

Mr. DASCHLE. The Senator is correct. There have only been 3 out of 173 now that have not been given the authority to serve on the bench and, as I said, for good reason—either their unwillingness to cooperate with the nominating process or fulfill their obligation to provide information regarding their positions, or the fact that they have clearly demonstrated extreme positions on issues that fall way outside the mainstream of philosophical thinking and prevented their confirmation.

The Senator is correct: 173 is the accurate number today.

Mr. REID. Mr. President, I ask unanimous consent—and if I am out of line, the Chair in his capacity as the Senator from the State of Alaska can object—to speak for up to 15 minutes in morning business rather than 10.

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

#### ATTACKING THE MESSENGER

Mr. REID. Mr. President, when you cannot attack a man's ideas, attack the man. Sadly, that is what we have seen over the last few days in the case of Richard Clarke, a dedicated public servant.

Before this week, few Americans knew who Mr. Clarke was. But now, according to this morning's Washington Post, 9 out of 10 people in America know who Richard Clarke is.

Those who did know Mr. Clarke knew him as a person who has devoted his entire adult life to serving his country and keeping our country safe.

As a distinguished Senator, Bob Kerrey said yesterday—and he knows a thing or two about patriotism—Clarke did many things to keep this country safe, that none of us will ever know about. That is the nature of counterterrorism.

Mr. Clarke has served four Presidents—three Republicans and one Democrat. In fact, he called the first President Bush the best national security professional he had ever worked for. That goes to the very basic knowledge that President Bush, among his other assets, was also head of the Central Intelligence Agency.

Mr. Clarke worked in the State Department, and then led the counterterrorism effort in the White House for more than 10 years.

This is how important he was and how much confidence everyone had in his abilities: On the day of the tragedy of September 11, he was put in charge—I repeat, put in charge—of coordinating the White House response. Even today, after he retired from public service, Mr. Clarke continues to make a contribution to our national security.

Mr. Clarke has raised a few questions, important questions, such as: Was fighting terrorism a real priority for the Bush administration prior to September 11, or was it down the list of national security concerns, behind things such as missile defense?

According to an Associated Press story, President Bush's national security team met almost 100 times prior to September 11, but terrorism was the topic of only 2 of these sessions.

The next question: What actions were we taking to knock out Osama bin Laden and his henchmen, who had already successfully attacked several U.S. targets overseas?

Mr. Clarke says President Clinton was obsessed with this.

What were we doing in the first part of 2001, after President Clinton left office and was no longer there, obsessed in some way to get rid of Osama bin Laden? As you know, President Clinton ordered a missile launch in an attempt to get Osama bin Laden.

The next question deals with the Predators, unmanned aerial vehicles. These vehicles were developed 36 miles from Las Vegas in Indian Springs. These vehicles were and are an essential part of the weapons complex that is in Nevada. People do not realize that 40 percent of the airspace of this very large State of Nevada is restricted military airspace. One of the reasons is you can test the Predator, and what it can do and what it cannot do, because of the vast amount of airspace we have in Nevada. So I have a special interest in the Predator because of its basing in Nevada.

Question: Were we following Mr. Clarke's recommendations to utilize this tremendous tool more effectively in the fight against terror?

How much has the war in Iraq helped or hindered our war on terrorism?

Finally, one of the questions Richard Clarke asks: There were at least two of the September 11 hijackers in our country, if terrorism was a top priority, why weren't airport personnel on the lookout for these known terrorists?

These are questions Richard Clarke has asked, reasonable questions.

I refer to today's Washington Post, a front-page story, written by Mike Allen. Among other things, this newspaper article says—similar articles are being run all over America. After Clarke asked these questions, here is what Mike Allen said:

So this week, his aides—

President Bush's aides—

turned the full power of the executive branch on Richard A. Clarke, formerly the administration's top counterterrorism official, who charges in his new book that Bush responded lackadaisically in 2001 to repeated warnings on an impending terrorist attack.

When you cannot attack a man's ideas, or even his questions, you attack the man.

Allen goes on further to say:

They questioned the truthfulness of Clarke's claims, his competence as an employee, the motives behind the book's timing, and even the sincerity of the pleasantries in his resignation letter and [his] farewell photo session with Bush.

Just a few others things out of this long article:

James A. Thurber, director of the Center for Congressional and Presidential Studies of

American University, said he was stunned by the ferocity of the White House campaign [against] Clarke.

Thurber goes on also to say:

They are vulnerable, which is why they are attacking so hard. You have to go back to Vietnam or Watergate to get the same feel about the structure of argument coming out of the White House against Clarke's statements.

The article states:

A poll by the Pew Research Center for the People and the Press, conducted Monday through Wednesday, found significant public interest in Clarke's criticisms, with nearly nine in 10 . . . Americans surveyed saying they had heard of them [heard of his ideas]. Of those polled, 42 percent said they had heard "a lot" about his claims and 47 percent said they had heard "a little."

Ninety percent of the people in America are aware of what is going on with these ferocious attacks.

Are these legitimate questions? Is it a legitimate question to find out why the national security team met 100 times and only twice discussed terrorism? It is a legitimate question. It deserves a legitimate answer.

President Clinton was obsessed with taking out Osama bin Laden. Why wasn't the President of the United States, George W. Bush, obsessed with taking out Osama bin Laden? It is a valid question.

Why wasn't the Predator aircraft used to find and destroy Osama bin Laden and his operations? It is a question Richard Clarke raises. It deserves an answer.

Another question he raises—and America understands this; the people in Nevada understand this—how much has the war in Iraq helped or hindered the war on terrorism? That is a question that is running through the fiber of the American people.

Finally, Richard Clarke asks:

Why weren't we doing something to get rid of the terrorists who we already knew were here?

These are legitimate questions. I think there could be legitimate differences about the answers to these questions. We should be debating these issues and not whether Clarke's meeting with the President, when he left, was sincere, or attacking him personally about his not being a good employee. I do not think that is the right way to answer these questions.

When you cannot attack a man's ideas, you attack the man. That is wrong.

The questions that have been raised are legitimate, and they deserve answers. We should be debating these issues in a way that reflects the gravity and the seriousness of this challenge to our Nation. There is not a single one of these questions that has been asked that is not serious.

I think it is sad that, based on what we have seen in the past from this administration—I guess I should not be surprised. Any time this administration is faced with tough questions they do not want to answer, they respond by making personal attacks.

Here on the floor yesterday I talked about what they have tried to do to demonize and damage Senator TOM DASCHLE. He is the leader of the Democratic Senate. He has been the titular head of the Democratic Party, and there have been very personal attacks directed toward him, questioning his patriotism—a man who served in the U.S. military—attacking his family, attacking his religiosity—whether he is a proper member of his church. These are not proper responses.

Senator DASCHLE, as he did today, came to the floor and said he does not believe the White House is handling the nominations of statutory Democratic nominations; they are rejecting them, and they are rejecting them for no cause.

Why doesn't someone come and defend that, say we are rejecting all these 36 people because they are all bad people and not qualified? No, they are not willing to do that. They go after Senator DASCHLE. They did it to former Senator Max Cleland, one of the most courageous, inspirational, wonderful people I have ever met in my life.

Senator Cleland went to Vietnam, volunteered to go, a strapping man, 6 foot 4. You would never know it now because you never see him stand. He only has one leg. He has no arms. I am sorry. He has no legs, and he has one arm. For him to get dressed every morning is a 2-hour ordeal. A man with always a smile on his face, a man who, prior to his serious injury, was honored with the Silver Star in Vietnam for his gallantry. But that was not enough.

He was attacked personally for not being patriotic because he did not support the President's version of homeland security. With untold amounts of money, he was defeated in his reelection bid in Georgia.

He was the original cosponsor of the bill to create a Department of Homeland Security, long before President Bush supported such an idea. But this was not good enough. They attacked him, not his ideas.

When the President finally came around and agreed we needed a Department of Homeland Security, Mr. Cleland did not agree with him on all the details about how the employees should be classified. Fair enough. Debate the issues and discuss your differences. But this administration condoned campaign TV ads that compared Max Cleland, who lost three limbs, to Osama bin Laden and Saddam Hussein. Can you imagine that?

ZELL MILLER, my friend—I care a great deal about him—doesn't vote with us a lot on issues. He is a Democrat and has been his whole life. He doesn't vote with the Democrats as I think he should, but I respect his voting in a way that he believes is appropriate for his conscience. But ZELL MILLER, being the patriot he is and knowing the sacrifices Max Cleland has made for his country, said:

My friend Max deserves better than to be slandered like this.

Congratulations to ZELL MILLER. I have read his book, his second book. He has written one on the Marine Corps I have not read. I congratulate him. I have great respect for my friend ZELL MILLER. I appreciate very much his stepping out, doing his very best to protect and defend his friend Max Cleland. Every Member of the Senate agrees on this side of the aisle with what ZELL did.

Senator Cleland was not the only person. I talked about Senator DASCHLE. If you want to read an interesting book, read Paul O'Neill's "The Price of Loyalty." Paul O'Neill is one of America's great businessmen. He was chief executive officer of Alcoa Corporation.

The PRESIDING OFFICER (Mr. CHAFEE). The Senator has used 15 minutes.

Mr. REID. I ask unanimous consent to speak for another 7½ minutes.

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

Mr. REID. No one would ever question his business acumen and his Republican Party credentials. He, as Secretary of the Treasury, didn't think the President conducted his office appropriately. He was asked to resign and left and wrote a book about his experiences in the White House as Secretary of the Treasury. Rather than trying to factually discount his book statements, they went after him. He questioned economic policies, foreign policy issues, and was denounced as a person who did not know what he was talking about or doing. It is a lot easier to attack a man personally than it is to defend the economic policies that have controlled our country. It is a lot easier to attack a man personally than it is to defend the economic policies that have contributed to the largest deficit in history, the worst record in jobs since Herbert Hoover. It is easier, but that doesn't mean it is right.

It wasn't right to leak the name of an undercover CIA agent because her husband said the President was mistaken about claiming Iraq had purchased uranium from Africa. Can you imagine that? An undercover CIA operative, someone who could be subject to be killed. Not only could that woman be subject to be harmed, but what about all the contacts she had. She was an undercover spy for America, and the White House, in an effort to disparage this man who disagreed with the administration on whether there was uranium that had come to Iraq from Africa, rather than questioning whether that was a fact, went after his wife.

It wasn't right to compare Senator Cleland to a murderer like Osama bin Laden, to attack Senator DASCHLE. These kinds of personal attacks are known as ad hominem arguments. That is Latin for "to the man." As a logical term, it means instead of refuting the point or argument being presented, you attack the person presenting it. In short, if you don't like the message, attack the messenger. Aristotle called ad

hominem arguments a fallacy of logic. They are the last recourse of those who can't debate an issue on its merits. The purpose of an ad hominem attack is to either convince your opponent to stop arguing or to convince the audience to stop listening. Sometimes it works, but it hasn't worked here. Nine out of every 10 Americans know of Richard Clarke's story. I don't think Richard Clarke is going to be intimidated.

I don't know him. To my knowledge, I have never spoken to him. I think the American people want an honest discussion of the questions this patriot is raising. This administration is attacking its critics. They are firing them, such as Larry Lindsey, or threatening to fire them, such as Mr. Foster, for telling the truth.

Larry Lindsey tried to tell the truth about how much the war was going to cost. He said it would cost \$100 billion. He got fired. But he was way short. Last year alone we appropriated over \$150 billion. General Shinseki, when he told the truth about how many troops we would need, got fired. It is a matter of record. Foster wanted last year to tell us how much Medicare would cost. He was told if he said a word, he would be fired, if he told the truth about the cost of Medicare.

This administration does not take questions well. It is too bad. In America we have a right to ask questions about what our Government is doing. Those questions deserve honest answers and debate, not threats and personal attacks.

I thank my colleagues. I am sorry they had to wait. I usually try not to speak very long. No one was here when I started. I certainly apologize for using more than my 10 minutes.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. CORNYN. Mr. President, I ask unanimous consent to be allowed to speak for 15 minutes, and I may yield some time back.

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

#### MISSTATEMENTS ABOUT THE BUSH ADMINISTRATION

Mr. CORNYN. Mr. President, allow me to respond to some of the comments we have heard this morning, both from the minority leader and the minority whip. While it has been a rather broad attack on the administration on a number of different fronts, there are a couple of things I would like to direct my comments to by way of response.

I only wish that when we had differences of policy, we would confine our disagreements to policy and not make egregious errors of fact. While everybody has a right to their opinion, no one has a right to be wrong about the facts, or to misstate them in such a patently inaccurate way. My intention is to try to correct some of these misstatements that have been made by the minority leader, as well as the minority whip.