

working in conjunction with our military forces. Indeed, the first American to be killed in Afghanistan was Mike Spann, a CIA agent.

What we are dealing with, lest folks get this all mixed up with politics, is a crime of the most serious nature because it jeopardizes the security of the United States and its people. When someone's identity is suddenly revealed and is an agent of the U.S. Government, their life is in jeopardy and the lives of their contacts are in jeopardy. That is the gravity of this leak. That gets lost in all of this. He said, she said, and so forth is just branded as politics. But we are dealing with the lives of people.

As in any normal criminal proceeding, if a violation of law is thought to have occurred, then let us allow the cops to investigate and let us bring that person in front of the responsible judicial tribunals. The question is, which cops will be able to investigate and get to the truth? If you leave it to the professional law enforcement people, they will. But isn't it sad that we have to be concerned that political influence will direct that investigation?

Whatever turn it takes, what the Senator from Florida is standing for is I know our people want to get to the truth, and it ought to be the professional law enforcement investigators who determine what is the truth. That is why I wanted to come and support the Senator.

Mr. SCHUMER. I thank my colleague. Again, he is on the money. That is all we seek here now—the truth.

The spokesperson for the President, Mr. McClellan, said we are referring it to the Justice Department and the professionals. If you look at the chain of command, it goes right up to the Attorney General.

As I mentioned earlier, the Attorney General is a close political ally with the President. There is nothing wrong with that. That is one model of the Attorney General. But it certainly sacrifices the appearance of independence, and perhaps independence itself particularly goes very high up.

Why we have asked for a special counsel is very simple: It is to allow professional law enforcement to do the job unfettered so they know they will not pay a price if they pursue it completely and fully. That would entail a special counsel of great legal background and sterling reputation for independence and integrity. I think it would behoove the administration to do that.

There are all sorts of doubts now. Are they telling the truth about this, that, or the other thing when it comes to foreign policy? Were we to appoint a special counsel, people would say: Yes, maybe they are.

But I will say this: The effort to sort of sweep this under the rug and say, oh, this is just one of the leaks that occurs every day, that makes me angry, to be honest with my colleague. That is un-

fair not only to the CIA agent in question but to the thousands of intelligence agents across the globe who at this moment, as my good colleague points out so correctly, are defending just as our soldiers are defending us and are more needed than ever before.

That is why in the intelligence community there is such livid anger because this occurred. My guess is—this is just my guess—that is why Mr. Tenet requested the investigation. My guess is that in his head he was saying, Oh, boy, this is going to get me in trouble the way, say, Janet Reno may have gotten in trouble with the previous President, the Attorney General from the Senator's State. But he knows that the integrity of the intelligence service is important. My guess is that is why he did it. Maybe that is why it took a bit more time than I had imagined when I first requested this on July 24. But he did request it.

Now our obligation to the thousands of brave men and women who are in our intelligence services and risking their lives is to get to the bottom of it with a fearless, complete, and thorough investigation.

Mr. NELSON of Florida. Will the Senator further yield for an additional comment? It is not only, interestingly, those who are directly in the services of the CIA now, but it is also the retirees.

I will never forget being in an almost deserted embassy in Islamabad, Pakistan, after September 11. I heard my name being called. I turned around, and I saw an elderly looking gentleman, and he recalled how we knew each other back when I was in the House of Representatives.

I said: What in the world are you doing here?

We were getting ready to do a raid in 5 cities simultaneously that night, of which we got 50 al-Qaida, and we got the No. 3 guy. And, lo and behold, he was a retired CIA agent they brought back in the aftermath of September 11, when we were trying to catch up until we could get the new guys trained. They reached out, and they got the old guys who had all the knowledge.

Mr. SCHUMER. Right.

Mr. NELSON of Florida. So we are talking about the protection of the interests of this country, and not only those in the active service right now but those who are retired who in times of emergency are called back as well.

Mr. SCHUMER. I thank my colleague. Well said. It is a tribute to how familiar he is with our intelligence services and how many from his State serve in the intelligence community.

I was glad to hear, for instance, that these days, on the college campuses, signing up for intelligence is a coveted thing.

The PRESIDING OFFICER. The 10 minutes have expired.

Mr. SCHUMER. Mr. President, I ask unanimous consent that we be given another 5 minutes.

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

Mr. SCHUMER. Thank you, Mr. President.

There are lines to join the intelligence services, sort of as there were after World War II, when some of our best and our brightest wanted to go into our services.

I will tell you, if politics can be played—and those of us asking for an investigation are not playing politics; it was the people who outed this agent, if, indeed, that is proven to be true, who were playing politics—but if that is allowed to prevail, it is going to hurt our intelligence agencies in many more ways than one.

I thank my colleague.

Mr. President, I would just make two points. No. 1, I will continue to make an effort to bring up this amendment. It has now been printed in the RECORD. I ask my colleagues on both sides of the aisle to read it. We were judicious in our language. It does not have any kind of political language or diatribe. It just states the facts. I would hope we could get colleagues from both sides of the aisle to sponsor it.

And I would hope we could move it forward—move it forward quickly—as a message because that is all it can be, but as a message to the President that we need a thorough, complete, and fearless investigation, and that only a special counsel can do that for us.

With that, Mr. President, 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.

The PRESIDING OFFICER. In my capacity as a Senator from the State of Alabama, I ask unanimous consent that the order for the quorum call be rescinded.

Without objection, it is so ordered.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 having arrived, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:30 p.m., recessed until 2:16 p.m. and reassembled when called to order by the Presiding Officer (Mr. VOINOVICH).

The PRESIDING OFFICER. The Senator from Ohio.

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

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

#### ORDER OF PROCEDURE

Mr. GREGG. Mr. President, I ask unanimous consent that following the reporting of the DC appropriations bill,