

terrorists to annihilate us is indisputable, as is their stated intention to acquire weapons of mass destruction to do so. Their power is only limited by their current capability.

As David Kay said, in the Iraqi Survey Report which we discussed in the Intelligence Committee and has now been released, Iraq, despite our inadequate intelligence, was a far more dangerous place even than we knew because radical terrorists were running loose in an unorganized country that had the potential to produce weapons of mass destruction for them.

We must erode the capability of those terrorists for if we sit back and allow it to grow, we will face threats to the future such as we have never seen before. Long-distance runners say there comes a time in the race when their bodies yearn to succumb to the temptation to give up the fight but they must press on. That is when they remind themselves of the reasons for their struggle and when they remind themselves why they run; they find strength to press on. Only those who are resolute and full of conviction win the race. Let us hold to our conviction that democracy is better than tyranny, achieving peace is worth our struggle, and those who are counting on us in Iraq have a reason to hope.

We must maintain the course and be ready to fight neofascists and Islamofascism, wherever it exists. Right now it is Iraq, but there are other theaters as well. Southeast Asia could become one added to the list. Let us press on, for only if we do so will we one day win this long distance race. It is not a short one, but it is one we cannot afford to lose if we want to ensure that we have no more 9/11s or we at least reduce the likelihood we will have such tragedy on our shore.

I yield the floor.

The PRESIDENT pro tempore. Under the previous order, the Senator from Illinois is recognized.

Mr. DURBIN. I ask for the indulgence of the Chair to notify me when I have 3 minutes remaining on my statement.

The PRESIDENT pro tempore. Very well.

#### MOTION TO CLOSE SENATE SESSION

Mr. DURBIN. Mr. President, it was a week ago today when the Democratic leader in the Senate, HARRY REID, made a motion that the Senate move into closed session under rule XXI. It is a rule that is rarely used, but I was glad it was used that day because the purpose was absolutely essential for America to learn the truth about what happened before the invasion of Iraq.

Senator REID made that motion in order to make certain that the Senate Intelligence Committee keeps its word to the American people. Some 20 months ago, the Senate Intelligence Committee promised they would have a thorough professional investigation of several major elements relative to in-

telligence. One of the most important is whether any elected official or member of this administration in any way used intelligence or made statements that were not substantiated. In other words, were we misled, purposely or deliberately, by any elected official or member of the administration before the invasion of Iraq. It is an absolutely critical question.

I am glad the Senate Intelligence Committee made a commitment to initiate this investigation. We found, after waiting 20 months, little or nothing was happening. Fifteen months ago, the chairman of the Senate Intelligence Committee, Senator PAT ROBERTS of Kansas, called this phase II investigation a top priority. Yet, on March 11 of this year, speaking to the Woodrow Wilson Center, Senator ROBERTS said this investigation was "on the back burner."

Then a few days later on March 31, Senator ROBERTS issued a press release, after we had the report of a commission relative to this intelligence, in which he said all prewar intelligence—it would be a monumental waste of time to replot the ground.

It was very unclear whether the commitment was still there from Senator ROBERTS and the Intelligence Committee to keep their word to the American people to investigate this critical question.

Yesterday, the junior Senator from Texas came to the floor arguing, I believe, that it was unnecessary to go forward with this investigation. I think he is wrong. He argued that if we find any member of the administration misled the American people into believing a war in Iraq and an invasion were necessary, somehow this would discredit the bravery and heroism of America's troops. I cannot follow his logic.

The men and women in uniform are doing their country proud every day. They are risking their lives for America. They stand up for values that are essential, such as family, faith, and truth. Why would this Senate be reluctant to tell the American people the truth?

This is not just a test of the Intelligence Committee; this is a test of the Senate. It is a test of our constitutional responsibility, the responsibility of Congress, to protect the American people from an abuse of power by the executive or any elected official. It is a matter of the gravest importance. If an elected official deliberately or recklessly misled the American people into believing there was cause for the invasion of Iraq, that is a serious abuse of power.

We know Senator ROBERTS promised this investigation almost 2 years ago. Because of our motion to go into closed session, a bipartisan agreement was reached, and under that agreement, in 6 days, Senator ROBERTS and two of his designees will announce with three Democratic designees the schedule for completing this important investigation.

When we closed the Senate, we accomplished more in 2 hours than we had accomplished in 2 years in moving this investigation forward. When the junior Senator from Texas came to the floor and said this investigation was unnecessary because an earlier group had investigated it, he referred specifically to the Silberman-Robb Commission. What he did not put into the record should be included, and I quote from the commission:

[W]e were not authorized to investigate how policymakers used the intelligence assessments they received from the Intelligence Community. Accordingly, while we interviewed a host of current and former policymakers during the course of our investigation, the purpose of those interviews was to learn about how the Intelligence Community reached and communicated its judgments about Iraq's weapons programs—not to review how policymakers subsequently used that information.

That is the question. That is the issue. For the Senator from Texas to say the Silberman-Robb Commission has dealt with that issue is not factual and it is not accurate, based on the words of that commission.

He went further to say that the phase I investigation of the Intelligence Committee about the failings of the intelligence agencies to understand the threat in Iraq also took care of the question before us. It did not. I served on the Intelligence Committee. We purposely divided this into two investigations: First, any failings or shortcomings of intelligence agencies; second, any misuse of this intelligence information by policymakers and elected officials. That is the responsibility we have to go forward.

It is not clear when the Senate Intelligence Committee would have finished its work had we not filed this motion to have a closed session in the Senate. Now the promise has been made not just to fellow colleagues, not just to the Congress, but to the American people. I think we need to know the truth. If a policymaker in this administration deliberately misled the American people, we should know that. If we find from the evidence it did not occur, we should also know that.

Let us pursue the truth. Let us make sure the Senate Intelligence Committee keeps its promise to the American people.

We know there are many areas of statements made by the President, by the Vice President, the Secretary of State, and the Secretary of Defense that were just plain wrong. There were no weapons of mass destruction. When it came to the aluminum tubes, there was a serious disagreement within the administration, between the CIA and the Department of Energy, as to whether those aluminum tubes were evidence of a buildup of nuclear weapons. We also know that statements by the administration about a connection between Saddam Hussein and 9/11 were false. There was no evidence to back it up. We know now about the notorious statements in the President's State of

the Union Address about whether Iraq obtained yellowcake from Niger to develop nuclear weapons turned out to be totally false and bogus.

The obvious question that has to be asked is whether this administration and its spokespersons knew ahead of time the information they were giving to the American people was not accurate. That is the essential inquiry that must take place.

The PRESIDENT pro tempore. The Senator has 3 minutes remaining.

#### STATUS OF AHMAD CHALABI INVESTIGATION

Mr. DURBIN. Mr. President, I note that something curious is happening in Washington today. There is a man by the name of Ahmad Chalabi, an Iraqi Deputy Prime Minister, who is visiting Washington. Yesterday in the Wall Street Journal, FBI spokesman John Miller noted that Mr. Chalabi is "under active investigation." For what? He is under investigation for the charge that he leaked intelligence, including the fact that the United States had broken a crucial Iranian code and that Mr. Chalabi turned that information over to the Baghdad station chief of Iran's Ministry of Intelligence and Security.

Of course, if that happened, Mr. Chalabi endangered American troops and American security. As a result of this charge against Mr. Chalabi on May 20 of last year, his residence was searched by the Iraqis, with the cooperation of American forces in Iraq, to see if evidence could be found.

That is a serious charge that we would somehow jeopardize the security of America's troops and our national security and whether this man leaked sensitive information. The fact that he is under active investigation by the FBI is proof positive that we are taking this seriously.

So where can we find Deputy Prime Minister Ahmad Chalabi this week? Well, we will find him in Washington. He has an appointment to sit down and break bread with Treasury Secretary Snow and Secretary of State Condoleezza Rice. Then a little later this week he is going to give a speech to the American Enterprise Institute.

Does this sound like a man under active investigation or a man who is being actively lauded by this administration? I do not understand this.

While the Department of Justice is actively investigating this man for wrongdoing that could have endangered American troops and American lives, the Department of State and the Department of the Treasury are hosting him as though he were some dignitary. So do not be surprised if the Chalabi motorcade speeds up when they pass the Department of Justice. I guess they are concerned whether an FBI agent will come out and pursue this so-called active investigation.

It is very difficult to track how this man, who gave us such misleading information before the invasion of Iraq,

now under active investigation for endangering American troops, is now the toast of the town at the Department of Treasury and the Department of State. I do not follow their logic, and I certainly do not follow the pursuit of justice if they do not have an active investigation concluded so that we know whether Mr. Chalabi has endangered American lives.

I yield the floor.

The PRESIDING OFFICER (Mr. SUNUNU). The Senator's time has expired. Who yields time?

The Senator from Colorado.

#### A NEW DAY AND TIME IN IRAQ

Mr. ALLARD. Mr. President, we are now less than a month removed from the successful Iraqi referendum that was approved by more than 75 percent of Iraqis. This vote marked a new dawn in the Arab world, a democratically created constitution written by Iraqis and approved by the general electorate made up of Sunnis, Shiites, and Kurds. This is quite a change from the decades in which a militant dictator ruled over Iraq, with the threat of death hanging over the people for any harsh word directed toward their central government. It is truly a new day in Iraq and a new time.

Of course, some would rather ignore the strides that the Iraqi people have taken. They would rather focus on grim milestones that neither reflect the true sacrifice that has been made nor give a clear indication of how far the Iraqis have come to independence. The men and women of our Armed Forces have created an environment in Iraq that has given Iraqis a chance for democracy.

This chance is born from the blood, sweat, and tears of our servicemen and women. They deserve our gratitude and honor.

Friday marks Veterans Day and it is fitting that every year we take time to pause and reflect on those who have served in the military to protect our way of life and advance freedom around the globe. While we celebrate this year, we do so with heavy hearts knowing that there are many future war veterans who are currently serving in the theater abroad. As they have done in the past, our armed forces have taken up the challenge yet again to defend our freedoms from violent extremists to ensure that future generations of Americans can continue to prosper. Many of these war veterans have already served previous tours in Iraq, and my thoughts and prayers go out for another safe return home.

Many thousands of troops who are engaged in Iraq are Coloradoans. For example, the 10th Combat Support Hospital that left Fort Carson for Iraq in October. This medical unit is being deployed not only to treat our injured servicemen and women, but also any civilian that is brought in to their trauma unit regardless of affiliation. I want to take a minute to pause and re-

flect on that. Our trained medical doctors and technicians will be using their skills to save the lives of not only Coalition Forces, but anyone who is brought in—including insurgents. They might be saving the very lives of those that would do great harm to our soldiers. These are the types of actions that show what kind of men and women serve in the armed forces. These are the types of actions that show what freedom and democracy can bring to a region long devoid of it.

The individuals in our armed forces continue to shine throughout the country with remarkable levels of service. Individuals like Col. James West of Palisade, CO. Colonel West recently received a Bronze Star after distinguishing himself during two consecutive tours of duty in Iraq. He served as a Senior Program Manager in the Project and Contracting Office in Baghdad, Iraq from December 2004 to September of this year. Because of the critical nature of his position and the need to maintain the lines of communication and trust he developed with the Iraqi Oil Ministry and the primary Iraqi owned operating companies, Colonel West volunteered himself for two consecutive tours of duty.

During this time, his leadership in the field provided the foundation necessary to achieve the goal of rebuilding the Iraqi Oil production capacity to pre-war levels. The Department of Defense and the Air Force believe that his professionalism and devotion to duty merit special recognition. I honor him for his service to our country and congratulate him on his well-deserved Bronze Star.

More than just being engaged in fighting the radical insurgents who have polluted the country, our men and women like Colonel West are risking their lives to reach out to the Iraqi people to show them the heart that is behind the uniform. From the Army engineers throughout the country helping to rebuild the infrastructure, to ordinance disposal units helping to cleanse farmland from explosives left from decades of neglect, our troops continue to make a positive difference in the lives of Iraqis.

It is important to put our military's efforts into the proper perspective. The enormous progress that has been made in Iraq is the real story.

It was only 2½ years ago that the Hussein regime was in power terrorizing large portions of the Iraqi population. And now just 9 months after they elected their own leaders for the first time, the Iraqi people have approved a historical referendum by an overwhelming majority. These are the milestones we should be celebrating—the ones that could only be achieved through the sacrifices of our soldiers, sailors, airmen, and marines.

This Friday marks Veterans Day. Let us not forget our future war veterans who are gallantly serving the cause of freedom abroad. And let us remember those who have made the ultimate sacrifice to help bring democracy to Iraq.