

front of the war on terror." But the reality is that Iraq has become a terrorist front as a result of President Bush's mistakes.

Our 160,000 troops in Iraq have become a target for cowardly insurgents who attack us with roadside bombs and suicide attacks.

This is not progress.

Despite claims by supporters of the President's Iraq policy we are not making sufficient progress in Iraq. Unfortunately, we may be sinking deeper into a quagmire.

We have not made progress because the President has never put together a coherent plan for postinvasion Iraq.

For evidence of this, one need only look at the infamous speech aboard the aircraft carrier on May 1, 2003, when President Bush declared "mission accomplished."

"Mission accomplished" sure sounded like the job was done and our troops can begin to come home.

But we now know the mission was not accomplished on May 1, 2003.

More recently, over the past few weeks, President Bush has been making speeches about Iraq in an attempt to reshape people's perceptions of the war. The President knows that polls show that a majority of the American people do not believe that the war is being managed properly.

President Bush thinks if something is repeated often enough, people will eventually believe it.

But the American people will not stand still while we lose more of our courageous young men and women.

We all pray that Thursday's Iraqi elections will lead to a viable government that will create stability. It could be a critical first step.

But where are the plans if the elections do not lead to success? How long until more lost lives exhaust the patience and will of the American people?

In the meantime, supporters of the President point to evidence of significant progress as more satellite dishes appear on Iraqi roofs and cell phones are in Iraqi hands. But while the anxiety and fear existing in thousands of American families continues, Iraqi satellite dishes and cell phones do not suggest relief.

It seems possible to get an honest assessment from the administration of any future plans to get our people home.

That probably explains why some of President Bush's statements on Iraq have been contradicted by current military leaders.

For example, last June President Bush said there were 160,000 Iraqi troops trained and ready to fight. But then, a few months later, Gen. George W. Casey, Jr.—the top U.S. commander in Iraq—said only one Iraqi battalion was able to conduct operations independently of American forces. That means less than a thousand Iraqi soldiers were actually equipped to fight without our help.

And we should pay close attention to what the former head of U.S. Central

Command—retired Gen. Anthony Zinni—said about this Iraq operation.

General Zinni has described the poor planning for the Iraq war as, "at a minimum true dereliction, negligence and irresponsibility, at worse, lying, incompetence and corruption."

General Zinni went on to say, "And to think that we are going to 'stay the course'—the course is headed over Niagra Falls."

Other generals with vast experience voiced serious doubt to the White House about Iraq, including Norman Schwarzkopf, Wesley Clark, Brent Scowcroft and Eric Shinseki.

But the people who wear a suit—not a uniform—in the administration didn't listen.

I served in the Army. I have met thousands of soldiers. I know that it takes about 3 months to turn a young American into a trained and dedicated soldier. So why has it taken almost 3 years to train a handful of Iraqis to be able to fight for their country?

President Bush also said this war has made us safer. But Iraq is not safe for our troops or the Iraqi people. We had 85 soldiers killed last month—one of the deadliest months since the war began.

There have been over 70 suicide bombings in the last 2 months, an average of more than one a day and more than 3,000 concealed bombs either exploded or discovered.

President Bush points to last Thursday's parliamentary elections in Iraq as a sign that there is light at the end of the tunnel. Let's hope this is true.

But we have heard rosy predictions from this President before, yet the insurgency seemed to only grow each time.

Remember: We also heard rosy predictions when the President said "mission accomplished." We heard it when Saddam Hussein was captured. We heard it a year ago after the first election in Iraq.

Meanwhile, 2,158 of our best young Americans have been killed. And nearly 16,000 have been wounded—many with injuries that will forever change their lives. No wonder a significant majority of the American people do not believe that President Bush has a plan to end this war.

That is why it is time for the President to give the American people a realistic plan for bringing our troops home.

What needs to happen? How many Iraqi troops need to be trained?

Let us set reliable goals for our mission, with an understanding of what it will take to get the job done and bring our troops back home to their families.

Mr. President, we don't want our leader to deny us the hard facts of war. And we don't want the price of this conflict hidden by prohibiting photographs of the flag-draped coffins that carry heroes back to our shores.

We need a leader who recognizes what a majority of the American people see taking place in front of their

eyes on television, in our newspapers, in our homes, and in our hearts.

President Bush, I ask you to be frank with us about what we are facing in the future in Iraq. Show us how you will work to avoid further loss of life. And while we honor the memories of those who have perished, we must do whatever we can to make life more bearable for their families.

#### KOREAN FAIR TRADE COMMISSION DECISION AGAINST MICROSOFT

Mrs. MURRAY. Mr. President, I rise today regarding the December 7 Korean Fair Trade Commission, KFTC, decision against Microsoft. A major employer in Washington, Microsoft is being unfairly penalized by Korea, but this decision goes well beyond Microsoft as the Korean Fair Trade Commission's decision is ultimately a decision against free and fair trade.

When the European Commission issued its competition decision against Microsoft in March 2004, I was one of many Members who expressed serious concerns about the decision and its impact on one of America's most innovative companies and its workers. Like many of my colleagues, however, I was also alarmed at the broader policy implications of the decision—that Europe would adopt a decision whose negative impact on trade was so clear, and which diverged so markedly from the Department of Justice's remedy addressing the same conduct.

I believe that the December 7 decision of the Korean Fair Trade Commission against Microsoft is yet another warning sign that our trading partners are limiting competition in order to benefit their domestic interests. In this case, the Korean Fair Trade Commission not only followed the EU's market-distorting, anticonsumer approach, but appears to have gone substantially further than the EU remedies in several respects. The KFTC's decision makes me wonder whether the Microsoft case is not a unique case but instead indicates the beginning of a trend among some of our key trading partners to use competition law as a means to pursue protectionist agendas or advance domestic industrial policy goals. If so, this should be of tremendous concern to every member of this body.

Last week I wrote to U.S. Trade Representative Portman about this issue, and I would like to ask unanimous consent to place that letter into the record.

The letter urges Ambassador Portman to work with others in the administration—including at the White House and the Departments of Justice, State, and Commerce—to develop and implement mechanisms for addressing these issues in a more coherent and effective fashion. At the same time, I urged Ambassador Portman to work with others in the administration to take whatever steps are still available to advance the U.S. perspective in the Microsoft case, so that the

anticonsumer, anti-innovation decisions do not establish a precedent that harms U.S. competitiveness for years to come.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, December 12, 2005.

Hon. ROB PORTMAN,  
U.S. Trade Representative,  
Washington, DC.

DEAR AMBASSADOR PORTMAN: When the European Commission issued its competition decision against Microsoft in March 2004, I was one of many Members who expressed serious concerns about the decision and its impact on one of America's most innovative companies and its workers. Like many of my colleagues, however, I was also alarmed at the broader policy implications of the decision—that Europe would adopt a decision whose negative impact on trade was so clear, and which diverged so markedly from the Department of Justice's remedy addressing the same conduct. At the time, my hope was that the Commission's decision was the counter-example that proved the rule—namely, that comity was alive and well among the U.S. and its trading partners, and that the international community was increasingly moving towards adopting U.S.-style antitrust principles and rules.

Recent developments, however, suggest otherwise. Specifically, the December 7 decision of the Korean Fair Trade Commission (KFTC) against Microsoft—in which the KFTC not only followed the EU's market-distorting, anti-consumer approach, but appears to have gone substantially further than the EU remedies in several respects—makes me wonder whether the Microsoft case is not a unique case, but instead indicates the beginning of a trend among some of our key trading partners to use competition law as a means to pursue protectionist agendas or advance domestic industrial policy goals. If so, this should be of tremendous concern to the United States and your office.

I understand that your Office, and you personally, have been following this issue closely, and that you and other USTR representatives have expressed the Administration's strong concerns on these issues with your Korean counterparts on more than one occasion. As a Member who represents a State with dozens of leading innovative companies employing several hundreds of thousands of workers, please know that these efforts are greatly appreciated. Clearly, however, the results to date are not what we would have hoped.

I am deeply concerned that, without a strategy for addressing these issues more effectively—not only in the EU and Korea, but also more broadly—leading U.S. firms will increasingly face competition rulings in foreign nations that have little or no economic justification, but that make it much more difficult for U.S. industry to compete in global markets. With all of the other challenges facing the global trading regime at the moment, the United States can ill afford yet another barrier denying U.S. industry and workers the benefits of international trade.

I would therefore urge you to work with others in the Administration—including at the White House and the Departments of Justice, State, and Commerce—to develop and implement mechanisms for addressing these issues in a more coherent and effective fashion. At the same time, I would urge you and others in the Administration to take whatever steps are still available to you to advance the U.S. perspective in the Microsoft case, so that the anti-consumer, anti-in-

novation decisions do not establish a precedent that harms U.S. competitiveness for years to come.

I would appreciate your response to this letter and look forward to continuing our dialogue on these issues in the months ahead.

Sincerely,

PATTY MURRAY,

U.S. Senator.

#### FOURTH TERM FOR MAYOR TOM MENINO OF BOSTON

Mr. KENNEDY. Mr. President, I welcome this opportunity to congratulate our outstanding mayor in Boston, Tom Menino, on his reelection last month. The people of Boston love Tom, and for good reason.

Running for his fourth full term as mayor, Tom received an incredible 68 percent of the vote on election day, an extraordinary new mandate to continue his leadership that has meant so much to our city.

Tom is Boston's modern FDR, and at the end of this term he will become the longest serving mayor in Boston's 375-year history.

It is a distinction Tom Menino has earned through his unwavering dedication and commitment to the people of Boston.

For 12 years, Mayor Menino has worked day in and day out to unite our diverse city, make its neighborhoods and communities stronger, create fertile opportunities for businesses, and improve the quality of life for all the people of Boston.

He has fought to protect and expand housing for low-income families in the midst of the Nation's tightest housing market. He has never stopped working to meet the needs and protect the basic rights of every resident of our city—regardless of their race or background.

He has been a pioneer in education, creating Read Boston to help every child read at grade level by third grade and the Afterschool for All partnership so that learning doesn't end once school lets out for the day. He has fought to close the achievement gap for all of Boston's children and made Boston the first urban school district to have every school wired to the Internet.

Tom Menino has proven that America's great urban areas can succeed and thrive in this new economy, at a time when more and more of our Nation seems headed for the suburbs. Tom modestly describes himself as an urban mechanic, but it is far more accurate to say that he is an urban genius. Each day, he adds new proof that there are second and third acts for America's cities in our modern Nation.

Above all, Mayor Tom Menino has always worked tirelessly to ensure that Boston's brightest days lie ahead and that our city will continue to build on its incomparable history.

Tom has worked especially closely with our local colleges and universities to make certain that Boston remains the most prestigious destination in

America for young men and women seeking excellence in higher education.

He has welcomed our burgeoning biotech and medical research sectors in order to guarantee that Boston stays at the cutting edge of these highly promising industries of the future. This new century may well be the century of the life sciences, and Tom Menino is making sure that Boston helps write that history.

Next year marks the 100th anniversary of the inauguration of another visionary Mayor of Boston, my grandfather, John F. Fitzgerald, whose love of our city was legendary and whose commitment to progress was unchallenged.

Grampa Fitzgerald might not immediately recognize modern Boston as his beloved hometown, but he would be thoroughly at home with its vitality and its spirit of innovation, progress, and opportunity. Those qualities he fought so hard for a century ago are alive and well today, and he would be grateful that the city he loved so dearly is now in the capable hands of Mayor Tom Menino.

In the years ahead, I look forward to continuing to work with Mayor Menino to find solutions to the real and often daunting challenges facing Boston and all of urban America. No one is more committed to solving the big issues than Tom Menino.

He and his extraordinary wife Angela have made a remarkable team for Boston, and all of us in the city look forward very much to more of the unique brand of Menino leadership in the years ahead.

#### TRIBUTE TO JULIA SERNA

Mr. DOMENICI. Mr. President, I would like to honor and praise a longtime member of my staff, Julia Serna, who has served the people of New Mexico admirably. Julia works in my Las Cruces office and has been a member of my staff since April 1993. Julia will retire at the end of 2005.

Julia's positive outlook is remarkable, and her smile and zest for life is contagious. And her jovial attitude and eagerness to deal with challenges is commendable. So many of those from my home State have come to know and love Julia over the years. Julia has always been known as someone always willing to listen to my constituents and lend a helping hand.

During her work on immigration and veterans issues, she has gone to great lengths to help a great many people in my home State. Julia is loyal and is one on whom I have come to rely and depend. In that time, we have accomplished much, and I am extremely proud of those accomplishments. She will be greatly missed by me and my staff and by the people of southwestern New Mexico for whom she has worked for so many years.

Most importantly, Julia is my good friend. But the time has come. After over 12 years of service on my staff, I