endorsing them should be virtually automatic for a group of lawyers. Whether the White House or congressional leaders will act on the proposal is another story. For decades, presidents asked the bar association, which represents the nation's lawyers, to evaluate the credentials of judicial nominees, but the current President Bush put an end to that practice. His administration treats the bar association as just another interest group, to be humored or ignored as he pleases.

But the task force has a point. Bush has employed signing statements more often and more aggressively than any of his predecessors, as the Globe's Charlie Savage documented in a series of articles this spring. The laws in question touch on fundamental values, such as whether U.S. military interrogators should be allowed to torture detainees.

The administration's defenders say the president is merely objecting to unconstitutional provisions specifically, ones that infringe on the rightful powers of the executive within otherwise desirable legislation. But even if the Bush administration were correct on that point, back-door vetoes only relieve Congress of its obligation to make laws that are constitutional. The task force notes that deciding constitutionality is up to the federal courts. ''The Constitution is not what the President says it is,'' the panel's report declares.

Congress was right to prohibit the use of torture by American interrogators. If the president opposed that ban, he had the right to veto it. That, of course, would have looked bad, both at home and around the world. But while a veto-by-signing-statement might have been more convenient politically, no part of the Constitution gives the president the right to have it both ways to enforce parts of laws that magnify the power of the executive branch and then ignore the rest.

[From the Boston Globe, May 30, 2006]

EQUAL POWER FAILURE

No congressional dander was raised when the Bush Pentagon incarcerated hundreds of uncharged men at Guantanamo Bay, Cuba. Spaniel-like, the lawmakers hustled up legislation that attempted to legitimize some of the illegal jailings long after the fact.

Did electronic surveillance of American citizens, in direct violation of the law Congress passed in 1978 setting clear guidelines for such activity, provoke outrage on Capitol Hill? No problem, said the leaders. We will allow the attorney general to duck questions on it, and promote the general who implemented it.

How about the shameful torture and humiliation of prisoners in Iraq? Congress barely worked up enough gumption to express its disapproval. And then, when President Bush attached a ''signing statement'' to the anti-torture legislation, saying he really wasn't buying it, Congress yawned.

And when the Globe's Charlie Savage reported that Bush had added such statements to more than 750 bills, claiming the right to disobey their mandates, Congress tucked in its tail and went to sleep.

Or so it seemed.

Now it is clear that the lawmakers simply viewed these actions as trifling infringements of their prerogatives. They were just waiting for the right issue to come along so that they could assert boldly and forcefully the co-equality of the legislative branch. They were looking for something they considered big. And they found it.

One of their own, Representative William J. Jefferson, Democrat of Louisiana, was accused of taking a $100,000 bribe, $90,000 of which was found in his freezer. When the response to FBI subpoenas was slow, agents got a warrant and raided his Capitol office. Republican and Democratic leaders howled in unison, but for what reason?

First, it is pretty clear that Congress has no immunity from criminal searches. The Constitution does say members are ''privileged from arrest during their attendance at the session,'' but not in cases of ''treason, felony, and breach of the peace.'' Floor debate is protected; bribery is not.

Second, the chorus of objections to the FBI raid was a bipartisan public relations blunder. The public has a low enough opinion of the skulduggery that goes on all over Washington without Congress officially declaring Capitol Hill a cop-free zone.

Most frustrating is Congress's choice of irritants. Many Americans will cheer if Congress stands up on two feet and defends its constitutionally sacrosanct right to legislate. This right is under serious attack, but the attack is coming from the president of the United States, not from a few FBI gumshoes.

[From the Washingtonpost.com, Friday July 28, 2006]

SIGNING OFF

Across a wide range of areas, President Bush has asserted a grandiose vision of presidential power, one to which Congress has largely acquiesced. From domestic surveillance to holding detainees in the war on terrorism, the administration has generally ignored the legislature, brushed aside inconvenient statutes and proceeded unilaterally. All of this, as we have argued many times, warrants grave concern and a strenuous response. But it is worth separating that issue from the ongoing controversy over the president's aggressive use of what are called ''signing statements''—those formal documents that accompany the signing of a bill into law.

Ever since the Boston Globe reported this year that the president had used such statements to question the constitutionality of more than 750 provisions of law, critics across the political spectrum have been up in arms. The Senate Judiciary Committee held hearings, and this week a task force of the American Bar Association issued a report accusing the president of usurping legislative powers.

President Bush brought this skirmish on himself. He has used signing statements—which indicate that he will interpret new laws so as to avoid the constitutional problems he has flagged within them—far more frequently than other presidents. In some areas, he has used them to articulate deeply troubling views of presidential authority. Most infamously, in signing the amendment by Sen. JOHN MCCAIN (R-Ariz.) banning American personnel from using ''cruel, inhuman or degrading'' treatment on detainees, he stated that his administration would interpret the new law ''in a manner consistent with the constitutional authority of the President to supervise the unitary executive branch and as Commander in Chief and consistent with the constitutional limitations on the judicial power''—apparently reserving for himself the power to override the prohibition.

Still, it is important not to let Mr. Bush's ugly signing statements bring the presidential practice into disrepute. Signing statements are actually a useful device for transparent and open government.

Presidents have long used signing statements to identify particular provisions of law as potentially unconstitutional. They have just as long declined to enforce provisions of law they regarded as unconstitutional. Particularly since the Carter and Reagan administrations, the use of signing statements has been on the upswing, and that's generally a good thing. These statements give the public and Congress fair warning about which laws the president intends to ignore or limit through interpretation. They thereby permit criticism and more vibrant debate. And they have no legal consequences over and above the president's powers to instruct the executive branch as to how to interpret a law—which he could do privately in any case.

While Mr. Bush has been particularly aggressive about issuing signing statements, a great many break no new ground but merely articulate constitutional views that the executive branch has held across many administrations. The problem is not that Mr. Bush reserves the right to state his views; it is the dangerous substance of the views he sometimes states.

Mr. LEAHY. Mr. President, I yield the floor, and I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. DAYTON. 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. DAYTON. Mr. President, may I inquire, are we in a period of morning business?

The ACTING PRESIDENT pro tempore. The Senate is in morning business, with Senators allowed to speak for up to 10 minutes.

VIOLENCE IN THE MIDDLE EAST

Mr. DAYTON. Mr. President, I rise this morning first to commend the Secretary of State, Condoleezza Rice, for her efforts to negotiate a cease-fire between Israel and Hezbollah and to engage other countries in helping to make and keep peace there. I salute her for her expressed willingness to return to that region as soon as it is practical to achieve her goals.

I am appalled, as all civilized people are, by the terrorists' destruction and the maiming and loss of human life in Israel, in Lebanon, and in Gaza. That is why I found it so disturbing that the Lebanese Prime Minister, Fuad Siniora, and his Speaker rejected Secretary Rice's proposals before she had even left their country and was on her way to Israel.

The Lebanese Government and the Lebanese people cannot have it both ways. They cannot want an immediate cease-fire on the one hand, yet continue to support Hezbollah as it kidnaps Israeli soldiers inside Israel to start this war and then rain destruction on Israel's cities and civilians. As long as Hezbollah keeps those kidnapped Israeli soldiers and continues to fire its rockets into Israel, there can be no cease-fire and there can be no peace for Lebanon. As long as the Lebanese people and their Government house terrorists who have sworn the total destruction and the elimination of the

democratic State of Israel, support the terrorist acts in that country and against Israeli citizens, and allow their own country to be used as a staging area for those terrorist acts, there can be no peace for Lebanon.

Just as the Lebanese Government and people must stand up for their country and themselves and demand that those who want to continue the acts of violence and the repercussions for their fellow Lebanese citizens must cease and desist or leave their country, so must the Government and people of Iraq stand up for their own country and for their own future.

Earlier this week, just as Iraqi Prime Minister al-Maliki was engaged in a public relations tour of Washington, DC, President Bush announced the redeployment of American troops back into Baghdad because of the failure of the Iraqi Government to run even its own capital city, much less its own country, and the failure of the Iraqi security forces to protect that city, in addition to other significant areas of Iraq. There are further reports that the U.S. military command had to replace the supposedly top Iraqi units because of their failure to stand up effectively against the insurgents. I submit the only cutting and running in Iraq is by the Iraqis and that President Bush's plan of ''stand up, stand down'' is failing miserably. It has become: Iraqis stand down and U.S. stay.

I voted just a couple of weeks ago against this body establishing arbitrary timelines and deadlines for the redeployment of U.S. forces from Iraq because I respect that our military commanders and our soldiers there have terribly dangerous and difficult missions to perform. I believe it is imperative that we give them what they say they need in order to carry out those missions. But the fact that they need more troops, or at least no fewer American troops, is further evidence of the miserable failure of this administration's policies and plans for Iraq. After all, the U.S. forces there are carrying out the mission that has been assigned them by their Commander in Chief, the President of the United States. It is a mission that is defined by his policy, and that policy is failing.

It is past time that we admit that failure, that the administration, starting with the President, admits that failure and tells us how he proposes to correct it. It is time we send an emphatic message to the Prime Minister and the Government of Iraq: Quit your dickering, your squabbling, your posturing, and get down to the business of running your own country and running it successfully. Stop opining about others' actions elsewhere in the Middle East, condemning Israel and fanning the flames there, which is counterproductive to Secretary Rice's efforts to negotiate a cease-fire there. Take note of the fact that a country such as Israel, located in the same region of the world, with the same kind of barren terrain, without even the oil resources Iraq enjoys, is able to run its own country, provide prosperity and, most of the time, peace for its own citizens, defend its borders, and provide for the internal security within its country. That is a model which the Government of Iraq as well as the Government of Lebanon should be following and trying to respect and build upon rather than denigrate.

I don't know what the future holds for Iraq. But I do know that it has become one where their lack of effort—or at least the lack of success—seems to be condoned and enabled by this administration's policy. As long as the Iraqis know they have carte blanche, as long as they know our forces will be there to back up their efforts, to correct their mistakes, to stand up as they are standing down, I don't see how that country—its government and its security forces—are going to make the progress necessary for them to become an independent and viable nation.

I do know it is their responsibility. We have been there for almost 3½ years, since the overthrow of Saddam Hussein's evil regime. We have given them more than enough time. We have shed more than enough American blood—lives lost forever, lives maimed and altered forever.

All this administration is telling us is to stay the course, stay the course, stay the course. I submit that to stay the course only makes sense when there is an end to that course. It only makes sense when it is part of a successful stand up/stand down strategy. But it is so clearly demonstrated now that that strategy not only is not working but it is going in the wrong direction, that it is time for this administration to tell the American people what it intends to do and how it intends to reverse that failed course, and what ''stay the course'' is going to mean absent that turnaround, and what we must do to achieve it.

We need to enlist the rest of the world, as Secretary Rice, to her credit, is attempting to do in the situation involving Israel and Hezbollah. We need to admit that we need the active assistance of the United Nations, of other nations that have stood back because of the cavalier way in which the Bush administration went into this war, rejecting any common effort. It is understandable they don't want to put their troops, their own citizens—sons and daughters—into those perilous conditions that are the creation of this administration and that persist as a result of its failure to correct them. But we must enlist their help. We must enlist the help of everyone in the world necessary to bring about true peace in Iraq and the rest of the Middle East.

Mr. President, I yield the floor and I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. 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.

DESIGNATING SEPTEMBER 20, 2006, AS ''NATIONAL ATTENTION DEFICIT DISORDER AWARENESS DAY''

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 544, submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 544) to designate September 20, 2006, as ''National Attention Deficit Disorder Awareness Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD.

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

The resolution (S. Res. 544) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 544

Whereas Attention Deficit/Hyperactivity Disorder (also known as ADHD or ADD), is a chronic neurobiological disorder that affects both children and adults, and can significantly interfere with the ability of an individual to regulate activity level, inhibit behavior, and attend to tasks in developmentally appropriate ways;

Whereas ADHD can cause devastating consequences, including failure in school and the workplace, antisocial behavior, encounters with the criminal justice system, interpersonal difficulties, and substance abuse;

Whereas ADHD, the most extensively studied mental disorder in children, affects an estimated 3 to 7 percent (4,000,000) of young school-age children and an estimated 4 percent (8,000,000) of adults across racial, ethnic, and socio-economic lines;

Whereas scientific studies indicate that between 10 and 35 percent of children with ADHD have a first-degree relative with past or present ADHD, and that approximately one-half of parents who had ADHD have a child with the disorder, suggesting that ADHD runs in families and inheritance is an important risk factor;

Whereas despite the serious consequences that can manifest in the family and life experiences of an individual with ADHD, studies indicate that less than 85 percent of adults with the disorder are diagnosed and less than half of children and adults with the disorder receive treatment and, furthermore, poor and minority communities are particularly underserved by ADHD resources;

Whereas the Surgeon General, the American Medical Association, the American Psychiatric Association, the American Academy of Child and Adolescent Psychiatry, the American Psychological Association, the American Academy of Pediatrics, the Centers for Disease Control and Prevention, and