;

**“(7)** provides for the establishment and collection of data in accordance with data collection requirements developed in consultation with surgical, medical, and nursing specialty groups, State and local emergency medical services directors, and other trained professionals in trauma care, from each designated trauma center in the State of a central data reporting and analysis system—

**“(A)** to identify the number of severely injured trauma patients and the number of deaths from trauma within trauma care systems in the State;

**“(B)** to identify the cause of the injury and any factors contributing to the injury;

**“(C)** to identify the nature and severity of the injury;

**“(D)** to monitor trauma patient care (including prehospital care) in each designated trauma center within regional trauma care systems in the State (including relevant emergency-department discharges and rehabilitation information) for the purpose of evaluating the diagnosis, treatment, and treatment outcome of such trauma patients;

**“(E)** to identify the total amount of uncompensated trauma care expenditures for each fiscal year by each designated trauma center in the State; and

**“(F)** to identify patients transferred within a regional trauma system, including reasons for such transfer and the outcomes of such patients;

**“(8)** provides for the use of procedures by paramedics and emergency medical technicians to assess the severity of the injuries incurred by trauma patients;

**“(9)** provides for appropriate transportation and transfer policies to ensure the delivery of patients to designated trauma centers and other facilities within and outside of the jurisdiction of such system, including policies to ensure that only individuals appropriately identified as trauma patients are transferred to designated trauma centers, and to provide periodic reviews of the transfers and the auditing of such transfers that are determined to be appropriate;

**“(10)** conducts public education activities concerning injury prevention and obtaining access to trauma care;

**“(11)** coordinates planning for trauma systems with State disaster emergency planning and bioterrorism hospital preparedness planning; and

**“(12)** with respect to the requirements established in this subsection, provides for coordination and cooperation between the State and any other State with which the State shares any standard metropolitan statistical area.

**“(b) CERTAIN STANDARDS WITH RESPECT TO TRAUMA CARE CENTERS AND SYSTEMS.—**

**“(1) IN GENERAL.—**The Secretary may not make payments under section 1211(a) for a fiscal year unless the State involved agrees that, in carrying out paragraphs (3) through (5) of subsection (a), the State will adopt standards for the designation of trauma centers, and for triage, transfer, and transportation policies, and that the State will, in adopting such standards—

**“(A)** take into account national standards concerning that outline resources for optimal care of the injured patient;

**“(B)** consult with medical, surgical, and nursing specialty groups, hospital associations, emergency medical services State and local directors, concerned advocates and other interested parties;

**“(C)** conduct hearings on the proposed standards after providing adequate notice to the public concerning such hearing; and

**“(D)** beginning in fiscal year 2008, take into account the model plan described in subsection (c).

**“(2) QUALITY OF TRAUMA CARE.—**The highest quality of trauma care shall be the primary goal of State standards adopted under this subsection.

**“(3) APPROVAL BY THE SECRETARY.—**The Secretary may not make payments under section 1211(a) to a State if the Secretary determines that—

**“(A)** in the case of payments for fiscal year 2008 and subsequent fiscal years, the State has not taken into account national standards, including those of the American College of Surgeons, the American College of Emergency Physicians, and the American Academy of Pediatrics, in adopting standards under this subsection; or

**“(B)** in the case of payments for fiscal year 2008 and subsequent fiscal years, the State has not, in adopting such standards, taken into account the model plan developed under subsection (c).

**“(c) MODEL TRAUMA CARE PLAN.—**

**“(1) IN GENERAL.—**Not later than 1 year after the date of the enactment of the Trauma Care Systems Planning and Development Act of 2007, the Secretary shall update the model plan for the designation of trauma centers and for triage, transfer, and transportation policies that may be adopted for guidance by the State. Such plan shall—

**“(A)** take into account national standards, including those of the American College of Surgeons, American College of Emergency Physicians, and the American Academy of Pediatrics;

**“(B)** take into account existing State plans;

**“(C)** be developed in consultation with medical, surgical, and nursing specialty groups, hospital associations, emergency medical services State directors and associations, and other interested parties; and

**“(D)** include standards for the designation of rural health facilities and hospitals best able to receive, stabilize, and transfer trauma patients to the nearest appropriate designated trauma center, and for triage, transfer, and transportation policies as they relate to rural areas.

**“(2) APPLICABILITY.—**Standards described in paragraph (1)(D) shall be applicable to all rural areas in the State, including both non-metropolitan areas and frontier areas that

have populations of less than 6,000 per square mile.

“(d) **RULE OF CONSTRUCTION WITH RESPECT TO NUMBER OF DESIGNATED TRAUMA CENTERS.**—With respect to compliance with subsection (a) as a condition of the receipt of a grant under section 1211(a), such subsection may not be construed to specify the number of trauma care centers designated pursuant to such subsection.”.

**SEC. 8. REQUIREMENT OF SUBMISSION TO SECRETARY OF TRAUMA PLAN AND CERTAIN INFORMATION.**

Section 1214 of the Public Health Service Act (42 U.S.C. 300d-14) is amended to read as follows:

**“SEC. 1214. REQUIREMENT OF SUBMISSION TO SECRETARY OF TRAUMA PLAN AND CERTAIN INFORMATION.**

“(a) **IN GENERAL.**—For each fiscal year, the Secretary may not make payments to a State under section 1211(a) unless, subject to subsection (b), the State submits to the Secretary the trauma care component of the State plan for the provision of emergency medical services, including any changes to the trauma care component and any plans to address deficiencies in the trauma care component.

“(b) **INTERIM PLAN OR DESCRIPTION OF EFFORTS.**—For each fiscal year, if a State has not completed the trauma care component of the State plan described in subsection (a), the State may provide, in lieu of such completed component, an interim component or a description of efforts made toward the completion of the component.

“(c) **INFORMATION RECEIVED BY STATE REPORTING AND ANALYSIS SYSTEM.**—The Secretary may not make payments to a State under section 1211(a) unless the State agrees that the State will, not less than once each year, provide to the Secretary the information received by the State pursuant to section 1213(a)(7).

“(d) **AVAILABILITY OF EMERGENCY MEDICAL SERVICES IN RURAL AREAS.**—The Secretary may not make payments to a State under section 1211(a) unless—

“(1) the State identifies any rural area in the State for which—

“(A) there is no system of access to emergency medical services through the telephone number 911;

“(B) there is no basic life-support system; or

“(C) there is no advanced life-support system; and

“(2) the State submits to the Secretary a list of rural areas identified pursuant to subparagraph (A) or, if there are no such areas, a statement that there are no such areas.”.

**SEC. 9. RESTRICTIONS ON USE OF PAYMENTS.**

Section 1215 of the Public Health Service Act (42 U.S.C. 300d-15) is amended to read as follows:

**“SEC. 1215. RESTRICTIONS ON USE OF PAYMENTS.**

“(a) **IN GENERAL.**—The Secretary may not, except as provided in subsection (b), make payments under section 1211(a) for a fiscal year unless the State involved agrees that the payments will not be expended—

“(1) for any purpose other than developing, implementing, and monitoring the modifications required by section 1211(b) to be made to the State plan for the provision of emergency medical services;

“(2) to make cash payments to intended recipients of services provided pursuant to this section;

“(3) to purchase or improve real property (other than minor remodeling of existing improvements to real property);

“(4) to satisfy any requirement for the expenditure of non-Federal funds as a condition for the receipt of Federal funds; or

“(5) to provide financial assistance to any entity other than a public or nonprofit private entity.

“(b) **WAIVER.**—The Secretary may waive a restriction under subsection (a) only if the Secretary determines that the activities outlined by the State plan submitted under section 1214(a)(1) by the State involved cannot otherwise be carried out.”.

**SEC. 10. REQUIREMENTS OF REPORTS BY STATES.**

The Public Health Service Act (42 U.S.C. 201 et seq.) is amended by striking section 1216.

**SEC. 11. REPORT BY SECRETARY.**

Section 1222 of the Public Health Service Act (42 U.S.C. 300d-22) is amended to read as follows:

**“SEC. 1222. REPORT BY SECRETARY.**

“Not later than October 1, 2008, the Secretary shall report to the appropriate committees of Congress on the activities of the States carried out pursuant to section 1211. Such report shall include an assessment of the extent to which Federal and State efforts to develop systems of trauma care and to designate trauma centers have reduced the incidence of mortality, and the incidence of permanent disability, resulting from trauma. Such report may include any recommendations of the Secretary for appropriate administrative and legislative initiatives with respect to trauma care.”.

**SEC. 12. FUNDING.**

Section 1232 of the Public Health Service Act (42 U.S.C. 300d-32) is amended to read as follows:

**“SEC. 1232. FUNDING.**

“(a) **AUTHORIZATION OF APPROPRIATIONS.**—For the purpose of carrying out parts A and B, there are authorized to be appropriated \$12,000,000 for fiscal year 2008, \$10,000,000 for fiscal year 2009, and \$8,000,000 for each of the fiscal years 2010 through 2012.

“(b) **RESERVATION OF FUNDS.**—If the amount appropriated under subsection (a) for a fiscal year is equal to or less than \$1,000,000, such appropriation is available only for making grants under part A. If the amount so appropriated is greater than \$1,000,000, 50 percent of such appropriation shall be made available for grants under part A and 50 percent shall be made available for grants under part B.

“(c) **ALLOCATION OF FUNDS BY SECRETARY.**—

“(1) **GENERAL AUTHORITY.**—For the purpose of carrying out part A, the Secretary shall make available 10 percent of the amounts appropriated for a fiscal year under subsection (a).

“(2) **RURAL GRANTS.**—For the purpose of carrying out section 1202, the Secretary shall make available 10 percent of the amounts appropriated for a fiscal year under subsection (a).”.

**SEC. 13. INSTITUTE OF MEDICINE STUDY.**

Part E of title XII of the Public Health Service Act (20 U.S.C. 300d-51 et seq.) is amended by adding at the end the following:

**“SEC. 1254. INSTITUTE OF MEDICINE STUDY.**

“(a) **IN GENERAL.**—The Secretary shall enter into a contract with the Institute of Medicine of the National Academy of Sciences, or another appropriate entity, to conduct a study on the state of trauma care and trauma research.

“(b) **CONTENT.**—The study conducted under subsection (a) shall—

“(1) examine and evaluate the state of trauma care and trauma systems research (including the role of Federal entities in trauma research) on the date of enactment of this section, and identify trauma research priorities;

“(2) examine and evaluate the clinical effectiveness of trauma care and the impact of trauma care on patient outcomes, with special attention to high-risk groups, such as children, the elderly, and individuals in rural areas;

“(3) examine and evaluate trauma systems development and identify obstacles that prevent or hinder the effectiveness of trauma systems and trauma systems development;

“(4) examine and evaluate alternative strategies for the organization, financing, and delivery of trauma care within an overall systems approach; and

“(5) examine and evaluate the role of trauma systems and trauma centers in preparedness for mass casualties.

“(c) **REPORT.**—Not later than 2 years after the date of enactment of this section, the Secretary shall submit to the appropriate committees of Congress a report containing the results of the study conducted under this section.

“(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$750,000 for fiscal year 2008.”.

**SEC. 14. RESIDENCY TRAINING PROGRAMS IN EMERGENCY MEDICINE.**

Section 1251 of the Public Health Service Act (42 U.S.C. 300d-51) is amended to read as follows:

**“SEC. 1251. RESIDENCY TRAINING PROGRAMS IN EMERGENCY MEDICINE.**

“(a) **IN GENERAL.**—The Secretary may make grants to public and nonprofit private entities for the purpose of planning and developing approved residency training programs in emergency medicine.

“(b) **IDENTIFICATION AND REFERRAL OF DOMESTIC VIOLENCE.**—The Secretary may make a grant under subsection (a) only in the applicant involved agrees that the training programs under subsection (a) will provide education and training in identifying and referring cases of domestic violence.

“(c) **AUTHORIZATION OF APPROPRIATIONS.**—For the purpose of carrying out this section, there is authorized to be appropriated \$400,000 for each of the fiscal years 2008 through 2012.”.

**SEC. 15. STATE GRANTS FOR CERTAIN PROJECTS.**

Section 1252 of the Public Health Service Act (42 U.S.C. 300d-52) is amended in the section heading by striking “**DEMONSTRATION**”.

By Mrs. CLINTON (for herself, Ms. SNOWE, and Mr. COCHRAN):

S. 661. A bill to establish kinship navigator programs, to establish guardianship assistance payments for children, and for other purposes; to the Committee on Finance.

Mrs. CLINTON. Mr. President, I am pleased to re-introduce the Kinship Caregiver Support Act today with my friend and colleague, Senator OLYMPIA SNOWE. The growth of kinship care is a phenomenon that is quietly changing the face of the American family and creating new challenges for our Nation's child welfare system. This bill would be a huge help to kinship caregivers in New York and across the country.

Nationwide, now more than ever children are living in households headed by grandparents and other relatives. In New York City alone, there are over 245,000 adolescents already living in grandparent households. Nationwide, an estimated 20,000 children living in foster care could leave the system if Congress made subsidized guardianship available to their families.

As caregivers who often become parents unexpectedly, these generous family members face unique challenges to

successfully raising children. These challenges are physical, emotional and of course, financial. Grandparents and other relatives raising children often encounter a variety of unnecessary barriers, including difficulties enrolling children in school, authorizing medical treatment, maintaining their public housing leases, obtaining affordable legal services, and accessing a variety of Federal benefits and services. Almost one-fifth of grandparents responsible for their grandchildren live in poverty.

The Kinship Caregiver Support Act attempts to address the full range of difficulties facing kinship caregivers, by allowing relatives to become formal guardians while receiving some financial assistance. This bill will provide relative caregivers with the information and assistance they need to thrive as non-traditional families.

First, the Act contains a "subsidized guardianship provision", which will give States the option to use their Title IV-E funds to provide payments to grandparents and other relatives who have assumed legal guardianship of children they have cared for as foster parents.

The Act also establishes the Kinship Navigator Program, which will provide families with the guidance they need to learn how to obtain health care coverage for the children in their care, apply for housing assistance, locate childcare, enroll children in school, and gain access to other services.

Finally, this legislation will require States to notify grandparents and other close relatives when children enter the foster care system. Unfortunately, grandparents and other relatives often do not know when their grandchildren or nieces and nephews come under the care of the State. Notifying grandparents and other relatives when children enter the foster care system will make it easier for families to stay together.

So many grandparents and other relatives are making great personal sacrifices to provide safe and loving homes for the children in their care. It is my hope that my colleagues will join Senator SNOWE and me as we continue this fight for children and families.

By Mr. McCAIN:

S. 663. A bill to amend title 10, United States Code, to repeal the statutory designation of beneficiaries of the \$100,000 death gratuity under section 1477 of title 10, United States Code, and to permit members of the Armed Forces to designate in writing their beneficiaries of choice in the event of their death while serving on active duty; to the Committee on Armed Services.

Mr. McCAIN. Mr. President, today I am introducing legislation to fix a serious problem that has recently come to light with respect to the administration of the so-called Death Gratuity. The legislation is designed to ensure that a service member can designate to

whom a death gratuity benefit is awarded.

Today's Washington Post includes an informative yet troubling article describing the plight of the mother of Petty Officer Second Class Jaime S. Jaenke, U. S. Navy, who died in Iraq in June 2006 as a result of an IED attack. Petty Officer Jaenke was a member of the Navy Reserve and a medic assigned to a Seabee Construction Battalion. She left behind a young daughter, Kayla, who is in the care of Kayla's grandmother, Susan Jaenke.

Regrettably, because of the manner in which death benefits are administered, a hardship situation has been created for Mrs. Jaenke. The article spells out that while the insurance proceeds have been set aside by the State court for the benefit of Kayla, they have not yet been made available. So in the meantime her grandmother is left trying to make ends meet because she is not allowed to receive the gratuity benefit that her daughter thought she would be providing, should the service member's unfortunate death occur.

The article describes a very difficult situation for the person on who Petty Officer Jaenke depended. The financial difficulties Mrs. Jaenke is experiencing is due in part by confusion about how the death gratuity benefit—a sum of \$100,000—is being administered under law.

Under current law, the recipient of the \$100,000 is dictated by the statute. It provides that a benefit is first awarded to an existing spouse. If there is no spouse, it then is provided to the children, and so on. It's a scheme that was set up to permit speedy resolution of what used to be a very modest benefit. In today's world, however, with the complex needs of service members, it does not comport with the realities of many of our service members and their families. It needs to be changed.

The legislation I am introducing would replace the statutory order of beneficiaries with provisions identical to that used to select beneficiaries under the Servicemembers' Group Life Insurance—SGLI. The bill would give service members the power to select precisely who will receive the \$100,000 death gratuity. It would require the Secretary of Defense to, no later than April 1, 2007, to prepare regulations and create election forms that will enable service members to designate who will receive this benefit.

I hope we can move this legislation quickly and ensure that the intentions of our service members regarding the well being of their children and families can be carried out. We owe at least that much to those who are giving their lives for our nation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 633

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. MODIFICATION OF SCHEME FOR PAYMENT OF DEATH GRATUITY PAYABLE WITH RESPECT TO MEMBERS OF THE ARMED FORCES.**

(a) FINDINGS.—Congress makes the following findings:

(1) The death gratuity authorized under sections 1475 to 1480 of title 10, United States Code, was intended, when originally enacted to provide an immediate cash payment to assist survivors of deceased members of the Armed Forces to meet their financial needs during the period immediately following a member's death and before other survivor benefits become available.

(2) The death gratuity, when first implemented in 1908, amounted to six months of a service member's pay and, until 1991, could not exceed \$3,000.

(3) However, following the attacks of September 11, 2001, and the initiation of Operation Enduring Freedom and Operation Iraqi Freedom, Congress determined that the death benefits available to survivors of members of the Armed Forces should be substantially increased.

(4) The National Defense Authorization Act for Fiscal Year 2006, which was enacted on January 6, 2006, as Public Law 109-163, increased the amount of the death gratuity to \$100,000, effective retroactively to October 7, 2001.

(5) Under section 1477 of title 10, United States Code, the law authorizing the death gratuity, those living relatives of deceased members of the Armed Forces who shall receive the death gratuity are specifically designated. Service members are not provided with the opportunity to make an election choosing a beneficiary other than those set forth in section 1477 of title 10, United States Code.

(6) The increased death gratuity, in combination with benefits available under the Servicemembers' Group Life Insurance program, the Survivor Benefit Plan, and Dependency and Indemnity Compensation provide significant support and compensation to the next of kin of deceased members of the Armed Forces. Individual members are best qualified to determine who the beneficiaries for death benefits should be and should be afforded the opportunity to make these selections at appropriate times throughout military service and particularly prior to mobilization or deployment to a combat zone.

(7) Under the current system, many members of the Armed Forces have designated individuals as beneficiaries for the death gratuity in a manner not provided for by law. In these cases, the wishes of these members regarding the disposition of the death gratuity has in many cases not been implemented, to the detriment of their children and other loved ones.

(b) SENSE OF CONGRESS.—It is the sense of Congress that all members of the Armed Forces should be given the opportunity to affirmatively select who shall receive the death gratuity and that the Secretary of Defense and the Secretaries of the military departments should take prompt action to afford members the opportunity to make an election in writing about the disposition of the death gratuity proceeds and to provide appropriate and timely counseling about the manner in which the proceeds of the death gratuity and other forms of insurance will be administered.

(c) MODIFICATION.—

(1) IN GENERAL.—Subsection (a) of section 1477 of title 10, United States Code, is amended by striking all that follows "on the following list:" and inserting the following:



“(1) To any individual designated by the person in writing.

“(2) If there is no person so designated, to the surviving spouse of the person.

“(3) If there is none of the above, to the children (as prescribed by subsection (b)) of the person and the descendants of any deceased children by representation.

“(4) If there is none of the above, to the parents (as prescribed by subsection (c)) of the person or the survivor of them.

“(5) If there is none of the above, to the duly appointed executor or administrator of the estate of the person.

“(6) If there is none of the above, to other next of kin of the person entitled under the laws of domicile of the person at the time of the person's death.”

(2) CONFORMING AMENDMENTS.—Such section is further amended—

(A) in subsection (b), by striking “Subsection (a)(2)” in the matter preceding paragraph (1) and inserting “Subsection (a)(3)”;

(B) by striking (c) and inserting the following new subsection (c):

“(c) For purposes of subsection (a)(4), parents include fathers and mothers through adoption. However, only one father and one mother may be recognized in any case, and preference shall be given to those who exercised a parental relationship on the date, or most nearly before the date, on which the decedent entered a status described in section 1475 or 1476 of this title.”; and

(C) by striking subsection (d).

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of the enactment of this Act.

(4) APPLICABILITY.—Notwithstanding paragraph (3), the provisions of section 1477 of title 10, United States Code, as in effect on the day before the date of the enactment of this Act, shall continue to apply to each member of the Armed Forces covered by such section until the earlier of the following—

(A) the date on which such member makes the designation contemplated by paragraph (1) of section 1477(a) of such title (as amended by paragraph (1) of this subsection); or

(B) January 1, 2008.

(d) REGULATIONS.—

(1) IN GENERAL.—Not later than April 1, 2007, the Secretary of Defense shall prescribe regulations to implement the amendments to section 1477 of title 10, United States Code, made by subsection (c).

(2) ELEMENTS.—The regulations required by paragraph (1) shall include forms for the making of the designation contemplated by paragraph (1) of section 1477(a) of title 10, United States Code (as amended by subsection (c)), and instructions for members of the Armed Forces in the filling out of such forms.

By Mr. BOND (for himself and Mrs. CLINTON):

S. 667. A bill to expand programs of early childhood home visitation that increase school readiness, child abuse and neglect prevention, and early identification of developmental and health delays, including potential mental health concerns, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. BOND. Mr. President, I ask unanimous consent, on behalf of myself and Senator HILLARY RODHAM CLINTON, that the text of the Education Begins at Home Act be printed in the RECORD.

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

S. 667

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Education Begins at Home Act”.

#### SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the home is the first and most important learning environment for children, and parents are their children's first and most influential teacher;

(2) through parent education and family support, we can promote parents' ability to enhance their children's development from birth until entry into kindergarten thereby helping parents to prepare their children for success in school;

(3) undiagnosed and unaddressed developmental and health problems can impede overall child development and school readiness;

(4) all parents deserve and can benefit from—

(A) research-based information regarding child development;

(B) enrichment opportunities with their children; and

(C) early opportunities to become involved with their community and schools; and

(5) early childhood home visitation leads to positive outcomes for children and families, including readiness for school, improved child health and development, positive parenting practices, and reductions in child maltreatment.

(b) PURPOSES.—The purposes of this Act are as follows:

(1) To enable States to deliver services under early childhood home visitation programs to pregnant women and parents of children from birth until entry into kindergarten in order to promote parents' ability to support their children's optimal cognitive, language, social-emotional, and physical development.

(2) To improve Early Head Start programs carried out under section 645A of the Head Start Act (42 U.S.C. 9840a).

(3) To expand early childhood home visitation programs so as to more effectively reach and serve families with English language learners.

(4) To expand early childhood visitation programs so as to more effectively reach and serve families serving in the military.

(5) To establish a public education and awareness campaign concerning the importance of the proper care of infants and young children.

(6) To make available for parents of newborn children parenting classes that convey information about the importance of proper care for newborns, including information about symptoms of abusive head and other injuries.

#### SEC. 3. DEFINITIONS.

In this Act:

(1) ELIGIBLE FAMILY.—The term “eligible family” means—

(A) a woman who is pregnant, and the father of the child if the father is available; or

(B) a parent or primary caregiver of a child, including grandparents or other relatives of the child, and foster parents, who are serving as the primary caregiver from birth until entry into kindergarten, including a noncustodial parent during periods in which such noncustodial parent is physically caring for such child.

(2) HOME VISITATION.—The term “home visitation” means services provided in the permanent or temporary residence, or in a mutually agreed upon location in the community, of the individual receiving such services.

(3) INDIAN TRIBE.—The term “Indian tribe” has the meaning given such term in section 4(e) of the Indian Self-Determination and Education Assistance Act (52 U.S.C. 450(b)(e)).

(4) SECRETARY.—Except as provided in section 7, the term “Secretary” means the Secretary of Health and Human Services.

(5) STATE.—The term “State” means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(6) TERRITORIES AND POSSESSIONS.—The term “territories and possessions” means American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the United States Virgin Islands.

(7) TRIBAL ORGANIZATION.—The term “tribal organization” has the meaning given such term in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(1)).

#### SEC. 4. STATE GRANTS FOR EARLY CHILDHOOD HOME VISITATION.

(a) AUTHORIZATION.—The Secretary, in collaboration with the Secretary of Education, shall make grants to States to enable such States to establish or expand quality programs of early childhood home visitation, as specified under subsection (f). Each grant shall consist of the allotment determined for a State under subsection (b).

(b) DETERMINATION OF RESERVATIONS; AMOUNT OF ALLOTMENTS; AUTHORIZATION OF APPROPRIATIONS.—

(1) RESERVATIONS FROM APPROPRIATIONS.—From the total amount made available to carry out this section for a fiscal year, the Secretary shall reserve—

(A) 3 percent for an independent evaluation of the activities carried out under this Act, as specified in section 8;

(B) not more than 3 percent for Federal administrative costs;

(C) 2 percent for training and technical assistance for States;

(D) not more than 2 percent for payments to Indian tribes and tribal organizations with applications approved under this section; and

(E) not more than 0.5 percent for payments to territories and possessions with applications approved under this section.

(2) STATE ALLOTMENTS FOR EARLY CHILDHOOD HOME VISITATION.—

(A) IN GENERAL.—In accordance with subparagraph (B), the Secretary shall allot among each of the eligible States the total amount made available to carry out this section for any fiscal year and not reserved under paragraph (1), to carry out early childhood home visitation in accordance with this section.

(B) DETERMINATION OF STATE ALLOTMENTS.—

(i) IN GENERAL.—Subject to clause (ii), the Secretary shall allot the amount made available under subparagraph (A) for a fiscal year among the States in proportion to the number of children, aged from birth to 5 years, who reside within the State, compared to the number of such individuals who reside in all such States for that fiscal year.

(ii) EXCEPTION.—No State receiving an allotment under clause (i) may receive more than \$20,000,000.

(3) INDIAN TRIBES, TRIBAL ORGANIZATIONS, TERRITORIES AND POSSESSIONS.—

(A) INDIAN TRIBES AND TRIBAL ORGANIZATIONS.—From amounts reserved for each fiscal year under paragraph (1)(D), the Secretary shall make payments to each Indian tribe or tribal organizations with an application approved under this section in an amount determined in accordance with the respective needs described in the application.

(B) TERRITORIES AND POSSESSIONS.—From amounts reserved for each fiscal year under paragraph (1)(E), the Secretary shall make payments to each territory and possession with an application approved under this section in an amount determined in accordance with the respective needs described in the application.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$400,000,000 for the period of fiscal years 2008 through 2010.

(C) GRANT APPLICATIONS.—

(1) STATE APPLICATIONS.—A State that desires to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. The application shall contain the following information:

(A) An assurance that the Governor of the State has designated a lead State agency, such as the State educational agency or the State health and human services agency, to carry out the activities under this section.

(B) An assurance that the State will reserve 3 percent of such grant for evaluation and will participate in the independent evaluation under section 8.

(C) An assurance that the State will reserve 10 percent of the grant funds for training and technical assistance of staff of programs of early childhood home visitation.

(D) An assurance that the State will authorize child care resource and referral agencies to refer parents seeking home visitation services.

(E) The results of a statewide needs assessment that describes—

(i) the quality and capacity of existing programs of early childhood home visitation in the State;

(ii) the number and types of eligible families who are receiving services under such programs; and

(iii) the gaps in early childhood home visitation in the State.

(F) A State plan containing the following:

(i) A description of the State's strategy to establish or expand quality programs of early childhood home visitation to serve all eligible families in the State.

(ii) A description of the quality programs of early childhood home visitation that will be supported by a grant under this section.

(iii) A description of how the proposed program of early childhood home visitation will promote positive parenting skills and children's early learning and development.

(iv) A description of how the proposed program of early childhood home visitation will incorporate the authorized activities described in subsection (f).

(v) How the lead State agency will build on and promote coordination among existing programs of early childhood home visitation in an effort to promote an array of home visitation that ensures more eligible families are being served and are getting the most appropriate services to meet their needs.

(vi) How the lead State agency will promote channels of communication between staff of programs of early childhood home visitation and staff of other early childhood education programs, such as Head Start programs carried out under the Head Start Act (42 U.S.C. 9831 et seq.) and Early Head Start programs carried out under section 645A of such Act, preschool programs, and child care programs, to facilitate the coordination of services for eligible families.

(vii) How the lead State agency will provide training and technical assistance to staff of programs of early childhood home visitation involved in activities under this section to more effectively meet the needs of the eligible families served with sensitivity to cultural variations in parenting norms

and attitudes toward formal support services.

(viii) How the lead State agency will evaluate the activities supported under this section in order to demonstrate outcomes related to the enhancement of—

(I) parent knowledge of early learning and development;

(II) child health, cognitive, language, social-emotional, and physical development indicators; and

(III) child maltreatment indicators for child abuse and neglect prevention.

(IV) School readiness indicators.

(V) Links to community services.

(ix) A description of how the lead State agency will ensure that the home visitation programs will conduct outreach activities to target both mothers and fathers, and increase father involvement where appropriate.

(x) A description of how the lead State agency will increase home visitation programs participation rates for fathers.

(xi) A description of how the lead State agency will ensure that services are made available under the program to grandparents, other relatives or foster parents, of a child from birth through age 5 who serve as the primary caregiver of the child.

(G) Such other information as the Secretary may require.

(2) INDIAN TRIBES, TRIBAL ORGANIZATIONS, TERRITORIES AND POSSESSIONS.—

(A) IN GENERAL.—An Indian tribe, tribal organization, territory, or possession that desires to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. The application shall contain the information described in paragraph (1) with respect to the applicant entity.

(B) APPROVAL.—The Secretary may approve an application submitted under subparagraph (A) based on the quality of the information contained in the application.

(C) EXEMPTIONS.—The Secretary may exempt an applicant under subparagraph (A) from any requirement of this section if the Secretary determines that the application of such requirements would be inappropriate taking into consideration the resources, needs, and other circumstances of the applicant entity. This subparagraph shall not apply to the requirements described in subsections (f)(1) and (h).

(d) APPROVAL OF APPLICATIONS.—

(1) RECOMMENDATION OF PANEL.—

(A) IN GENERAL.—The Secretary shall approve an application under this section based on the recommendations of a peer review panel, as described in paragraph (2).

(B) SELECTION CRITERIA.—A peer review panel shall determine which applicants to recommend for approval, for purposes of subparagraph (A), based on the quality of the application submitted. Consideration shall be given by the panel to the inclusion of applicants, to the extent practicable, that have the ability to incorporate comparison or control groups in their service delivery model, recognizing that universal access to home visitation services, among other factors, may prevent some quality programs from conducting such evaluation.

(2) PEER REVIEW PANEL.—The peer review panel shall include not less than—

(A) 3 individuals who are experts in the field of home visitation;

(B) 2 individuals who are experts in early childhood development;

(C) 1 individual with experience implementing a statewide program of early childhood home visitation;

(D) 1 individual who is a board certified pediatrician or a developmental pediatrician; and

(E) 1 individual with experience in administering public or private (including community-based) child maltreatment prevention programs.

(e) DURATION OF GRANTS.—Grants made under this section shall be for a period of no more than 3 years.

(f) STATE USES OF FUNDS.—Each State that receives a grant under this section shall—

(1) provide to as many eligible families in the State as practicable, voluntary early childhood home visitation, on not less frequently than a monthly basis with greater frequency of services for those eligible families identified with additional needs, through the implementation of quality programs of early childhood home visitation that—

(A) adopts a clear, consistent model that is grounded in empirically-based knowledge related to home visiting and linked to program-determined outcomes;

(B) employs well-trained and competent staff, as demonstrated by education or training, and the provision of ongoing and specific training on the model being delivered;

(C) maintains high quality supervision to establish home visitor competencies;

(D) demonstrates strong organizational capacity to implement the program involved;

(E) establishes appropriate linkages and referral networks to other community resources and supports;

(F) monitors fidelity of program implementation to ensure that services are delivered pursuant to the specified model;

(G) are research-based, that provide parents with—

(i) knowledge of age appropriate child development in cognitive, language, social-emotional, and motor domains;

(ii) knowledge of realistic expectations of age-appropriate child behaviors;

(iii) knowledge of health and wellness issues for children and parents;

(iv) modeling and consulting services related to parenting;

(v) skills to interact with their child to enhance age-appropriate development;

(vi) skills to recognize and seek help for health issues and developmental delays, and social, emotional, and behavioral skills;

(vii) activities designed to help parents become full partners in the education of their children; and

(viii) relevant information, consistent with State child welfare agency training, concerning child welfare and protective services resources if appropriate;

(H) ascertain which developmental services the family receives and work with service providers to eliminate gaps in services by offering annual health, vision, hearing, and developmental screening for children from birth until entry into kindergarten, when not otherwise provided;

(I) provide referrals for eligible families, as needed, to additional resources available in the community, such as center-based early education programs, child care services, health or mental health services, family literacy programs, employment agencies, social services, and child care resource and referral agencies;

(J) offer group meetings (at the discretion of the program involved) for eligible families that—

(i) further enhance the information, activities, and skill-building addressed during home visitation; and

(ii) offer opportunities for parents to meet with and support each other;

(K) reserve 10 percent of the grant funds to provide training and technical assistance, directly or through contract, to early childhood home visitation and early childhood care and education staff relating to—

(i) effective methods of conducting parent education, home visiting, and promoting quality early childhood development;

(ii) the relationship of health and well-being of pregnant women to prenatal and early childhood development;

(iii) early childhood development with respect to children from birth until entry into kindergarten;

(iv) methods to help parents promote emergent literacy in their children from birth until entry into kindergarten;

(v) health, vision, hearing, and developmental screenings;

(vi) strategies for helping eligible families with special needs or those eligible families coping with crisis;

(vii) recruiting, supervising, and retaining qualified staff;

(viii) increasing services for underserved populations;

(ix) methods to help parents effectively respond to their children's needs and behaviors; and

(x) implementation of ongoing program quality improvement and evaluation of activities and outcomes;

(L) ensure coordination of programs of early childhood home visitation, early childhood education and care, and early intervention, through an existing or created State-level early childhood coordinating body that includes—

(i) representatives from relevant State agencies, including the State agency responsible for carrying out the plan under section 106 of the Child Abuse Prevention and Treatment Act;

(ii) representatives from State Head Start Associations;

(iii) the State official with responsibility for carrying out activities under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.);

(iv) the State official with responsibility for carrying out activities under section 619 of the Individuals with Disabilities Education Act (20 U.S.C. 1419);

(v) representatives from child care resource and referral State offices;

(vi) representatives from quality programs of early childhood home visitation; and

(vii) a board certified pediatrician or a developmental pediatrician; and

(M) not expend more than 5 percent of the amount of grant funds received under this section for the administration of the grant, including planning, administration, evaluation, and annual reporting.

(g) **MAINTENANCE OF EFFORT.**—A State is entitled to receive its full allotment of funds under this section for any fiscal year if the Secretary finds that the aggregate expenditures within the State for quality programs of early childhood home visitation, for the fiscal year preceding the fiscal year for which the determination is made was not less than 100 percent of such aggregate expenditures for the second fiscal year preceding the fiscal year for which the determination is made.

(h) **REPORTING REQUIREMENTS.**—Each State that receives a grant under this section shall submit an annual report to the Secretary regarding the State's progress in addressing the purposes of this Act. Such report shall include, at a minimum, a description of—

(1) the actual services delivered under the grant, including—

(A) the program characteristics, including descriptive information on the service models used and the actual program performance;

(B) the characteristics of the providers involved, including staff qualifications, work experience, and demographic characteristics; and

(C) the characteristics of the recipient of services under the program, including the number of recipients, their demographic characteristics, and family retention;

(2) recipient outcomes that are consistent with program goals, including, where appropriate based on the outcomes being evaluated a description of—

(A) affected parental practices;

(B) child health, cognitive, language, social-emotional, and physical developmental indicators;

(C) child maltreatment indicators, including prevention strategies;

(D) school readiness indicators; and

(E) links to community services;

(3) the research-based instruction, materials, and activities being used in the activities funded under the grant;

(4) the effectiveness of the training and ongoing professional development provided—

(A) to staff supported under the grant; and

(B) to the broader early childhood community;

(5) beginning at the end of the second year of the grant, the results of evaluations described in subsection (c)(4)(G); and

(6) the annual program implementation costs, including the cost for each family served under the program.

#### SEC. 5. STRENGTHENING EARLY HEAD START HOME VISITATION.

Section 645A of the Head Start Act (42 U.S.C. 9840a) is amended—

(1) in subsection (b)—

(A) in paragraph (4), by striking “provide services to parents to support their role as parents” and inserting “provide additional services to parents to support their role as parents (including training in parenting skills, basic child development, and sensitivity to cultural variations in parenting norms and attitudes toward formal supports)”;

(B) in paragraph (5)—

(i) by inserting “(including home-based services)” after “with services”; and

(ii) by inserting “. and family support services” after “health services”;

(C) by redesignating paragraphs (7), (8), and (9) as paragraphs (9), (10), and (11), respectively; and

(D) by inserting after paragraph (6) the following:

“(7) develop and implement a systematic procedure for transitioning children and parents from an Early Head Start program into a Head Start program or another local early childhood education program;

“(8) establish channels of communication between staff of Early Head Start programs and staff of Head Start programs or other local early childhood education programs, to facilitate the coordination of programs.”;

(2) in subsection (g)(2)(B), by striking clause (iv) and inserting the following:

“(iv) providing professional development and personnel enhancement activities, including the provision of funds to recipients of grants under subsection (a), relating to effective methods of conducting parent education, home visiting, and promoting quality early childhood development.”; and

(3) by adding at the end the following:

“(h) **STAFF QUALIFICATIONS AND DEVELOPMENT.**—

“(1) **HOME VISITOR STAFF.**—

“(A) **STANDARDS.**—In order to further enhance the quality of home visiting services provided to families of children participating in home-based, center-based, or combination program options under this subchapter, the Secretary shall establish standards for training, qualifications, and the conduct of home visits for home visitor staff in Early Head Start programs.

“(B) **CONTENTS.**—The standards for training, qualifications, and the conduct of home visits shall include content related to—

“(i) structured child-focused home visiting that promotes parents' ability to support the child's cognitive, social, emotional, and physical development;

“(ii) effective strengths-based parent education, including methods to encourage parents as their child's first teachers;

“(iii) early childhood development with respect to children from birth through age 3;

“(iv) methods to help parents promote emergent literacy in their children from birth through age 3;

“(v) ascertaining what health and developmental services the family involved receives and working with the service providers to eliminate gaps in services by offering annual health, vision, hearing, and developmental screenings for children from birth through entry into kindergarten, when needed;

“(vi) strategies for helping families coping with crisis; and

“(vii) the relationship of health and well-being of pregnant women to prenatal and early child development.”.

#### SEC. 6. TARGETED GRANTS FOR EARLY CHILDHOOD HOME VISITATION FOR FAMILIES WITH ENGLISH LANGUAGE LEARNERS.

(a) **IN GENERAL.**—The Secretary, in collaboration with the Secretary of Education, shall make grants, on a competitive basis, to eligible applicants to enable such applicants to support and expand local efforts to deliver services under quality programs of early childhood home visitation, to eligible families with English language learners.

(b) **ELIGIBLE APPLICANT.**—In this section, the term “eligible applicant” means—

(1) 1 or more local educational agencies (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)); and

(2) 1 or more public or private community-based organizations or agencies that serve eligible families and are capable of establishing and implementing programs of early childhood home visitation.

(c) **APPLICATIONS.**—An eligible applicant that desires to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. The application shall include a description of—

(1) the results of a community wide needs assessment that describes—

(A) community demographics demonstrating the need for outreach and services to eligible families with English language learners;

(B) the quality, capacity, and existing programs of early childhood home visitation for eligible families with English language learners;

(C) the gaps in programs of early childhood home visitation for eligible families with English language learners; and

(D) the type of program of early childhood home visitation necessary to address the gaps identified;

(2) the program of early childhood home visitation that will be supported by the grant under this section;

(3) how the proposed program of early childhood home visitation will promote positive parenting skills and children's early learning and development;

(4) how the proposed program of early childhood home visitation will incorporate the authorized activities described in subsection (f);

(5) how services provided through a grant under this section will use materials that are geared toward eligible families with English language learners;

(6) how the activities under this section will build upon and promote coordination among existing programs of early childhood home visitation, if such programs exist in the community, in an effort to promote an array of home visitation that ensures more eligible families with English language learners are being served and are getting the most appropriate services to meet their needs;

(7) how the program will ensure that—

(A) eligible families with English language learners are linked to schools; and

(B) the activities under this section will support the preparation of children for school;

(8) how channels of communication will be established between staff of programs of early childhood home visitation and staff of other early childhood education programs, such as Head Start programs carried out under the Head Start Act (42 U.S.C. 9831 et seq.) and Early Head Start programs carried out under section 645A of such Act, preschool programs, and child care programs, to facilitate the coordination of services for eligible families with English language learners;

(9) how eligible families with English language learners will be recruited and retained to receive services under this section;

(10) how training and technical assistance will help the staff of programs of early childhood home visitation involved in activities under this section to more effectively serve eligible families with English language learners;

(11) how the eligible applicant will evaluate the activities supported under this section in order to demonstrate outcomes related to the—

(A) increase in number of eligible families with English language learners served by programs of early childhood home visitation;

(B) enhancement of participating parents' knowledge of early learning and development;

(C) enhancement of positive parenting practices related to early learning and development; and

(D) enhancement of children's cognitive, language, social-emotional, and physical development; and

(12) such other information as the Secretary may require.

(d) APPROVAL OF APPLICATIONS.—

(1) IN GENERAL.—The Secretary shall select applicants for funding under this section based on the quality of the applications and the recommendations of a peer review panel, as described in paragraph (2).

(2) PEER REVIEW PANEL.—The peer review panel shall include not less than—

(A) 2 individuals who are experts in the field of home visitation;

(B) 2 individuals who are experts in early childhood development;

(C) 2 individuals who are experts in serving eligible families with English language learners;

(D) 1 individual who is a board certified pediatrician or a developmental pediatrician; and

(E) 1 individual with experience in administering public or private (including community-based) child maltreatment prevention programs.

(e) DURATION OF GRANTS.—Grants made under this section shall be for a period of no more than 3 years.

(f) AUTHORIZED ACTIVITIES.—Each eligible applicant that receives a grant under this section shall carry out the following activities:

(1) Providing to as many eligible families with English language learners as practicable, voluntary early childhood home visitation, on not less frequently than a monthly basis, through the implementation of

other quality programs of early childhood home visitation that are research-based, that provide parents with—

(A) knowledge of age appropriate child development in cognitive, language, social-emotional, and motor domains;

(B) knowledge of realistic expectations of age-appropriate child behaviors;

(C) knowledge of health and wellness issues for children and parents;

(D) modeling, consulting, and coaching on parenting practices;

(E) skills to interact with their child to enhance age-appropriate development;

(F) skills to recognize and seek help for health issues and developmental delays, and social, emotional, and behavioral skills; and

(G) activities designed to help parents become full partners in the education of their children.

(2) Activities to ascertain what health and developmental services families receive and working with service providers to eliminate gaps in service by offering an annual health, vision, hearing, and developmental screening for children from birth through their entry into kindergarten.

(3) Providing referrals for participating eligible families with English language learners, as needed, to additional resources available in the community, such as center-based early education programs, child care services, health or mental health services, family literacy programs, employment agencies, social services, and child care resource and referral agencies.

(4) Offering group meetings (at program discretion), on not less frequently than a monthly basis, for eligible families with English language learners that—

(A) further enhance the information, activities, and skill-building addressed during home visitation;

(B) offer opportunities for parents to meet with and support each other; and

(C) address challenges facing eligible families with English language learners.

(5) Providing training and technical assistance to early childhood home visitation and early childhood care and education staff relating to—

(A) effective service to eligible families with English language learners, including skills to address challenges facing English language learners;

(B) effective methods of implementing parent education, conducting home visitation, and promoting quality early childhood development, with sensitivity to cultural variations in parenting norms and attitudes toward formal support services;

(C) the relationship of health and well-being of pregnant women to prenatal and early child development;

(D) early childhood development with respect to children from birth until entry into kindergarten;

(E) methods to help parents promote emergent literacy in their children from birth until entry into kindergarten;

(F) implementing strategies for helping eligible families with English language learners coping with a crisis;

(G) recruiting, supervising, and retaining qualified staff;

(H) increasing services for underserved eligible families with English language learners;

(I) methods to help parents effectively respond to their children's needs and behaviors; and

(J) implementation of ongoing program quality improvement and evaluation of activities and outcomes.

(6) Coordinating existing programs of early childhood home visitation in order to effectively and efficiently meet the needs of more

eligible families with English language learners.

(g) REPORTING REQUIREMENTS.—The recipient of a grant under this section shall submit to the Secretary an annual report concerning the progress of the program conducted by the recipient in addressing the purposes of this Act. Each such report shall, at a minimum, include a description of—

(1) the actual service delivery provided for under the grant, including—

(A) program characteristics that include descriptive information on the service model used under the program and actual program performance;

(B) the characteristics of service providers under the program that include staff qualifications, work experience, and demographic characteristics;

(C) the characteristics of recipients of services under the program that include the number, demographic characteristics, and family retention under the program; and

(D) an estimate of the annual program implementation costs;

(2) with respect to recipients of services under the program, whether such services were provided in a manner consistent with program goals including, where appropriate—

(A) parental practices;

(B) child health and development indicators;

(C) child maltreatment indicators;

(D) school readiness indicators; and

(E) links to community services;

(3) the research-based instruction, materials, and activities being used in the activities conducted under the program; and

(4) the effectiveness of the training and ongoing professional development provided—

(A) to the staff supported under the program; and

(B) to the affected early childhood community.

(h) SUPPLEMENT NOT SUPPLANT.—Grant funds provided under this section shall be used to supplement, and not supplant, Federal and non-Federal funds available for carrying out the activities described in this section.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$50,000,000 for the period of fiscal years 2008 through 2010.

## SEC. 7. TARGETED GRANTS FOR EARLY CHILDHOOD HOME VISITATION FOR MILITARY FAMILIES.

(a) IN GENERAL.—The Secretary of Defense, in collaboration with the Secretary of Education, shall make grants, on a competitive basis, to eligible applicants to enable such applicants to support and expand efforts to deliver services under quality programs of early childhood home visitation, to eligible families with a family member in the Armed Forces.

(b) ELIGIBLE APPLICANT.—In this section, the term "eligible applicant" means any of the following:

(1) A local educational agency that receives payments under title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.).

(2) A school of the defense dependents' education system under the Defense Dependents' Education Act of 1978 (20 U.S.C. 921 et seq.).

(3) A school established under section 2164 of title 10, United States Code.

(4) A community-based organization serving families with a family member in the Armed Forces.

(c) APPLICATIONS.—An eligible applicant that desires to receive a grant under this section shall submit an application to the Secretary of Defense at such time, in such manner, and containing such information as the Secretary of Defense may require. The application shall include a description of—

(1) the results of a community wide needs assessment that describes—

(A) community demographics demonstrating the need for outreach and services to eligible families with a family member in the Armed Forces;

(B) the quality, capacity, and existing programs of early childhood home visitation for eligible families with a family member in the Armed Forces;

(C) the gaps in programs of early childhood home visitation for eligible families with a family member in the Armed Forces; and

(D) the type of program of early childhood home visitation necessary to address the gaps identified;

(2) the program of early childhood home visitation that will be supported by the grant under this section;

(3) how the proposed program of early childhood home visitation will promote positive parenting skills and children's early learning and development;

(4) how the proposed program of early childhood home visitation will incorporate the authorized activities described in subsection (f);

(5) how services provided through a grant under this section will use materials that are geared toward eligible families with a family member in the Armed Forces;

(6) how the activities under this section will build on and promote coordination with existing programs of early childhood home visitation, if such programs exist in the community, in an effort to promote an array of home visitation that ensures more eligible families with a family member in the Armed Forces are being served and are getting the most appropriate services to meet their needs;

(7) how the program will ensure that—

(A) eligible families with a family member in the Armed Forces are linked to schools; and

(B) the activities under this section will support the preparation of children for school;

(8) how channels of communication will be established between staff of programs of early childhood home visitation and staff of other early childhood education programs, such as Head Start programs carried out under the Head Start Act (42 U.S.C. 9831 et seq.) and Early Health State programs carried out under section 645A of such Act, preschool programs, family support programs, and child care programs, to facilitate the coordination of services for eligible families with a family member in the Armed Forces;

(9) how eligible families with a family member in the Armed Forces will be recruited and retained to receive services under this section;

(10) how training and technical assistance will help staff of programs of early childhood home visitation involved in activities under this section to more effectively serve eligible families with a family member in the Armed Forces;

(11) how the eligible applicant will evaluate the activities supported under this section in order to demonstrate outcomes related to the—

(A) increase in number of eligible families with a family member in the Armed Forces served by programs of early childhood home visitation;

(B) enhancement of participating parents' knowledge of early learning and development;

(C) enhancement of positive parenting practices related to early learning and development; and

(D) enhancement of children's cognitive, language, social-emotional, and physical development; and

(12) such other information as the Secretary of Defense may require.

(d) APPROVAL OF LOCAL APPLICATIONS.—

(1) IN GENERAL.—The Secretary of Defense shall select applicants for funding under this section based on the quality of the applications and the recommendations of a peer review panel, as described in paragraph (2).

(2) PEER REVIEW PANEL.—The peer review panel shall include not less than—

(A) 2 individuals who are experts in the field of home visitation;

(B) 2 individuals who are experts in early childhood development;

(C) 2 individuals who are experts in family support for military families;

(D) 1 individual who is a board certified pediatrician; and

(E) 1 individual with expertise in administering public or private (including community-based) child maltreatment prevention programs; and

(e) DURATION OF GRANTS.—Grants made under this section shall be for a period of no more than 3 years.

(f) AUTHORIZED ACTIVITIES.—Each eligible applicant that receives a grant under this section shall carry out the following activities:

(1) Providing to as many eligible families with a family member in the Armed Forces as practicable, voluntary early childhood home visitation, on not less frequently than a monthly basis, through the implementation of quality programs of early childhood home visitation that are research-based, that provide parents with—

(A) knowledge of age appropriate child development in cognitive, language, social-emotional, and motor domains;

(B) knowledge of realistic expectations of age-appropriate child behaviors;

(C) knowledge of health and wellness issues for children and parents;

(D) modeling, consulting, and coaching on parenting practices;

(E) skills to interact with their child to enhance age-appropriate development;

(F) skills to recognize and seek help for health issues and developmental delays, and social, emotional, and behavioral skills; and

(G) activities designed to help parents become full partners in the education of their children.

(2) Ascertaining what health and development services the family receives under the program and working with service providers to eliminate gaps in service by offering annual health, vision, hearing, and developmental screening for participating children.

(3) Providing referrals for participating eligible families with a family member in the Armed Forces, as needed, to additional resources available in the community, such as center-based early education programs, child care services, health or mental health services, family literacy programs, employment agencies, social services, and child care resource and referral agencies.

(4) Offering group meetings (at the discretion of the program), on not less frequently than a monthly basis, for eligible families with a family member in the Armed Forces that—

(A) further enhance the information, activities, and skill-building addressed during home visitation;

(B) offer opportunities for parents to meet with and support each other; and

(C) address challenges facing eligible families with a family member in the Armed Forces.

(5) Providing training and technical assistance to early childhood home visitation and early childhood care and education staff relating to—

(A) effective service to eligible families with a family member in the Armed Forces;

(B) effective methods of conducting parent education, home visiting, and promoting quality early childhood development, with sensitivity to cultural variations in parenting norms and attitudes toward formal support services;

(C) the relationship of health and well-being of pregnant women to prenatal and early child development;

(D) early childhood development with respect to children from birth until entry into kindergarten;

(E) methods to help parents promote emergent literacy in their children from birth until entry into kindergarten;

(F) implementing strategies for helping eligible families with a family member in the Armed Forces coping with crisis;

(G) recruiting, supervising, and retaining qualified staff;

(H) increasing services for underserved eligible families with a family member in the Armed Forces;

(I) methods to help parents effectively respond to their children's needs and behaviors; and

(J) implementation of ongoing program quality improvement and evaluation of activities and outcomes.

(6) Coordinating existing programs of early childhood home visitation in order to effectively and efficiently meet the needs of more eligible families with a family member in the Armed Forces.

(g) REPORTING REQUIREMENTS.—The recipient of a grant under this section shall submit to the Secretary an annual report concerning the progress of the program conducted by the recipient in addressing the purposes of this Act. Each such report shall, at a minimum, include a description of—

(1) the actual service delivery provided for under the grant, including—

(A) program characteristics that include descriptive information on the service model used under the program and actual program performance;

(B) the characteristics of service providers under the program that include staff qualifications, work experience, and demographic characteristics;

(C) the characteristics of recipients of services under the program that include the number, demographic characteristics, and family retention under the program; and

(D) an estimate of the annual program implementation costs;

(2) with respect to recipients of services under the program, whether such services were provided in a manner consistent with program goals including, where appropriate—

(A) parental practices;

(B) child health and development indicators;

(C) child maltreatment indicators;

(D) school readiness indicators; and

(E) links to community services;

(3) the research-based instruction, materials, and activities being used in the activities conducted under the program; and

(4) the effectiveness of the training and ongoing professional development provided—

(A) to the staff supported under the program; and

(B) to the affected early childhood community.

(h) SUPPLEMENT NOT SUPPLANT.—Grant funds provided under this section shall be used to supplement, and not supplant, Federal and non-Federal funds available for carrying out the activities described in this section.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$50,000,000 for the period of fiscal years 2008 through 2010.

**SEC. 8. EVALUATION.**

(a) **IN GENERAL.**—From funds reserved under section 6(b)(1)(A), the Secretary shall conduct an independent evaluation of the effectiveness of this Act.

**(b) REPORTS.**

(1) **INTERIM REPORT.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit an interim report on the evaluation conducted pursuant to subsection (a) to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives.

(2) **FINAL REPORT.**—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit a final report on the evaluation conducted pursuant to subsection (a) to the committees described in paragraph (1).

(c) **CONTENTS.**—The reports submitted under subsection (b) shall include information on the following:

(1) How the grant funds have expanded access to early childhood home visitation in a manner that demonstrates that programs under this Act reflect the quality indicators under this Act.

(2) How the States are documenting compliance with the service delivery indicators under this Act across all entities carrying out programs under this Act with emphasis on the number of families served and the level of service received.

(3) How the services provided under State programs affect outcomes consistent with programs goals, including, where appropriate based on the program being evaluated, parenting practices, child health and development, child maltreatment, school readiness, and links to community services.

(4) The effectiveness of early childhood home visitation on different populations, including the extent to which variability exists in program ability to improve outcomes across programs and populations, such as families with English language learners and families with a family member in the Armed Forces.

(5) The effectiveness of the training and technical assistance activities funded under this Act, including the effects of training and technical assistance activities on program performance and agency-level collaboration.

(6) Recommendations on strengthening or modifying this Act.

**SEC. 9. SUPPORTING NEW PARENTS THROUGH HOSPITAL EDUCATION.**

(a) **IN GENERAL.**—The Secretary of Health and Human Services (referred to in this section as the “Secretary”) shall develop and implement a public information and educational campaign to inform the public and new parents about the importance of proper care for infants and children under 5 years of age, including healthy parent-child relationships, the demands and stress associated with caring for infants, positive responses to infants’ challenging behaviors including awareness of their social, emotional, and physical needs, awareness of the vulnerability of young children to abusive practices, and the signs and treatment of postpartum depression.

**(b) ELEMENTS.**

(1) **IN GENERAL.**—The campaign developed under subsection (a) shall include the following elements:

(A) The dissemination of educational and informational materials in print, audio, video, electronic, and other media

(B) The use of public service announcements and advertisements

(C) The dissemination of effective child abuse prevention practices and techniques, including information about research-based home visiting programs, respite care, crisis

nurseries, and patent support networks, to parents, caregivers, maternity hospitals, children’s hospitals, pediatricians, child care centers, organizations providing prenatal and postnatal care, and organizations providing parenting education and support services.

(D) Connection to existing parental involvement programs.

(2) **PREVENTION PRACTICES.**—In carrying out paragraph (1)(C) through the campaign under subsection (a), the Secretary shall ensure that every hospital, military hospital, and birth center receiving these materials requests that each maternity patient and father of a newborn child, if available, participate in a single session parenting class, that is approved by the Secretary, on the vulnerabilities of their infant to abusive practices, as well as the importance of proper care for infants and young children, and the symptoms of abusive head and other injuries, and strategies for caring for infants’ social, emotional, and physical needs. After participating in the class, the hospital or birth center shall request that such patient or father sign a form stating that they have participated or refused to participate in the parenting class.

(3) **EXISTING PROGRAMS.**—The implementation and execution of the public information and educational campaign under this section should seek collaboration with and referrals to existing parental involvement programs that specialize in strengthening children’s cognitive skills, early literacy skills, social or emotional and physical development and existing prenatal and early childhood home visit programs.

(4) **EXISTING STATE REQUIREMENTS.**—The implementation and execution of the public information and educational campaign under this section should encourage the Secretary to work with pre-existing State requirements to ensure that no unnecessary burdens are placed on hospitals, military hospitals, and birth centers receiving educational materials.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated such sums as may be necessary to carry out this section for fiscal year 2008.

By Mr. REED (for himself and Mr. ISAKSON):

S. 668. A bill to require the Food and Drug Administration to conduct consumer testing to determine the appropriateness of the current labeling requirements for indoor tanning devices and determine whether such requirements provide sufficient information to consumers regarding the risks that the use of such devices pose for the development of irreversible damage to the skin, including skin cancer, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I join Senator ISAKSON in introducing the Tanning Accountability and Notification (TAN) Act.

Approximately 1 in 5 Americans will develop skin cancer in their lifetime. While the decline in cancer deaths reported earlier this year is an indication that we are starting to turn the corner on our fight against cancer, approximately 1 million people will be diagnosed with skin cancer and 10,850 are expected to die in 2007 alone.

There are many factors that contribute to these startling figures. In re-

cent years efforts have been undertaken by various organizations to better inform the public about the risk of sun exposure and ways to decrease the chance of developing skin cancer. One area, however, where better information is sorely needed is on the use of indoor tanning salons.

Every day approximately 1 million people visit a tanning salon. It is a practice particularly popular among teens, the group that seems most at risk from the effects of indoor tanning. The American Academy of Dermatology, the Food and Drug Administration, FDA, the National Institutes of Health, NIH, the Centers for Disease Control and Prevention, CDC, and the World Health Organization, WHO, all discourage the use of indoor tanning equipment.

This message and the current information about the risks of indoor tanning I fear are not being adequately passed on to consumers. The FDA has not updated its warnings on tanning beds since 1979. Regular users of indoor tanning beds deserve to be fully informed.

The TAN Act calls upon the FDA to revisit the current label on indoor tanning beds and determine through a process of public hearings and consumer testing what kind of labeling requirements would convey important information on the risks of indoor tanning.

This legislation is not about introducing new regulations but ensuring that the current FDA regulations remain effective in communicating accurate, current, and clear information to consumers about indoor tanning salons.

I look forward to working with my colleagues toward passage of this bipartisan legislation. I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 668

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Tanning Accountability and Notification Act of 2007”.

**SEC. 2. REPORT BY FOOD AND DRUG ADMINISTRATION REGARDING LABELING INFORMATION ON RELATIONSHIP BETWEEN USE OF INDOOR TANNING DEVICES AND DEVELOPMENT OF SKIN CANCER OR OTHER SKIN DAMAGE.**

(a) **IN GENERAL.**—The Secretary of Health and Human Services (referred to in this section as the “Secretary”), acting through the Commissioner of Food and Drugs, shall determine—

(1) whether the labeling requirements for indoor tanning devices, including the positioning requirements, provide sufficient information to consumers regarding the risks that the use of such devices pose for the development of irreversible damage to the eyes and skin, including skin cancer; and

(2)(A) whether adding the warning suggested by the American Academy of Dermatology to the current warning label, or any



other additional warning, would communicate the risks of indoor tanning more effectively; or

(B) whether there is no warning that would be capable of adequately communicating such risks.

(b) CONSUMER TESTING.—In making the determinations under subsection (a), the Secretary shall conduct appropriate consumer testing, using the best available methods for determining consumer understanding of label warnings.

(c) PUBLIC HEARINGS; PUBLIC COMMENT.—The Secretary shall hold public hearings and solicit comments from the public in making the determinations under subsection (a).

(d) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to the Congress a report that provides the determinations under subsection (a). In addition, the Secretary shall include in the report the measures being implemented by the Secretary to significantly reduce the risks associated with indoor tanning devices.

By Mr. AKAKA (for himself, Mr. REID, Mr. INOUE, Mrs. BOXER, Ms. CANTWELL, and Mr. KENNEDY):

S. 671. A bill to exempt children of certain Filipino World War II veterans from the numerical limitations on immigrant visas; to the Committee on the Judiciary.

Mr. AKAKA. Mr. President. I rise today with my distinguished colleagues Senators HARRY REID, DANIEL INOUE, BARBARA BOXER, MARIA CANTWELL, and EDWARD KENNEDY to introduce a bill which will award special immigrant status to the children of naturalized Filipino veterans who fought in World War II thereby allowing these veterans to become reunited with their families.

With the passage of the Immigration Act of 1990, the courage of many Filipino soldiers who fought alongside our troops during World War II was finally honored and acknowledged by our government and they were offered the opportunity to obtain U.S. citizenship. However, the Act did not extend this opportunity to the sons and daughters of these veterans. As a result, many of the brave men who defended this Nation may spend the last years of their lives without the comfort and care of their families.

For over twenty years, many of the sons and daughters of these soldiers have been waiting to obtain immigrant visas. While some have been fortunate enough to have their visas approved, other are still waiting because of a backlog. This is unacceptable. My legislation will finally allow them to reunite with their elderly parents.

I urge my Senate colleagues to honor the sacrifices of these brave men by supporting this bill and allowing those who have served our country so valiantly to have their families by their side for the remainder of their years.

By Mr. SALAZAR (for himself and Mr. SMITH):

S. 672. A bill to amend the Internal Revenue Code of 1986 to provide tax-exempt financing for qualified renewable energy facilities, and for other purposes; to the Committee on Finance.

By Mr. SALAZAR (for himself, Mr. SMITH, Mr. DORGAN, and Mr. CRAIG):

S. 673. A bill to amend the Internal Revenue Code of 1986 to provide credits for the installation of wind energy property, including by rural homeowners, farmers, ranchers, and small businesses, and for other purposes; to the Committee on Finance.

Mr. SALAZAR. Mr. President, today I am introducing two bills that will help drive the renewable energy revolution that is currently underway in our rural communities. The Rural Community Renewable Energy Bonds Act, which I am introducing with Senator SMITH, and the Rural Wind Energy Development Act, which I am introducing with Senators SMITH, DORGAN and CRAIG, will help spur much needed private investment in renewable energy infrastructure in rural areas.

I have spoken countless times about the great possibilities that rural America holds for our Nation's energy future. I have also expressed my alarm at how our rising dependence on foreign oil is undermining our security and our interests around the world.

How do we build a more energy secure economy—one that is less vulnerable to wild swings in oil prices, political instability, and supply disruptions? Unfortunately, we don't have the resources in this country to drill our way to energy independence. We do, however, have the most productive lands in the world, and the most productive farmers, ranchers, engineers and entrepreneurs in the world. If we give them the right tools, they can build a new, clean energy economy that will rely heavily on biofuels, wind power, solar energy, and alternative sources.

If you spend time in places like Prowers County or Alamosa County, you see that a clean energy revolution is already underway in our heartland. In these rural communities, like so many across the country, people are banding together to build small biofuels plants, solar farms, and wind turbines. These projects are already underway, and they are the seeds for a full-blown clean energy revolution in rural America.

The farmers, ranchers, and entrepreneurs who are behind these projects want to be a part of the solution to our Nation's energy challenges. They also understand that home-grown energy can revitalize the Main Streets that have been boarded up in the last few years.

The bills I am introducing today provide tools that rural communities can use to build a renewable energy economy.

The first bill, the Renewable Energy Bonds Act, provides incentives for investment in wind and other renewable energy projects by giving private developers access to tax-exempt bond markets.

Currently, the Federal tax code only allows municipal and public entities

access to tax-exempt bond markets for wind and other renewable energy projects. Private developers, who are more likely to invest in smaller projects and who are currently responsible for nearly 75 percent of current renewable energy development, are not eligible to use these federally tax-exempt bonds.

This is unfortunate because these are the same small developers who don't benefit much from the production tax credit, as their Federal tax liabilities usually aren't big enough to reap the tax credit's benefits.

Renewable energy bonds make sense for these small developers and, because they cost the Federal Government less than the production tax credit, they also make sense from a fiscal perspective. This bill may actually save the Government money.

The second bill I am introducing, the Rural Wind Energy Development Act, would extend the production tax credit to include small wind systems. We have made great strides in wind development over the last few years, as evidenced by wind energy's growing availability to Colorado consumers.

The trouble is that the existing production tax credit only benefits larger producers that want to build wind farms with million-dollar turbines. Small businesses, towns, farms, and families aren't given the same incentive to produce their own renewable power from smaller, more affordable turbines.

This is unfortunate because the National Renewable Energy Lab in Golden, Colorado, and others are making great strides in the development of small wind systems that can be installed on homes and businesses. The system now available costs around \$50,000 for 10kW of capacity.

That's a steep investment for any family or any business. But our bill, by providing a tax incentive for their purchase, would not only reduce the cost, but it would create more market certainty for manufacturers of small wind systems. With more systems in production, costs will fall further and small wind will be a real option for more people.

The bill is simple: it creates a five year tax credit of \$1500 per half-kW. There is no cap for the purchase and installation of small wind systems, so long as they are smaller than 100kW. It will put more small wind systems on the market and it will give consumers more choices of how to power their homes and businesses.

I'm proud to introduce these bills with my colleagues because they represent two more building blocks for a new, clean energy economy and because they will help revitalize a rural America that has been forgotten for too long.

I hope we can move these straightforward, bipartisan solutions through as quickly as possible.

By Mr. HARKIN (for himself, Mr. GRASSLEY, Mr. COCHRAN, Mr.

DODD, Mr. DURBIN, Mr. KERRY, Mr. KOHL, Mrs. MURRAY, Mr. ROCKEFELLER, Ms. SNOWE, and Ms. STABENOW):

S. 675. A bill to provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. HARKIN. Mr. President, today I am introducing legislation, the Training for Realtime Writers Act of 2007, on behalf of myself and my colleagues, Senators GRASSLEY, COCHRAN, DODD, DURBIN, KERRY, KOHL, MURRAY, ROCKEFELLER, SNOWE and STABENOW.

The 1996 Telecom Act required that all television broadcasts were to be captioned by 2006 and all Spanish language programming was to be captioned by 2010. This was a much needed reform that has helped millions of deaf and hard-of-hearing Americans to be able to take full advantage of television programming. And now the first deadline has passed. On January 1, the Federal Communications Commission (FCC) began fining stations for not captioning.

Unfortunately, the United States has fallen behind in training captioners. We must jump start training programs to supply captioning for the many broadcasters just realizing their obligation now. And looking forward, we need to get students in the pipeline now to begin to address the need for Spanish language broadcasting.

This is an issue that I feel very strongly about because my late brother, Frank, was deaf. I know personally that access to culture, news, and other media was important to him and to others in achieving a better quality of life. More than 30 million Americans are considered deaf or hard of hearing and many require captioning services to participate in mainstream activities. In 1990, I authored legislation that required all television sets to be equipped with a computer chip to decode closed captioning. This bill completes the promise of that technology, affording deaf and hard of hearing Americans the same equality and access that captioning provides.

With baby boomers aging, the percentage of the population with hearing loss is increasing dramatically and will continue to outpace population growth for the next decade. But let me emphasize that the deaf and hard of hearing population is only one of a number of groups that will benefit from the legislation. The audience for captioning also includes individuals seeking to acquire or improve literacy skills, including approximately functionally illiterate adults, immigrants learning English as a second language, and children learning to read. Empirical research studies have been conducted repeatedly since 1988 to demonstrate that captions improve the performance of individuals learning to read English.

I see people using closed captioning to stay informed everywhere—from the gym to the airport. Here in the Senate, I would wager that many individuals on our staff have the captioning turned on right now to follow what is happening on the Senate floor while they go about conducting the meetings and phone calls that advance legislation. Captioning helps people educate themselves and helps all of us stay informed and entertained when audio isn't the most appropriate medium.

Although the 2006 deadline has passed, our nation is facing a serious shortage of captioners. The rate of job placement upon graduation nears 100 percent. In addition, the majority of closed captioners are independent contractors. They are the small businesses that run the American economy and we should do everything we can to promote the creation and support of those businesses.

That is why my colleagues and I are re-introducing this vital piece of legislation. The Training for Realtime Writers Act of 2007 would establish competitive grants to be used toward training real time captioners. This is necessary to ensure that we meet the promises we made in the 1996 Telecom Act.

The Senate Commerce Committee reported this bill unanimously in the last two sessions, the full Senate has passed this Act without objection three times now, and we stand here today, once again at the beginning of the process. I am hopeful that this will be the Congress moves our country forward on this accessibility issue. I ask my colleagues to join us once again in support of this legislation and join us in our effort to win its passage into law.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 85—EX-PRESSING THE SENSE OF THE SENATE REGARDING THE CREATION OF REFUGEE POPULATIONS IN THE MIDDLE EAST, NORTH AFRICA, AND THE PERSIAN GULF REGION AS A RESULT OF HUMAN RIGHTS VIOLATIONS

Mr. LAUTENBERG (for himself, Mr. LOTT, Mr. DURBIN, and Mr. COLEMAN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 85

Whereas armed conflicts in the Middle East have created refugee populations numbering in the hundreds of thousands and comprised of peoples from many ethnic, religious, and national backgrounds;

Whereas Jews and other ethnic groups have lived mostly as minorities in the Middle East, North Africa, and the Persian Gulf region for more than 2,500 years;

Whereas the United States has long voiced its concern about the mistreatment of minorities and the violation of human rights in the Middle East and elsewhere;

Whereas the United States continues to play a pivotal role in seeking an end to con-

flict in the Middle East and continues to promote a peace that will benefit all the peoples of the region;

Whereas a comprehensive peace in the Middle East region will require the resolution of all outstanding issues through bilateral and multilateral negotiations involving all concerned parties;

Whereas the United States has demonstrated interest and concern about the mistreatment, violation of rights, forced expulsion, and expropriation of assets of minority populations in general, and in particular, former Jewish refugees displaced from Arab countries, as evidenced by—

(1) a statement made by President William J. Clinton in an interview after Camp David II in July 2000, at which the issue of Jewish refugees displaced from Arab lands was discussed, where he said that “[t]here will have to be some sort of international fund set up for the refugees. There is, I think, some interest, interestingly enough, on both sides, in also having a fund which compensates the Israelis who were made refugees by the war, which occurred after the birth of the State of Israel. Israel is full of people, Jewish people, who lived in predominantly Arab countries who came to Israel because they were made refugees in their own land.”;

(2) a statement made by President Carter after negotiating the Camp David Accords, the Framework for Peace in the Middle East, where he stated in a press conference on October 27, 1977, that “Palestinians have rights . . . obviously there are Jewish refugees . . . they have the same rights as others do”;

(3) section 620 of H.R. 3100, 100th Congress, which states that Congress finds that “with the notable exceptions of Morocco and Tunisia, those Jews remaining in Arab countries continue to suffer deprivations, degradations, and hardships, and continue to live in peril” and that Congress calls upon the governments of those Arab countries where Jews still maintain a presence to guarantee their Jewish citizens full civil and human rights, including the right to lead full Jewish lives, free of fear, with freedom to emigrate if they so choose; and

(4) Senate Resolution 76, 85th Congress, introduced by Senator William E. Jenner on January 29, 1957, which—

(A) noted that individuals in Egypt who are tied by race, religion, or national origin with Israel, France, or the United Kingdom have been subjected to arrest, denial or revocation of Egyptian citizenship, expulsions, forced exile, sequestration and confiscation of assets and property, and other punishments without being charged with a crime; and

(B) requested the President to instruct the chief delegate to the United Nations to urge the prompt dispatch of a United Nations observer team to Egypt with the objective of obtaining a full factual report concerning the violation of rights;

Whereas the international definition of a refugee clearly applies to Jews who fled the persecution of Arab regimes, where a refugee is a person who “owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country” (Convention relating to the Status of Refugees, done at Geneva July 28, 1951, and entered into force April 22, 1954 (189 UNTS 150));

Whereas the United Nations High Commissioner for Refugees (UNHCR) determined that Jews fleeing from Arab countries were refugees that fell within the mandate of the UNHCR, namely—

(1) when in his first statement as newly elected High Commissioner, Mr. Auguste Lindt, at the January 29, 1957, meeting of the United Nations Refugee Fund (UNREF) Executive Committee in Geneva, stated, "There is already now another emergency problem arising. Refugees from Egypt. And there is no doubt in my mind that those of those refugee who are not able or not willing to avail themselves of the protection of the Government of their nationality, they might have no nationality or they may have lost this nationality, or, for reasons of prosecution may not be willing to avail themselves of this protection, fall under the mandate of the High Commissioner." (United Nations High Commissioner for Refugees, Report of the UNREF Executive Committee, Fourth Session—Geneva 29 January to 4 February, 1957); and

(2) Dr. E. Jahn, on behalf of the United Nations High Commissioner for Refugees, wrote to Daniel Lack, Legal Adviser to the American Joint Distribution Committee, stating, "I refer to our recent discussion concerning Jews from Middle Eastern and North African countries in consequence of recent events. I am now able to inform you that such persons may be considered *prima facie* within the mandate of this Office." (United Nations High Commissioner for Refugees Document No. 7/2/3/Libya);

Whereas the seminal United Nations resolution on the Arab-Israeli conflict and other international initiatives refer generally to the plight of "refugees" and do not make any distinction between Palestinian and Jewish refugees, such as—

(1) United Nations Security Council Resolution 242 of November 22, 1967, which calls for a "just settlement of the refugee problem" without distinction between Palestinian and Jewish refugees, and this is evidenced by—

(A) a failed attempt by the United Nations delegation of the Soviet Union to restrict the "just settlement" mentioned in Resolution 242 solely to Palestinian refugees (S/8236, discussed by the Security Council at its 1382nd meeting on November 22, 1967, notably at paragraph 117, in the words of Ambassador Kouznetsov of the Soviet Union), which signified the international community's intention of having the resolution address the rights of all Middle East refugees; and

(B) a statement by Justice Arthur Goldberg, the Chief Delegate of the United States to the United Nations at that time, who was instrumental in drafting the unanimously adopted United Nations Resolution 242, where he observed, "The resolution addresses the objective of 'achieving a just settlement of the refugee problem'. This language presumably refers both to Arab and Jewish refugees, for about an equal number of each abandoned their homes as a result of the several wars.";

(2) the Madrid Conference, which was first convened in October 1991 and was co-chaired by President of the United States, George H.W. Bush, and President of the Soviet Union, Mikhail Gorbachev, and included delegations from Spain, the European community, the Netherlands, Egypt, Syria, and Lebanon, as well as a joint Jordanian-Palestinian delegation, where in his opening remarks before the January 28, 1992, organizational meeting for multilateral negotiations on the Middle East in Moscow, United States Secretary of State James Baker made no distinction between Palestinian refugees and Jewish refugees in articulating the mission of the Refugee Working Group, stating that "[t]he refugee group will consider practical ways of improving the lot of people throughout the region who have been displaced from their homes"; and

(3) the Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict, which refers in Phase III to an "agreed, just, fair, and realistic solution to the refugee issue", language that is consistent with United Nations Security Council Resolution 242, which applied equally to Arab and Jewish peoples;

Whereas Egypt, Jordan, and the Palestinians have affirmed that a comprehensive solution to the Middle East conflict will require a just solution to the plight of all "refugees", as evidenced by—

(1) the 1978 Camp David Accords, the Framework for Peace in the Middle East, which includes a commitment by Egypt and Israel to "work with each other and with other interested parties to establish agreed procedures for a prompt, just and permanent resolution of the implementation of the refugee problem";

(2) the Treaty of Peace between Israel and Egypt, signed at Washington March 26, 1979, which provides in Article 8 that the "Parties agree to establish a claims commission for the mutual settlement of all financial claims" and makes general references to United Nations Security Council Resolution 242 as the basis for comprehensive peace in the region; and

(3) Article 8 of the Treaty of Peace Between the State of Israel and the Hashemite Kingdom of Jordan, done at Arava/Araba Crossing Point October 26, 1994, entitled "Refugees and Displaced Persons", refers to "the massive human problems caused to both Parties by the conflict in the Middle East";

Whereas the call to secure rights and redress for Jewish and other minorities who were forced to flee Arab countries is not a campaign against Palestinian refugees;

Whereas the international community should be aware of the plight of Jews and other minority groups displaced from the Middle East, North Africa, and the Persian Gulf;

Whereas the history and legacy of Jewish refugees from Arab countries must be preserved;

Whereas no just and comprehensive Middle East peace can be reached without recognition of, and redress for, the uprooting of centuries-old Jewish communities in the Middle East, North Africa, and the Persian Gulf; and

Whereas it would be appropriate and just for the United States, while recognizing rights for Palestinian refugees, to recognize equal rights for former Jewish, Christian, and other refugees from Arab countries: Now, therefore, be it

*Resolved,*

#### **SECTION 1. SENSE OF THE SENATE ON HUMAN RIGHTS AND REFUGEES.**

It is the sense of the Senate that—

(1) the United States deplores the past and present ongoing violation of the human rights and religious freedoms of minority populations in Arab and Muslim countries throughout the Middle East, North Africa, and the Persian Gulf; and

(2) with respect to Jews, Christians, and other populations displaced from countries in the region, for any comprehensive Arab-Israeli peace agreement to be credible, durable, enduring, and constitute an end to conflict in the Middle East, North Africa, and the Persian Gulf, the agreement must address and resolve all outstanding issues, including the legitimate rights of all refugees of the Middle East, North Africa, and the Persian Gulf.

#### **SEC. 2. UNITED STATES POLICY ON REFUGEES OF THE MIDDLE EAST.**

The Senate urges the President to—

(1) instruct the United States Permanent Representative to the United Nations and all

representatives of the United States in bilateral and multilateral fora that, when considering or addressing resolutions that allude to the issue of refugees in the Middle East, North Africa, and the Persian Gulf, they should ensure that—

(A) relevant text refers to the fact that multiple refugee populations have been created by the Arab-Israeli conflict; and

(B) any explicit reference to the required resolution of the Palestinian refugee issue is matched by a similar explicit reference to the resolution of the issue of Jewish, Christian, and other refugees from Arab and Muslim countries throughout the Middle East, North Africa, and the Persian Gulf region; and

(2) make clear that the United States Government supports the position that, as an integral part of any comprehensive peace, the issue of refugees and the mass violations of human rights of minorities in Arab and Muslim countries throughout the Middle East, North Africa, and the Persian Gulf must be resolved in a manner that includes—

(A) consideration of the legitimate rights of all refugees displaced from Arab and Muslim countries throughout the Middle East, North Africa, and the Persian Gulf; and

(B) recognition of the losses incurred by Jews, Christians, and other minority groups as a result of the Arab-Israeli conflict.

### **NOTICES OF HEARINGS/MEETINGS**

#### **COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Wednesday, February 28, 2007, at 9:45 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to consider the President's fiscal year 2008 budget request for the USDA Forest Service.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

For further information, please contact Scott Miller at 202-224-5488 or Rachel Pasternack at 202-224-0883.

#### **COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, March 1, 2007, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the Energy Information Administration's Annual Energy Outlook.

Because of the limited time available for the hearing, witnesses may testify

by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

For further information, please contact Tara Billingsley at 202-224-4756 or Britni Rillera at 202-224-1219.

#### AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HEALTH, EDUCATION, LABOR,  
AND PENSIONS

Mr. SALAZAR. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing during the session of the Senate on Friday, February 16, 2007, at 10 a.m., in SD-430.

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

#### PRIVILEGES OF THE FLOOR

Mr. SALAZAR. I ask unanimous consent that Avril Haines, a detailee from the Department of State for the Committee on Foreign Relations, be granted the privileges of the floor for the duration of the debate on S. 574 and any motions related thereto.

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

#### REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 110-1

Mr. DURBIN. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on February 16, 2007, by the President of the United States:

Land-Based Sources Protocol to Cartagena Convention (Treaty Document No. 110-1).

I further ask unanimous consent that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

*To the Senate of the United States:*

I transmit herewith, for the advice and consent of the Senate to ratification, the Protocol Concerning Pollution from Land-Based Sources and Activities (the "Protocol") to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, with Annexes, done at Oranjestad, Aruba, on October 6, 1999, and signed by the United States on that same date. The report of the Secretary of State is en-

closed for the information of the Senate.

The Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (the "Cartagena Convention") is a regional framework agreement negotiated under the auspices of the Regional Seas Program of the United Nations Environment Program (UNEP). It sets out general legal obligations to protect the marine environment of the Gulf of Mexico, Straits of Florida, Caribbean Sea, and immediately adjacent areas of the Atlantic Ocean—collectively known as the Wider Caribbean Region. The United States became a Party to the Cartagena Convention in 1984. The Cartagena Convention envisions the development of protocols to further elaborate certain of its general obligations and to facilitate its effective implementation.

Negotiated with the active participation and leadership of the United States, the Protocol addresses one of the most serious sources of marine pollution in the Wider Caribbean Region. It is estimated that 70 to 90 percent of pollution entering the marine environment emanates from land-based sources and activities. Among the principal land-based sources of marine pollution in the Caribbean are domestic wastewater and agricultural nonpoint source runoff. Such pollution contributes to the degradation of coral reefs and commercial fisheries, negatively affects regional economies, and endangers public health, recreation, and tourism throughout the region.

The Protocol and its Annexes list priority source categories, activities, and associated contaminants that affect the Wider Caribbean Region, and set forth factors that Parties will be required to apply in determining prevention, reduction, and control strategies to manage land-based sources of pollution. In particular, the Parties are required to ensure that domestic wastewater discharges meet specific effluent limitations, and to develop plans for the prevention and reduction of agricultural nonpoint source pollution. The Protocol is expected to raise standards for treating domestic wastewater throughout the region to levels close to those already in place in the United States.

The United States would be able to implement its obligations under the Protocol under existing statutory and regulatory authority.

The Protocol is the first regional agreement to establish effluent standards to protect one of our most valuable resources, the marine environment. It differs markedly from other, similar regional agreements in its conceptual approach and the specificity of its obligations. As such, the Protocol is expected to set a new standard for regional agreements on this subject. Early ratification will demonstrate our continued commitment to global leadership and to the protection of the marine environment of the Wider Caribbean Region.

I recommend that the Senate give early and favorable consideration to the Protocol and its Annexes, with the declaration described in the accompanying report of the Secretary of State, and give its advice and consent to ratification.

GEORGE W. BUSH.  
THE WHITE HOUSE, February 15, 2007.

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the minority leader, pursuant to Public Law 105-83, the reappointment of the following Senator to serve as a member of the National Council on the Arts for a term of 2 years: The Senator from Utah (Mr. BENNETT).

The Chair, on behalf of the Vice President, pursuant to Public Law 94-304, as amended by Public Law 99-7, appoints the following Senators as members of the Commission on Security and Cooperation in Europe (Helsinki) during the 110th Congress: the Senator from Oregon (Mr. SMITH), the Senator from Georgia (Mr. CHAMBLISS), the Senator from North Carolina (Mr. BURR), and the Senator from Kansas (Mr. BROWNBACK).

#### ORDERS FOR SATURDAY, FEBRUARY 17, 2007

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 12 noon, Saturday, February 17; that on Saturday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the Senate then resume consideration of the motion to proceed to S. 574, with the time until 1:45 p.m. equally divided between the two leaders or their designees with the Republican leader in control of the time between 1:25 to 1:35 p.m. and the majority leader in control of the time between 1:35 and 1:45 p.m., and at 1:45 p.m. the Senate proceed to the cloture vote on the motion to proceed to S. 574.

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

#### ADJOURNMENT UNTIL TOMORROW

Mr. DURBIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 7:36 p.m., adjourned until Saturday, February 17, 2007, at 12 noon.

#### NOMINATIONS

Executive nominations received by the Senate February 16, 2007:

INTERNATIONAL BANK FOR RECONSTRUCTION  
AND DEVELOPMENT

ELI WHITNEY DEBEVOISE II, OF MARYLAND, TO BE UNITED STATES EXECUTIVE DIRECTOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF TWO YEARS, VICE ROBERT B. HOLLAND, III, RESIGNED.

EXPORT-IMPORT BANK OF THE UNITED STATES  
BIJAN RAFIEKIAN, OF CALIFORNIA, TO BE A MEMBER  
OF THE BOARD OF DIRECTORS OF THE EXPORT-IMPORT  
BANK OF THE UNITED STATES FOR A TERM EXPIRING  
JANUARY 20, 2011. (REAPPOINTMENT)

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR  
APPOINTMENT TO THE GRADE INDICATED IN THE  
UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10,  
U.S.C., SECTIONS 531 AND 3064:

*To be lieutenant colonel*

SUSAN M. OSOVITZIOEN, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR  
APPOINTMENT TO THE GRADE INDICATED IN THE  
UNITED STATES ARMY MEDICAL SPECIALIST CORPS  
UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be major*

TOM K. STATON, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR  
APPOINTMENT TO THE GRADE INDICATED IN THE  
UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER  
TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be major*

EVAN F. TILLMAN, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR  
APPOINTMENT TO THE GRADE INDICATED IN THE  
UNITED STATES ARMY NURSE CORPS UNDER TITLE 10,  
U.S.C., SECTIONS 531 AND 3064:

*To be major*

MICHAEL A. CLARK, 0000  
BELINDA J. COAKLEY, 0000  
JANET L. NORMAN, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR  
APPOINTMENT TO THE GRADES INDICATED IN THE  
UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10,  
U.S.C., SECTIONS 531 AND 3064:

*To be colonel*

EDWARD W. TRUDO, 0000

*To be lieutenant colonel*

CARLOS R. ESQUIVEL, 0000  
STANLEY F. GOULD, 0000

JANE L. HOLTZCLAW, 0000  
STEPHEN E. POST, 0000  
SALVADOR P. RENTERIZ, 0000

*To be major*

MING JIANG, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR  
APPOINTMENT TO THE GRADE INDICATED IN THE  
UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C.,  
SECTION 624:

*To be major*

CHARLES E. DANIELS, 0000  
TIMOTHY O. EVANS, 0000

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR  
APPOINTMENT TO THE GRADE INDICATED IN THE  
UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C.,  
SECTION 624:

*To be major*

BRIAN T. THOMPSON, 0000

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR  
APPOINTMENT TO THE GRADE INDICATED IN THE  
UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C.,  
SECTION 624:

*To be major*

MICHAEL R. CIRILLO, 0000

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR  
APPOINTMENT TO THE GRADE INDICATED IN THE  
UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C.,  
SECTION 624:

*To be major*

VERNON L. DARISO, 0000  
RICHARD W. FIORVANTI, JR., 0000

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR  
APPOINTMENT TO THE GRADE INDICATED IN THE  
UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C.,  
SECTION 624:

*To be major*

LEONARD R. DOMITROVITS, 0000  
JASON A. HIGGINS, 0000  
WILLIAM E. ROSCHE, 0000  
ROBERT W. SAJEWSKI, 0000

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR  
APPOINTMENT TO THE GRADE INDICATED IN THE  
UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C.,  
SECTION 624:

*To be major*

SAMSON P. AVENETTI, 0000  
DANIEL M. CLARK, 0000  
BRYAN DELGADO, 0000  
MARK R. DOEHRMANN, 0000  
LEIGH A. DUBIE, 0000  
DELMAR J. LAKE, JR., 0000  
JUAN M. ORTIZ, JR., 0000  
RODOLFO D. QUISPÉ, 0000  
FRANCISCO C. RAGSAC, 0000

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR  
APPOINTMENT TO THE GRADE INDICATED IN THE  
UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C.,  
SECTION 624:

*To be major*

JASON B. DAVIS, 0000  
STEVEN C. FREDERICK, 0000  
RICHARD A. JAYROE, 0000  
TIMOTHY T. RYBINSKI, 0000  
RICHARD F. SCHOFIELD, 0000  
KELLY S. SILARD, 0000  
PETER M. TAVARES, 0000

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR  
APPOINTMENT TO THE GRADE INDICATED IN THE  
UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C.,  
SECTION 624:

*To be major*

DARREN L. DUCOING, 0000  
JEFFREY S. FORBES, 0000  
SCOTT A. FORTENBERRY, 0000  
PRISCILLA A. GUNN, 0000  
NATHAN J. TOWNSEND, 0000  
KENNETH L. VANZANDT, 0000

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR  
APPOINTMENT TO THE GRADE INDICATED IN THE  
UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C.,  
SECTION 624:

*To be major*

ROBERT T. CHARLTON, 0000  
SEAN J. COLLINS, 0000  
JOHN L. MYRKA, 0000  
BRIAN A. TOBLER, 0000