

Obama                    Reid                    Schumer  
Reed                    Sarbanes                Stabenow

The nomination was confirmed.

Mr. FRIST. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. FRIST. I ask that the President be immediately notified of the Senate's action.

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

#### LEGISLATIVE SESSION

Mr. FRIST. I ask that the Senate resume legislative session.

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

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

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

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THUNE). Without objection, it is so ordered.

#### IRAQ

Mr. FEINGOLD. Mr. President, I rise once again today to comment on the deeply disturbing consequences of the President's misguided policies in Iraq. I have spoken before about my grave concern that the administration's Iraq policies are actually strengthening the hand of our enemies, fueling the insurgency's recruitment of foreign fighters, and unifying elements of the insurgency that might otherwise turn on each other.

But today I want to focus on a different and equally alarming issue, which is that the Bush administration's policies in Iraq are making America weaker. None of us should stand by and allow this to continue.

It is shocking to me this Senate has not found the time and the energy to take up the Defense authorization bill and give that bill the full debate and attention it deserves. Our men and women in uniform and our military families continue to make real sacrifices every day in service to this country. They perform their duties with skill and honor, sometimes in the most difficult of circumstances. But the Senate has not performed its duties, and the state of the U.S. military desperately needs our attention.

The administration's policies in Iraq are breaking the U.S. Army. As soldiers confront the prospect of a third tour in the extremely difficult theater of Iraq, it would be understandable if they began to wonder why all of the sacrifice undertaken by our country in wartime seems to be falling on their shoulders. It would be understandable if they and their brothers and sisters in

the Marine Corps began to feel some skepticism about whether essential resources, such as adequately armored vehicles, will be there when they need them. It would be understandable if they came to grieve information about deployment schedules with cynicism because reliable information has been hard to come by for our military families in recent years. And it would be understandable if they asked themselves whether their numbers will be great enough—great enough—to hold hard-won territory, and whether properly vetted translators will be available to help them distinguish friend from foe.

At some point, the sense of solidarity and commitment that helps maintain strong retention rates can give way to a sense of frustration with the status quo. I fear we may be very close to that tipping point today. It is possible we may not see the men and women of the Army continue to volunteer for more of the same. It is not reasonable to expect that current retention problems will improve rather than worsen. We should not bet our national security on that kind of wishful thinking.

Make no mistake, our military readiness is already suffering. According to a recent RAND study, the Army has been stretched so thin that active-duty soldiers are now spending 1 of every 2 years abroad, leaving little of the Army left in any appropriate condition to respond to crises that may emerge elsewhere in the world. In an era in which we confront a globally networked enemy, and at a time when nuclear weapons proliferation is an urgent threat, continuing on our present course is irresponsible at best.

We are not just wearing out the troops; we are also wearing out equipment much faster than it is being replaced or refurbished. Days ago, the chief of the National Guard, GEN H. Steven Blum, told a group of Senate staffers that the National Guard had approximately 75 percent of the equipment it needed on 9/11, 2001. Today, the National Guard has only 34 percent of the equipment it needs. The response to Hurricane Katrina exposed some of the dangerous gaps in the Guard's communications systems.

What we are asking of the Army is not sustainable, and the burden and the toll it is taking on our military families is unacceptable. This cannot go on.

Many of my colleagues, often led by Senator REED of Rhode Island, have taken stock of where we stand and have joined to support efforts to expand the size of our standing Army. But this effort, which I support, is a solution for the long term, because it depends on new recruits to address our problems. We cannot suddenly increase the numbers of experienced soldiers so essential to providing leadership in the field. It takes years to grow a new crop of such leaders. But the annual resignation rate of Army lieutenants and captains rose last year to its highest rate since the attacks of September 11,

2001. We are heading toward crisis right now.

Growing the all-volunteer Army can only happen if qualified new recruits sign up for duty. But all indications suggest that at the end of this month the Army will fall thousands short—thousands short—of its annual recruiting goal. Barring some sudden and dramatic change, the Army National Guard and Army Reserve too will miss their annual targets by about 20 percent, missing their targets this year by 20 percent in terms of recruitment. GEN Peter Schoomaker, the Army's Chief of Staff, told Congress recently that 2006 "may be the toughest recruiting environment ever."

Too often, too many of us are reluctant to criticize the administration's policies in Iraq for fear that anything other than staying the course set by the President will somehow appear weak. But the President's course is misguided, and it is doing grave damage to our extraordinarily professional and globally admired all-volunteer U.S. Army. To stand by—to stand by—while this damage is done is not patriotic. It is not supportive. It is not tough on terrorism, nor is it strong on national security. Because I am proud of our men and women in uniform, and because I am committed to working with all of my colleagues to make this country more secure, I am convinced we must change our course.

As some of my colleagues know, I have introduced a resolution calling for the President to provide a public report clarifying the mission the United States military is being asked to accomplish in Iraq, and laying out a plan and a timeframe for accomplishing that mission and subsequently bringing our troops home. It is in our interest to provide some clarity about our intentions and restore confidence at home and abroad that U.S. troops will not be in Iraq indefinitely. I have tried to jump-start this discussion by proposing a date for U.S. troop withdrawal: December 31, 2006.

We need to start working with a realistic set of plans and benchmarks if we are to gain control of our Iraq policy, instead of simply letting it dominate our security strategy and drain vital resources for an unlimited amount of time.

So this brings me to another facet of this administration's misguided approach to Iraq, another front on which our great country is growing weaker rather than stronger as a result of the administration's policy choices, and that is the tremendously serious fiscal consequences of the President's decision to put the entire Iraq war on our national tab. How much longer can the elected representatives of the American people in this Congress allow the President to rack up over \$1 billion a week in new debts? This war is draining, by one estimate, \$5.6 billion every month from our economy—funds that might be used to help the victims of Hurricane Katrina recover, or to help

address the skyrocketing health care costs facing businesses and families, or to help pay down the enormous debt this Government has already piled up.

Not only are we weakening our economy today, this costly war is undermining our Nation's economic future because none of that considerable expenditure has been offset in the budget by cuts in spending elsewhere or by revenue increases. All of it—every penny—has been added to the already massive debt that will be paid by future generations of Americans.

For years now, this administration has refused to budget for the cost of our ongoing operations in Iraq that can be predicted, and has refused to make the hard choices that would be required to cover those costs. Instead—instead—the President apparently prefers to leave those tough calls to our children.

Mrs. BOXER. Mr. President, will the Senator yield for a quick question?

Mr. FEINGOLD. Could I do that in 2 minutes?

Mrs. BOXER. Sure.

Mr. FEINGOLD. I want to finish my statement.

Mr. President, in effect, we are asking future generations to pay for this war, and they will pay for it in the form of higher taxes or fewer Government benefits. They stand to inherit a weakened America, one so compromised by debt and economic crisis that the promise of opportunity for all has faded. And there is no end in sight.

In addition to that, the war will leave other costly legacies. Here again, it is the members of the military and their families who will endure the most severe costs. But even if the war ended tomorrow, the Nation will continue to pay the price for decades to come.

Linda Bilmes of the Kennedy School of Government at Harvard estimates that over the next 45 years, the health care, disability, and other benefits due our Iraq war veterans will cost \$315 billion. We owe our brave troops the services and benefits they are due. We owe it to them and to their children and to their grandchildren to guide the course of this country and this economy to ensure that we are in a position to deliver for our veterans and for all Americans.

I cannot support an Iraq policy that makes our enemies stronger and our country weaker, and that is why I will not support staying the course the President has set. If Iraq were truly the solution to our national security challenges, this gamble with the future of our military and with our economy—who knows?—might make sense, if that were the case. If Iraq, rather than such strategically more significant countries as Saudi Arabia and Pakistan, were at the heart of the global fight against violent Islamic terrorism, this might make some sense. If it were true that fighting insurgents in Baghdad meant we would not have to fight them elsewhere, all the costs of this policy might well make sense.

But these things are not true. Iraq is not—is not—the “silver bullet” in the

fight against global terrorist networks. As I have argued in some detail, it is quite possible that the administration's policies in Iraq are actually strengthening the terrorists by helping them to recruit new fighters from around the world, giving those jihadists on-the-ground training in terrorism, and building new, transnational networks among our enemies. Meanwhile, the costs of staying this course indefinitely, the consequences of weakening America's military and America's economy, loom more ominously before us with each passing week. There is no leadership in simply hoping for the best. We must insist on an Iraq policy that makes sense.

I yield to the Senator from California for a question.

Mrs. BOXER. Mr. President, I thank the Senator from Wisconsin, Mr. FEINGOLD. I am very proud to be on his resolution which finally would hold this President and his administration accountable for the disastrous situation we find ourselves in in Iraq, a situation that has led to now nearly 2,000 dead, countless wounded, young people and not so young without limbs, without their full brain capacity. It is a stunning failure.

Finally, in the Senate, we have a resolution that simply says to this administration: Do tell us, what is your plan? When are we getting out? Give us the milestones. And, what is the mission?

I have a couple of questions I wanted to ask my friend. As my friend was talking, I wrote down the various missions that we have heard from the administration that we were supposed to have in Iraq. The first one was weapons of mass destruction. Remember when Secretary Rumsfeld said: I know where they are; I could point to where they are. No, there weren't any. Then they said: We have to get Saddam. He is a tyrant. We all agreed, he is a tyrant. Saddam is gone for all intents and purposes. That was the second mission. Then they said: We are going to rebuild Iraq, a disastrous situation over which Secretary Rice is in charge. I haven't seen much rebuilding. I have seen a lot of no-bid contracts. Then they said: We have to have an election. That is the next mission. They had an election. After that, everything fell apart. Then they said: We need to bring security. We are going to train the Iraqi forces. The Senator from Wisconsin and I agree with that. We want to see them trained—it seems to be taking forever—especially when we have the President saying: We will stay there as long as it takes. What kind of message is that to the Iraqis?

We had a briefing yesterday. We can't discuss the details of that briefing, but it seemed to me there were yet other missions laid out.

I ask my friend, does he see the situation the way I do: An ever-changing mission in Iraq, setting the bar higher and higher with no end in sight in where we are at the present time?

Mr. FEINGOLD. I thank the Senator from California. She accurately described the way in which we got in this situation. I called it on the Senate floor, in October 2002, shifting justifications. The one we began with, the one that sold the American people, was that somehow there was a connection between Osama bin Laden and Saddam Hussein. Most of the American people apparently believed it because the President told them so at the time of the invasion. That would have been the ultimate justification because everybody assumed the Iraq invasion had something to do with that.

Ever since that myth has been exploded, the administration has been trying any way, scampering any way they can to come up with other justifications—the obviously failed attempt to suggest the imminent threat of weapons of mass destruction from Saddam Hussein, and then 6 to 7 months later, a year later, the President suddenly announces what he was really trying to do was to start a domino effect. We were going to fight a war that was going to create a domino effect of democracy around the world, which is a lovely ideal and notion, but nobody thought that was the justification when we voted here. I am guessing that it wouldn't have gotten one single vote if Members thought we were buying into that kind of project.

The Senator is right, not only with regard to how we got into the war but also with regard to how this administration is conducting the war. It is a mixture of so many inconsistent justifications that it doesn't make sense.

I had 18 town meetings in northern and central Wisconsin, some of them at very conservative areas, during the August recess. These were places where most of the people supported the Iraq war. They came to my town meetings and said: Why is this happening? Why were we given false pretenses to get into the war, and why is it that there isn't a serious plan to finish the war? Because of the failure of the administration to handle this war in any sensible way, the very people who supported the war are starting to say: Let's just leave.

So the President presents us with a false choice. He says: We have to stay the course. And if you don't believe in staying the course, then you must be for cutting and running. He is causing the movement in America to simply leave Iraq because of his failure of leadership.

What our resolution does—and I thank the Senator from California for her cosponsorship—is modest. It just says: Mr. President, within 30 days, could you give us a written plan that lays out the best way you want, without being bound to it, what is the plan, what is the mission, what are the benchmarks we have to achieve, by what time do you think we can achieve those benchmarks, and at what point and through what stages do you think we can begin and then complete the withdrawal of our American troops.

I say to my friend through the Chair, I think her comments and her question are right on the point.

I yield for another question.

Mrs. BOXER. Mr. President, I wish to thank my colleague for correcting me on the point that I missed that, yes, out of the five or six missions I named, I left out the very important one that he corrected me on, which is that there was a link between Saddam and al-Qaida and, in fact, there was al-Qaida all over Iraq.

The Senator and I sit on the Foreign Relations Committee. I think he remembers this document that I put into the RECORD, because I remember he very much wanted it, which showed that about a month after September 11 when we were so viciously attacked by bin Laden—who, by the way, we were going to get dead or alive, and we need to do that—the fact is, the State Department in its own document said there wasn't one al-Qaida cell, not one, in Iraq. There were more cells in America than in Iraq, according to our own State Department. We have put that in the RECORD.

Now, of course, it is a haven for terrorism because of this failed policy, this disastrous policy, this policy that is utter chaos with no end in sight, unless the Senate and the administration look at what my friend put forward, which is finally saying to the President: You need a mission, a mission that can be accomplished, and we need to end this in an orderly fashion.

I wanted to ask my friend one more point, and then I will leave the Chamber. That is about the National Guard. Right now, there are fires raging in my home State, sadly. We have them every year at this time. It is heartwrenching. We need all the help we can get. We always get all the help we ask for. We have never had a problem. The National Guard is called out when it gets really out of control.

Is my friend aware that the best equipment that the National Guard had at its disposal is in Iraq, not here at home? And when the people were crying out for help, not only were so many of the National Guard over in Iraq, my understanding is—and my friend can correct me—approximately 40 percent of our troops over there are National Guard. That is my information. Not only that, the best equipment of the National Guard is over in Iraq.

Don't our people deserve better than that so when they experience disasters, our National Guard can respond?

Mr. FEINGOLD. Mr. President, I thank the Senator from California. The Senator has very nicely returned to the main point of what I was trying to illustrate today. We certainly agree on the problems of how we got into this war and our very troubled feelings about that and also the myriad of problems with the way the war is being conducted. But what the Senator from California has done is returned us to the main point I wanted to make today: This strategy is weakening

America. I am not talking about some general sense. We are talking specifically about our military. We are talking specifically about our Army. We are talking specifically about our National Guard.

Yes, we know about this in Wisconsin. We have some 10,000 Guard and Reserve. The vast majority of them have been called up for action overseas. There are serious concerns that have been reported—which, by the way, were beginning prior to 9/11—about equipment. It is to the point where my National Guard people ask me to ask the Secretary of Defense, Are we going to replenish these things for our National Guard? What is the guarantee? I received a rather weak answer, as I recall. The equipment needs are only at 34 percent for the National Guard—a dramatic decline in the last 4 years. Since 9/11, we have allowed the situation to become much worse in terms of equipment for our National Guard, whether it be for use in a foreign conflict or whether it be used to handle a terrorist situation domestically or whether it be used to help deal with one of the natural disasters that obviously can and do occur.

I appreciate the Senator heightening this point. This isn't about opposing a war. This is about mistakes being made by an administration in terms of forgetting the main point of fighting terrorism and forgetting about the need for our military to be strong both internationally and to be able to help, as the National Guard must, domestically.

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.

Mr. STEVENS. 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. STEVENS. Mr. President, I ask unanimous consent that I be able to speak as in morning business. Is that proper at this time?

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

#### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2006

Mr. STEVENS. Mr. President, I am disturbed that we are delayed in taking up the Defense appropriations bill for 2006. It has been a problem. We have to wait for the authorization bill to come before the Senate. I have asked the leader for permission to take up this bill, along with my colleague from Hawaii, and bring the Defense appropriations bill for 2006 before the Senate today. I understand that has been objected to on some procedural ground.

It is my intention to make the statement I would make if the bill were before us. I will later ask that it be printed in the RECORD when the bill is laid before us.

I think the Senate should be using this time. We had intended to have votes today and tomorrow. We will not have votes Monday and Tuesday, but the bill will be before the Senate Monday and Tuesday.

We tried our best to work with the Armed Services Committee on their authorization bill, and we have a dispute between our subcommittee and the Intelligence Committee. That dispute pertains to a matter that should not be discussed on the floor. It is one we thought we had worked out by virtue of a compromise provision we put into this Defense appropriations bill, and I hope the members of the Intelligence Committee will recognize that as such.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

Mr. HARKIN. Mr. President, I ask unanimous consent to speak up to 10 minutes as if in morning business.

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

#### AVIAN FLU PANDEMIC

Mr. HARKIN. I thank the Presiding Officer.

Mr. President, I come to the floor at this time to discuss a matter of grave national security. If recent Hurricane Katrina and Hurricane Rita have taught us anything, it is that we have to do a dramatically better job of preparing for diseases before they strike so we are not left picking up the pieces afterward.

I am very gravely concerned that the United States is totally unprepared for an outbreak—and a subsequent international pandemic—of avian flu. We have had two disasters in the last 4 years—9/11 and Katrina followed by Rita. And the Federal Government was totally unprepared for both, despite clear warnings. Similarly, we have been warned in no uncertain terms about avian flu, but our preparations so far have been grossly inadequate.

I think I got my first briefing on this about a year ago from CDC in Atlanta. I have been following it closely in our Labor, Health and Human Services, Education and Related Agencies Appropriations Subcommittee.

As it has unfolded over the last several months, it is clear that it is not a question of if avian flu is going to reach us, it is a question of when—not if, just when.

As many of my colleagues know, avian flu—or as it is called in the technical jargon, H5N1—has been known to pass first in bird species. It was passed from bird to bird, chicken to chicken, and that type of thing. It has then gotten into migratory waterfowl, which has spread from countries such as Thailand, Cambodia, Vietnam, and Hong Kong. And they have now found it as far away as Kazakhstan and as far north as the northern regions of Russia. It is just a matter of time before it gets here.