implantable pacemaker or a new and improved hearing aid.

Our current patent system also seems stacked against small entrepreneurs. I have spoken to small business owners and entrepreneurs across Minnesota who are concerned with the high cost and uncertainty of protecting their inventions. For example, under the current system, when two patents are filed around the same time for the same invention, the applicants must go through an arduous and expensive process called an interference, to determine which applicant will be awarded the patent. Small inventors rarely, if ever, win interference proceedings because the rules for interferences are often stacked in favor of companies with deep pockets. This needs to change.

Our current patent system also ignores the realities of the information age we live in. In 1952, the world wasn't as interconnected as it is today. There was no Internet and people didn't share information, as they do in this modern age. In 1952, most publicly available information about technology could be found either in patents or scientific publications. So patent examiners only had to look to a few sources to determine if the technology described in the patent application was both novel and nonobvious. Today, there is a vast amount of information readily available everywhere we look. It is unrealistic to believe a patent examiner would know all the places to look for this information. Even if the examiner knew where to look, it is unlikely he or she would have the time to search in all these nooks and crannies. The people who know where to look are the other scientists and innovators who also work in the field. But current law does not allow participation by third parties in the patent application process, despite the fact that third parties are often in the best position to challenge a patent application. Without the benefit of this outside expertise, an examiner might grant a patent for technology that simply isn't a true invention, and those low-quality patents clog the system and hinder true innovation.

Our Nation can't afford to slow innovation any more. While China is investing billions of dollars in its medical technology sector, we are still bickering about the regulations. While India encourages invention and entrepreneurship, we are still giving our innovators the runaround—playing red light, green light, with stop-and-go tax incentives. The truth is, America can no longer afford to be a country that simply exists on churning money and shuffling paper, a country that consumes imports and spends its way to huge trade deficits. What we need to be is that Nation that invents again, that thinks again, and that exports to the world, a country where we can walk into any store and pick up a product and turn it over and it says ''Made in the USA.'' That is what our country needs to be. It is what Tom Friedman, who writes for the New York Times and is a Minnesota native, calls nation building in our own nation.

As innovators and entrepreneurs across Minnesota have told me, we need to rejuvenate our laws to ensure that our patent system supports the needs of a 21st century economy. The America Invents Act does just that.

First, the America Invents Act increases the speed and certainty of a patent application process by transitioning our patent system from a first-to-invent system to a first-inventor-to-file system. This change to a first-inventor-to-file system will increase predictability by creating brighter lines to guide patent applicants and Patent Office examiners.

By simply using the filing date of an application to determine the true inventors, the bill increases the speed of the patent application process while also rewarding novel, cutting-edge inventions. To help guide investors and inventors, this bill allows them to search the public record to discover with more certainty whether their idea is patentable, helping eliminate duplication and streamlining the system. At the same time, the bill still provides a safe harbor of 1 year for inventors to go out and market their inventions before having to file for their patent.

This grace period is one of the reasons our Nation's top research universities, such as the University of Minnesota, support the bill. The grace period protects professors who discuss their inventions with colleagues or publish them in journals before filing their patent application. The grace period, along with prior user rights, will encourage cross-pollination of ideas and eliminate concerns about discussing inventions with others before a patent application is filed.

This legislation also helps to ensure that only true inventions receive protection under our laws. By allowing third parties to provide information to the patent examiner, the America Invents Act helps bridge the information gap between the patent application and existing knowledge.

The legislation also provides a modernized, streamlined mechanism for third parties who want to challenge recently issued, low-quality patents that should never have been issued in the first place. Eliminating these potential trivial patents will help the entire patent system by improving certainty.

The legislation will also improve the patent system by granting the U.S. Patent and Trademark Office the authority to set and adjust its own fees. Allowing the office to set their own fees will give them the resources to reduce the current backlog and devote greater resources to each patent that is reviewed to ensure higher quality. The fee-setting authority is why IBM—one of the most innovative companies around, that has facilities in Rochester, MN, and in the Twin Cities—was granted a record 5,896 patents in 2010 and why they support this bill. They want to bring even more inventions and more jobs to America.

As chair of the Subcommittee on Competitiveness, Innovation, and Export Promotion, I have been focused on ways to promote innovation and growth in the 21st century. Stakeholders from across the spectrum agree this bill is a necessary step to ensure the United States remains the world leader in developing innovative products that bring prosperity and happiness to our citizens. Globalization and technology have changed our economy. This legislation will ensure that our patent system rewards the innovation of the 21st century.

I know this is not the exact bill we passed in the Senate earlier this year, but the major components of that earlier bill are in the one on the floor today. Those components are vital to bringing our patent system into the 21st century and unleashing American ingenuity as never before. Sometimes it is obvious how one can get a job, but sometimes it is harder to see, such as when one has to get an invention developed and get it approved and get the patent on it and get it to market. That is the hard work that goes on in this bill.

I urge my colleagues to support this bill, and I yield the floor to my colleague and friend from Arizona, Senator MCCAIN.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Madam President, I ask unanimous consent to address the Senate as in morning business, and I additionally ask unanimous consent that I be joined in a colloquy with Senator GRAHAM from South Carolina and Senator LIEBERMAN from Connecticut.

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

IRAQ

Mr. MCCAIN. Madam President, yesterday, we learned from media reports the Obama administration has made a decision to sharply reduce the number of U.S. forces it is proposing for a post-2011 security agreement with Iraq to roughly 3,000 troops. That media report has not been contradicted yet by anyone in the administration, so one has to assume that is the direction which the administration is headed.

As is well known, 3,000 troops is dramatically lower than what our military commanders have repeatedly told us, on multiple trips to Iraq, would be needed to support Iraq's stability and secure the mutual interests our two nations have sacrificed so much to achieve. Our military leaders on the ground in Iraq have told us, in order to achieve our goal—which is a stable, self-governing Iraq, and as a partner in fighting terrorism and extremism—they need a post-2011 force presence that is significantly higher than 3,000 troops.

We continue to hear that the Iraqis are to blame because they haven't asked for a new agreement. The fact is, in early August, Iraq's major political blocks reached agreement to begin negotiations with the United States on a new security agreement. This week, Massoud Barzani, the President of the Kurdistan regional government and one of the most respected men in Iraq—and, in my view, one of the finest—called for a continued presence of U.S. troops, saying Iraqi security forces are still not prepared to secure protection for Iraq.

Perhaps significantly the inspector general for Iraq reconstruction, Mr. Stuart Bowen, recently reported:

> Iraq remains an extraordinarily dangerous place to work. It is less safe, in my judgment, than 12 months ago. Buttressing this conclusion is the fact that June was the deadliest month for U.S. troops in more than 2 years.

And, by the way, we continue to hear these quotes from various administration officials about absent a request from the Iraqis, it is difficult to settle on any one thing. Victoria Nuland stated that if they come forward with a request, we would consider it. That is assuming it is only in Iraq's national interests to have additional troops here. It is in America's national security interests not to lose Iraq after the sacrifice of some 4,500 brave young Americans, and the consequences of failure are obvious.

Who is it that opposes the continued presence of the U.S. troops most vociferously, strenuously, and sometimes in a very subversive way? Iran and the Sadrists. Iran and the Sadrists want the United States out. It is not a matter of Iraqi national security interests, it is a matter of American national security interests.

What do 3,000 troops do? I don't know what 3,000 troops do, but I know they are required to have certain force protection numbers, which would be significant, and then how many troops would be left to carry out the mission of protecting the United States civilians, contractors, and personnel who remain there.

I guess you can sum this up, this decisionmaking process, best, and I quote from a New York Times article, ''Plan Would Keep Small Force in Iraq Past Deadline'':

> A senior American military officer said the planning at this point seemed to be driven more by the troop numbers than the missions they could accomplish, exactly the opposite of how military planners ideally like to operate. ''I think we are doing this thing backwards,'' the officer said. ''We should be talking about what missions we want to do, and then decide how many troops we will need.''

I can assure my colleagues that is the view of the majority of members of the military, many of whom have had multiple tours in Iraq, that is their view of this process we are going through.

I would point out that my friends Senator GRAHAM and Senator LIEBERMAN, who are coming—and I have been to Iraq on many occasions since the initial invasion. We have had the opportunity to watch the brave young Americans serve and sacrifice. We have had the ability to see as the initial military success deteriorated into a situation of chaos, beginning with the looting and unrest in Baghdad to very unfortunate decisions that were made in the early period after the victory in Iraq. And we watched. We watched the situation where many of our military leaders, but also those who are now in the administration, say that if we employed a surge, it would fail. The President of the United States, the Vice President of the United States, the Secretary of State, the President's National Security Adviser, all of them said the surge would fail; it was doomed to failure.

The fact is the surge succeeded. The fact is we now have an Iraq that has an opportunity to be a free and independent country, but, maybe more importantly, one that would never pose a threat to the United States of America and, most importantly, a chance for the Iraqi people to enjoy the fruits of the sacrifice that thousands and thousands and thousands of Iraqis have made on their behalf and approximately 4,500 brave young Americans have.

The Senator from South Carolina, the Senator from Connecticut, and I recall meeting with military leaders in 2006, where we were told that everything was going fine. The Senator from Connecticut, the Senator from South Carolina, and I recall meeting with a British colonel in Basra who told us that unless we turned things around, we were doomed to failure. We remember the summer of 2007, when we were lonely voices, along with that of General Petraeus, General Odierno, and other great leaders who have been saying the surge could, and must, succeed.

I will leave it up to historians to decide whether our venture into Iraq was a good one or a bad one, whether the sacrifice of young Americans' lives was worth it, whether a stable and democratic Iraq, which can be the result of our involvement there, was the right or wrong thing to do. But what we should not do, and in deference to those who have served and sacrificed we must not do, is make a decision which would put all of that sacrifice and all that was gained by it in jeopardy because of our failure to carry out the fundamental requirement of contributing to Iraqi security in this very difficult transition time.

I would ask my friend from South Carolina, to start with, perhaps he remembers when we went to Baghdad, I believe it was 2007, and went downtown with General Petraeus and were mocked and made fun of in the media as I came back and said that things had improved in Iraq. Perhaps the Senator from South Carolina recalls when we had that almost triumphant visit in downtown Fallujah, a conflict that was won with great cost in American blood and treasure. Perhaps the Senator from South Carolina recalls going into downtown Baghdad and going to a bakery in an environment not of complete security but dramatically improved. All of it was purchased by the expenditure of America's most precious asset, young Americans' blood. And now we place all of that at great risk in the decisions, I say with respect, made by the same people who said the surge couldn't succeed.

I urge the administration and the President to reconsider what apparently is a decision and listen to our military leaders once, and employ a sufficient number of troops to provide the Iraqis with—as Barzai said, a sufficient number of troops to secure. As Barzai said, Iraq security forces are still not prepared to secure protections for Iraq.

I would ask my colleagues from South Carolina and Connecticut, aren't there plans for us to have a large amount of American civilians there, contractors, to protect them? Probably the most expensive form that we could do rather than American troops. Is it not a flawed strategy to not have enough American troops there to ensure that the lives of Americans who are serving there in various capacities are protected?

Mr. GRAHAM. If I may, trying to respond to the Senator's question, the answer is yes. But you don't have to believe me or Senator MCCAIN. Ambassador Jeffrey, who is our U.S. Ambassador to Iraq, told us back in June when he was getting confirmed that all civilian movements are accompanied by American forces, to some extent, a mixture of Iraqi and American forces.

We are about to pass the baton between the Department of Defense to the Department of State. The civilian-military partnership that has been formed over the last decade has been working very well, and the future of Iraq is in Iraqis' hands, but they do need our help. As Senator MCCAIN said, we are helping ourselves.

On June 24, 2010, we asked General Odierno, Where are we in terms of Iraq? How would you evaluate our situation? And since this is football season——

Mr. MCCAIN. This was at a hearing?

Mr. GRAHAM. Yes. This was at a hearing for confirmation for General Austin. He said, We are inside the 10-yard line.

Well, this is football season. I think most Americans can understand this great progress. He said, We have four downs. This is first in 10, on the 10, we have 4 downs. He felt good that we can get it into the end zone, but getting it into the end zone is going to require a follow-on presence in 2012.

Having said that, I know most Americans want our troops to come home. Include me in that group. We are going to go from 50,000 to zero at the end of this year if something new doesn't happen. I am confident the Iraqis want our continued presence in a reasoned way.

What do they need that we can provide? Intelligence gathering. We have the best intelligence-gathering capability of anyone in the world, and it helps the Iraqis stay ahead of their enemies. And who are their enemies? The Iranians are trying to destabilize this young democracy. Ambassador Jeffrey, who is a good man, said the reason we need to get Iraq right is it helps our national security interests.

Show me an example in history where two democracies went to war. There is not any. So if he could take Saddam Hussein's dictatorship and replace it with a representative government, that is a huge advancement in our national security interests over time.

What do the Iraqis need militarily? They don't have a mature air force, so General Austin said it would be in our interests not only to sell them planes, F–16s, but actually train them how to use those airplanes. They have an infant navy to patrol their coast, to protect them against threats there. It is in our interests not only to train and develop the Iraqi police and army but to make sure that our civilians who are going to help build this new democracy can travel without fear and without unnecessary casualties, because the Iranians are going to try to undercut us at every turn. That means targeting American forces left behind.

What else do they need? Counterterrorism. Al-Qaida and other groups, other radical groups, are going to try to come back into Iraq and destabilize what we have done. We have seen some signs of that. We have had 60 al-Qaida types released from American custody to Iraqi custody, and some are back out on the streets. So a counterterrorism footprint would be smart. Vice President BIDEN is right about this. A CT footprint in Afghanistan and Iraq makes sense.

When you add up all these missions, intelligence gathering, training, embedding, counterterrorism, force protection——

Mr. MCCAIN. Could I ask the Senator, are you leaving out the necessity for peacekeeping in the north between the Kurdish and the Arabs?

Mr. GRAHAM. That is a very good point, and that is exactly sort of where I was going to take this. That requires the footprint of thousands. We don't need 5,000, but I think 10,000 when you add it up is probably the bare minimum to do this. Because the commanders who are policing the Kurdish-Arab dispute boundary line in the northern part of Iraq have come up with a very novel approach, and I want to give the administration credit and the military credit. What they have done is they have taken Peshmergas, which are basically Kurdish militia, integrated them with Iraqi national security forces and American forces to form companies that eventually go to brigades, where they will get to know each other and work together as a team. I think any neutral observer would tell you our presence in Kirkuk has prevented a shooting conflict in the past. That is what President Barzai is worried about in the Kurdish areas. That is 5,000, he said. He has said we will need 5,000 troops here for a while to make sure this new concept of jointness develops over time. So when you add the whole package, you are somewhere around 10,000 plus.

To the administration, not only is bipartisanship desired in national security, I think it is required. We can look back and pat each other on the back or blame each other about Iraq. That is not what I am trying to do. We are where we are, and we are in a pretty decent place to the point that the Iranians are going nuts. They are trying to undercut Iraq's national development, because their biggest nightmare is to have a representative democracy on their border. That will incite their own people in Iran to ask for more freedom.

So, please, to the Obama administration, don't make the same mistakes at the end that the Bush administration made in the beginning. I can say with some credibility that I argued against my own political party infrastructure, that Senators MCCAIN and LIEBERMAN and others—we went there enough to know it was not a few dead-enders, that the whole security footprint was not sufficient, and the model to change Iraq was not working.

It was General Petraeus's model that was adopted, to President Bush's credit. That was a hard decision for President Bush. The war was incredibly unpopular. People were frustrated. It seemed it was a lost cause, and President Bush went against what was the political tide at the moment. I am glad he did.

I ask President Obama to consider the long-term national security interests of the United States and do what Senator MCCAIN suggested—not what he suggested, what our military suggested: define missions. Is it important to have some support to intelligence gathering? I would say yes. Training the Army and Air Force and Navy? I would say yes. Having some presence to protect our civilians who are going to be the largest groups? I would say overwhelmingly yes. Does it make sense to have some American military support in the Kurdish-Arab dispute area? Overwhelmingly yes.

We will stand by you. I think most Americans are frustrated and war weary, but they don't want to lose. We are very close to changing Iraq by helping the Iraqi people. We can't change Iraq; only they can. They want to.

We talk about the deaths of Americans and it breaks our hearts. For every American who has died there have probably been 10 Iraqis. This has not been easy for people in Iraq. That is why I never lost faith. What kept me going with Iraq and Afghanistan is I have been there enough to know there are people in those countries who want the same thing for their children as most people in this body want for theirs.

To be a judge in America, one can get criticized. It is a tough job. One can lose their life in Iraq and Afghanistan, and I have personally met people who decided to step to the plate—to be lawyers, be judges, be policemen—who got killed. They knew what was coming their way.

It is in our national security interest to help this infant democracy, and that is what it is. Corruption still abounds, there are tons of problems in Iraq, but they are on the right trajectory.

I am asking the administration: Listen to your commanders. And 25,000, in my view—I am not a commander, but I could understand why the President would say that is a bridge too far. I know what the generals have recommended. It goes from the midteens to the midtwenties. But somewhere to the north of 10, given my understanding of Iraq, I think it will work. But I know we are broke. One thing I can tell you is, we cannot afford to lose after all this investment. The price and cost of losing in Iraq now would be devastating for years to come.

If we do not see this through, who would help us in the future push back against extremism, knowing that America left at a time when they were asking us to stay? I am confident Sunnis, Shias, and Kurds want us there in reasonable numbers to make sure they can have the help they need to get this right.

Apparently, the decision has not been made yet. I am urging the administration to look at the missions, be reasonable, understand that we cannot give the military all they want all the time.

This is the decision of the Commander in Chief. He is a good man. It is his call. But the one thing I offer and I think the three of us offer in these very difficult times when America is under siege at home is to be supportive voices for the idea we cannot retreat and become fortress America.

Look what happened when a few people from Afghanistan, in far away places, for less than $1 million—what havoc they wreaked on our country. This Sunday is the 10th anniversary. I am hopeful as we get to the 10th anniversary we can look back and say we have defended America in a bipartisan way. It is not just luck that has prevented us from being attacked. The President deserves a lot of credit for going after bin Laden, a lot of credit for adding to troops in Afghanistan when people were ready to come home.

I urge this administration to listen to our military leaders and finish this right. It would be a tragedy upon a tragedy for us to be inside the 10-yard line and fumble at a time when we can score a touchdown—not only for our national security but for fundamental change in the Mideast. If we get it right in Iraq, the Arab spring is going to get the support it needs and deserves. If we fail in Iraq, it will be just repeating history's mistakes.

The Bush administration did change. Thank God they did because they did not get it right early on. We are so close to the end now. Let's be cautious, let's be reasonable, let's err on the side of making sure we can sustain what we have all fought for. I tell you this: History will judge everybody well, including President Obama—and that would be OK with me—if we can turn Saddam Hussein's dictatorship into a representative government that would be aligned with us and be a voice of moderation for the rest of the 21st century.

I would like to get Senator LIEBERMAN's thoughts. It is one thing for me to talk about this in South Carolina. But even in South Carolina, a very red State, people are war weary and they are not excited about having to stay in Iraq in 2012. I think they will listen to reason. But during the darkest days of this effort in Iraq, Senator MCCAIN went the road less traveled by saying we need more at a time when the polls said everybody is ready to come home. I do not question anybody's patriotism. It was a hard call. It was a tough fight, and there were no easy answers. But I am glad we chose to do what we did. I am glad President Bush adjusted.

But Senator LIEBERMAN, above all of us quite frankly, literally risked his political career because he believed that what happened in Iraq mattered to the United States.

The Senator was right. I want to thank him on behalf of all those who served in Iraq for giving them the time and resources to prove we could get it right.

I would like the Senator to, if he doesn't mind, to share his thoughts with the body about how we should finish Iraq.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank the Chair and thank my friend from South Carolina for his generous words.

Obviously, what turned the tide in Iraq was a vision, a commanding vision by General Petraeus about what had to happen to succeed with a new counterterrorism strategy and tremendous support from the men and women of the American military, a generation that volunteered, that stepped up to the call, that rightfully should be called America's ''new greatest generation.'' They are an inspiration to us.

Of course, we lost a lot of them there. The Iraqi military fought hard and now, increasingly, has shown its capability to defend its own nation, which is what we had hoped and prayed and fought for. So my friends from Arizona and South Carolina had the same reaction I did yesterday. We began to talk to each other by the end of the day as we came back to Washington, to what was originally a FOX News story, that the decision had been made in the administration to go down to 3,000 troops. We reacted that way because it was lower than any number we had ever heard from anybody we had confidence in about what was necessary to secure all that we have gained and all the Iraqis have gained.

The papers today report it as a fact. Secretary Panetta says no decision has been made. I hope not because in these matters—I understand there is politics in Iraq as well as here, but what has to be put at the top of the list is what is best for our national security and, of course, for the Iraqis, what is best for their national security.

To me, if the number is right, and it is only going to be 3,000 more there after the end of this year, I don't see how we can feel confident that we can protect what we have spent a lot of American lives—a lot of Iraqi lives, a lot of our national treasure and theirs—securing. And I don't see how we can help to avoid a kind of possible return to civil war, particularly on the fault lines my friends have mentioned, between the Kurdish areas and the Arab areas.

This is a decision ultimately for the President. I want to say this about doing the right thing: The President, obviously, took a position for withdrawal of American troops from Iraq during the campaign of 2008. I think there were a lot of his supporters who felt, who hoped, who dreamed that pretty much the day—we are hearing a lot about day one these days, a lot about day one after the next election. But I think a lot of President Obama's supporters expected that on day one of his administration he would begin a full withdrawal from Iraq. To his great, great credit, he did not do that because I think he understood he had a goal, which was to pull our troops out of Iraq but that America had an interest and he as President had to protect that interest in not losing in Iraq, not letting it fall apart, and not letting us suffer the loss we would to our credibility and strength around the world.

My friends and I traveled a lot together. We have been in places far away from Iraq—Asia, for instance—where, when it was uncertain about whether we were going to stick to it in Iraq we heard real concern from our allies in Asia. They said: You know, Iraq is far from here, but we depend on American strength and credibility for our security and freedom in Asia, in the Asia-Pacific region. If you are seen to be weak and lame and not up to the fight in Iraq, it is going to compromise our freedom.

The President, to his credit, understood all that and put us on a slow path to withdrawal. But I don't think anybody would fault the President if we—and I think the expectation has been that we have achieved so much that we could—leave a core group there to continue to train the Iraqi military so they reach their full potential, to be there to assist them in a counterterrorism fight because that is essentially what is going on in Iraq now. The war is basically over, but the extremists, the Shia militia, some remnants of al-Qaida, are carrying out terrorist attacks. Those are the explosive—literally explosive—high-visibility attacks.

We have special capacities in the U.S. military to work with the Iraqi military to prevent and counter those terrorist attacks.

Then the final part of the mission has to be to protect the American personnel there, civilian personnel. I don't know what that number will be. At one point—we already have the largest——

Mr. MCCAIN. Can I ask my friend to yield?

Mr. LIEBERMAN. I yield.

Mr. MCCAIN. I ask unanimous consent for an additional 7 minutes past 12:30.

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

Mr. LIEBERMAN. I thank my friend. At one point somebody indicated to us—we were in Baghdad—that the American Embassy, which is already the largest U.S. Embassy in the world in terms of personnel, could go up as high as 20,000. It could be that high. Those are a lot of civilians committed to working in the country that we need to have forces there to protect.

We are all coming to the floor today to appeal to Secretary Panetta, to the President: It would be shortsighted. If it is really going to be 3,000 and only 3,000, and, frankly, we are not going to tuck some away in those civilian personnel numbers in the embassy or somewhere else, covert operators—if it is really only 3,000, they are not going to be able to do the job that needs to be done. Not only that, they are going to send a message of weakness, lack of resolve, anxiousness to get out to the Iraqis' enemies and ours in the region, and that particularly includes Iran.

I join my colleagues. We have been together on this for a long time. I don't want us to squander what we have won, and we will, I am afraid, if we only leave 3,000 American troops there.

Mr. MCCAIN. Could I say to my colleague, no events in history are exactly similar. But I think we learned in Lebanon and again in Somalia that forces that are too small and do not have sufficient force protection—and I am not saying they are exact parallels, but certainly it puts whoever is there, whether they be military or civilian, in some kind of danger. As that progress has been made—and it has been significant progress in a country that has never known democracy—we have now Turkish attacks on the PKK up in the Kurdish area. We have continued tensions in the areas to which the Senator from South Carolina referred, which at one point, I believe, last June almost came to exchange of hostilities, between the Peshmerga and the others, and there is also increased Iranian interest in Basra. There continues to be the export of arms and IEDs from Iran into Iraq. They have no air force. They have no ability to protect their airspace.

Isn't it true their counterintelligence is dependent on our technical assistance, which means personnel?

So the argument seems to be that if we want this experiment to succeed, we should not put it in unnecessary jeopardy.

Mr. GRAHAM. I will add, if I may, the 3,000 number does not allow the missions that are obvious to most everybody who has looked at Iraq to be performed in a successful manner. That is the bottom line. That is why no one has thrown out 3,000 before. Can you do it with 10,000? That is where you are pushing the envelope. The Kurdish-Arab boundary dispute almost went hot. This new plan we have come up with to integrate the Peshmurga, the Iraqi security forces with some Americans, will pay dividends over time. Mr. President, 5,000 is what the American commander said he needed to continue that plan. We have a plan to even wind down that number. It is just going to take a while. When it comes to Iraq, I can tell you right now I would not want our American civilians to be without some American military support, given what I know is coming to Iraq from Iran.

Mr. MCCAIN. Could I mention one fundamental here? The question is: Is it in the United States national security interest to have these 10,000-plus American troops carrying out the missions we just described or is it not? If it is, then it is pure sophistry to say: Well, we would only consider this if the Iraqis requested it. If we are waiting for the Iraqis to request it, then it means it doesn't matter whether the United States is there.

I think the three of us and others—including General Odierno, General Petraeus, and the most respected military and civilian leadership—think it is in our national interest. The way this should have happened is the United States and the Iraqis sitting down together, once coming to an agreement, making a joint announcement that it is in both countries' national security interest. If it is not, then we should not send one single American there, not one.

Mr. GRAHAM. If the Senator will yield for a second, that is a good point. We have been asked to go by both administrations. The Iraqis have a political problem. That is not lost upon us. Most people in most countries don't want hundreds of thousands of foreign troops roaming around their country forever. So the Iraqis have been upfront with us. We want to continue the partnership, but it needs to be at a smaller level. They are absolutely right. I don't buy one moment that there is a movement in Iraq saying we will take 3,000, not 1 soldier more. I think what is going on here is there is, as Senator MCCAIN suggested, a number drives the mission, not the mission drives the number. At the end of the day, this 3,000 doesn't get any of the essential jobs done. It leads to 3,000 exposed. It leaves the thousands of civilians without the help they need. It leaves the Iraqi military in a lurch. There is no upside to this.

I would end with this thought: Let's get the missions identified and resource them in an adequate way, and I think the country will rally around the President. I cannot think of too many Americans who would want our people to be in harm's way unnecessarily. If you leave one, you have some obligation to the one. Well, if you left one, you would be doing that person a disservice. Leave enough so we can get it right, and that number is far beyond 3,000.

Mr. LIEBERMAN. Mr. President, I want to say in response to something Senator MCCAIN said, somebody in the military said to me: If we are not going to leave enough to do the job, we might as well not leave anybody there.

Of course, we don't want that to happen. There are a couple of alternatives here. One is that the 3,000 is not the number. Hopefully we will have clarification. It is more than that. In all our trips to Iraq, talking about repeated teams of leadership, never has there been anyone who said to us that we needed less than 10,000 American troops there to do this job. I want to repeat this; there is a kind of sleight of hand here. Maybe it is 3,000 here and a few more thousand tucked into the civilian workforce at the embassy and a few more somewhere in the special covert operators. If that is the game plan here, it is a mistake. We ought to see exactly how many troops are leaving there. It gives confidence to our allies in the region, particularly in Iraq, and it will unsettle our enemies, particularly in Iran.

Dr. Ken Pollack has a piece in the National Interest that is out now about this situation. He is concerned about the small number of troops that may be left there and agrees that there may be some Iraqis who might be pushing for a smaller post-2011 force with a more limited set of missions. Dr. Pollack says:

> That would be a bad deal for the Iraqi people and for the United States. Our troops would be reduced to spectators as various Iraqi groups employ violence against one another. Moreover, if we have troops in Iraq but do nothing to stop bloodshed there, it would be seen as proof of Washington's complicity. If American forces cannot enforce the rules of the game, they should not be in Iraq, period, lest they be portrayed as contributing to the destruction of the country.

That is what we are saying.

The final point here is Dr. Pollack argues in this piece that the United States, if this is in response—giving the benefit of the doubt for a moment—to Iraqi political concerns, that the U.S. has the leverage to avoid this dangerous outcome. He writes:

> America has the goods to bargain. The question is whether Washington will.

That is the question I believe my colleagues from Arizona and South Carolina are asking today: Will we bargain with our Iraqi allies that this is the problem to be able to work with them for another chapter to secure all we have gained together up until now?

Mr. MCCAIN. Mr. President, I appreciate your indulgence and yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:37 p.m. recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARDIN)

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

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

REMEMBERING SENATOR MARK O. HATFIELD

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, my home State of Oregon has many towering and majestic features, such as our iconic Mount Hood and our beautiful State tree, the Douglas fir. Senator Mark O. Hatfield, who passed away on August 7, stood head and shoulders above all of them.

Last night, the Senate passed S. Res. 257, a resolution in respect of the memory of Senator Hatfield. This afternoon, Senator MERKLEY and I, with colleagues of both parties, would like to reflect on the extraordinary legacy of our special friend, Senator Mark Hatfield.

For me, Senator Hatfield's passing this summer, just as it seems the Congress has become embroiled in a never-ending series of divisive and polarizing debates and battles, drove home that Senator Hatfield's approach to government is now needed more than ever in our country.

Senator Hatfield was the great reconciler. He was proud to be a Republican with strongly held views. Yet he was a leader who, when voices were raised and doors were slammed and problems seemed beyond solution, could bring Democrats and Republicans together. He would look at all of us, smile and always start by saying: ''Now, colleagues,'' and then he would graciously and calmly lay out how on one issue or another—I see my friend, Senator COCHRAN from Mississippi, who knows this so well from their work together on Appropriations—it might one day be a natural resources question, it might one day be a budget issue or a health issue or an education issue, but Senator Hatfield had this extraordinary ability to allow both sides to work together so an agreement could be reached, where each side could achieve some of the principles they felt strongly about. They would not get