

health care facilities with very serious problems being told: We don't have the money to refer you.

Mr. President, I ask unanimous consent for 1 additional minute.

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

Mr. DORGAN. The tribal chairman for the Three Affiliated Tribes in North Dakota says: Everybody up there on the reservation understands, don't get sick after June. Just don't get sick after June because the money has run out on contract health services. If you get sick after June, there is no money. They are not going to send you to a hospital. Or if you go to the hospital, the hospital will charge back to you because they won't get the money from the Indian Health Service. It will ruin your credit, and you will have to file for bankruptcy. But don't get sick after June because the money won't be there.

What kind of message is that to the American people, especially the most vulnerable in our society? These reservations are where there is substantial poverty, great difficulty.

I have not mentioned methamphetamine. We have had hearings about that. It is unbelievable what is happening with respect to these reservations and health care, and yet somehow there is no urgency here.

Senator McCain and I are asking for a little cooperation from the administration and some cooperation here in the Senate to move this bill.

We had a witness just the other day at a hearing about methamphetamine on reservations. Methamphetamine is a scourge all across this country.

Mr. President, I ask unanimous consent for 2 additional minutes.

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

Mr. DORGAN. One of the witnesses at that hearing on methamphetamine on reservations, who is the chairperson of an Indian tribe, lives on a rural reservation with 13,000 Native Americans who live on that reservation. She told us that one-half of the babies who have been born to tribal members on that reservation—one-half of the babies—have tested positive for alcohol or drugs, including methamphetamine. Think of that.

I was in a hospital one day when they showed me a young baby that was born with a .12 blood alcohol content lying in the nursery. This baby was born with a .12 blood alcohol content, and the mother was down the hall and refused to see the baby because she did not want the baby. She checked into the hospital dead drunk.

The fact is, we have serious problems with methamphetamine and substance abuse and teenage suicide, and all of these issues, and we have a health care system on Indian reservations that is a rationing system. When the chairman of the tribe in my State says, "All the Indians know: don't get sick after June because the money is not there under contract health to help you," that is a serious problem.

All I am asking for and all Senator McCain is asking for is a little help and a little cooperation from the administration and, yes, from our colleagues to move this legislation called the Indian Health Care Improvement Act. It is the right thing for this country to do. Mr. President, I see the chairman of the committee is here, and I will, at this point, yield the floor.

I do have an amendment I wish to offer on the Defense authorization bill today, and I am available to do that when it is convenient. But the chairman and ranking Member are here, so at this point I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I was much taken by the remarks of the Senator from North Dakota. I have great respect for the Senator from North Dakota. I tell you, you do a lot of homework. You do a lot of independent work. And while I do not have the expertise with regard to the reservations that you have, any of us listening to your comments would immediately come to the conclusion that we better step in to help. And I say to the Senator, you can count on me when the time comes. I think that matter should be addressed as quickly as we can by the Senate.

I thank the Senator.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2766, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2766) to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Pending:

McCain amendment No. 4241, to name the Act after John Warner, a Senator from Virginia.

Nelson (FL)/Menendez amendment No. 4265, to express the sense of Congress that the Government of Iraq should not grant amnesty to persons known to have attacked, killed, or wounded members of the Armed Forces of the United States.

McConnell amendment No. 4272, to commend the Iraqi Government for affirming its positions of no amnesty for terrorists who have attacked U.S. forces.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I say to my distinguished ranking member, I think at this time it would be appropriate if the Senator wishes to bring up his amendment.

We are in business, I say to my colleagues wherever they are, for purposes of amendments. The Senator from Michigan and I will be here for some period of time in hopes of processing amendments.

Mr. LEVIN. Mr. President, I thank the Senator from North Dakota. He covered such a wide range of issues with such depth and integrity that is really quite extraordinary. We are ready for his amendment. I think he is prepared to proceed with the amendment. We look forward to hearing from him on that matter.

The PRESIDING OFFICER. The Senator from North Dakota.

AMENDMENT NO. 4292

Mr. DORGAN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for himself, Mr. DURBIN, and Mr. HARKIN, proposes an amendment numbered 4292.

Mr. DORGAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. DORGAN. Mr. President, first of all, I thank the Senator from Virginia for his kind comments. He did not say he welcomed my amendment because he probably knows that this amendment is one which we have dealt with before. But I feel so strongly the need to continue to offer the amendment, if only by voice vote, which says what is going on I think is dreadfully wrong and needs to be corrected. I know the Senator from Virginia and the Senator from Michigan are legislators with goodwill and good skills. I hope they will join with me as I once again describe the issues of contracting that exist because we are spending so much money in such a hurry that there is waste, fraud, and abuse which simply cannot be addressed in the regular order.

I believe this amendment is once again a proposal whereby there was a Truman-type committee, the type that existed when Harry Truman served in the Senate, a Democratic Senate then, with a Democrat in the White House. Harry Truman, I am sure, caused some real angst at the White House by saying: I think there needs to be a special bipartisan committee established to take a look at waste, fraud, and abuse in military contracting. He traveled all across this country to military installations to meet with contractors. His committee unearthed a substantial amount of waste.

I offer it again, as I have offered it on previous occasions. I understand I have not been successful, but I offer it again only because I don't think the problem has abated. I think the problem still exists.

Just the other day, in a supplemental emergency appropriations bill, we spent \$92 billion. Some of that was for Katrina relief, but the rest of it, by and large, will find its way into the Pentagon accounts—to restore accounts.

The Senator from Illinois just came in, and the Senator from Illinois and I have jointly worked on this issue. Senator HARKIN has asked to be a cosponsor as well. I offer it on behalf of myself and Senators DURBIN and HARKIN. This is something that we have talked about at some length over a period of time.

We have approved emergency supplemental appropriations bills to the tune of tens and tens and tens of billions of dollars. I believe it is now over \$340 billion. Think of that: almost a third of \$1 trillion approved without being paid for. This adds right on the top of the Federal debt.

This spending is in support of our military. I voted for it because we can't send our troops abroad and not provide them the equipment and things they need.

But when you spend this much money, including \$18 billion-plus for reconstruction in Iraq, and then begin to see who gets hold of this money, it is hair raising to hear the stories about what is happening.

I am not suggesting that there would never be any waste as a result of this war. Wartime is a different circumstance. I understand that. But I think it is safe to say that there has been more waste, more fraud, and more abuse of the taxpayers' money in the recently short time, several years, than in the history of this country. I think it is unparalleled. I think we have a responsibility to deal with it.

Mr. DURBIN. Mr. President, will the Senator yield for a question?

Mr. DORGAN. Yes.

Mr. DURBIN. Through the Chair, I am happy to join him in this effort in which we are trying to have some oversight on tax money being spent on this war. The Senator and I have worked on this concept together. We went back to a day when the Senator from Missouri, Harry Truman, decided to ask the same hard questions of the administration during the Second World War, trying to find instances where tax dollars were being wasted and people were profiteering and soldiers were getting equipment that wasn't up to standard.

I ask the Senator from North Dakota: Isn't it curious that Senator Harry Truman, a Democrat from Missouri who created this commission and asked hard questions, when there was a Democratic President named Franklin Roosevelt, was suggesting that when it comes to profiteering, Congress doesn't do the administration nor the people of this country any favors by saying we are going to protect our own party in the White House? Shouldn't we be dealing with a nonpartisan issue of waste at the expense of taxpayers and, more importantly, at the expense of soldiers?

Isn't it true that at the hearings which Senator DORGAN has chaired

bringing together whistleblowers who tell us these terrible stories of waste of millions of dollars of taxpayers' money, that absent these hearings there has been very little done on Capitol Hill by way of oversight of the giants who are winning these no-bid contracts, multibillion-dollar contracts, and wasting too much of taxpayer dollars?

Mr. DORGAN. Mr. President, it is the case that whistleblowers from Kuwait, Iraq, and various parts of the United States have come to me and said: What is going on is wrong. We have held some hearings through our policy committee to take a look at it. They have wanted to testify.

Let me give you one example. I talked about Rory before. A man named Rory, an engaging fellow, who was a supervisor at a food service operation in Iraq, he said to us that what was going on was wrong. He worked for Kellogg, Brown & Root, a subsidiary of Halliburton.

No. 1, he said we were charging for thousands of meals that we weren't serving.

No. 2, we were feeding the troops food that had expired date stamps on them.

He brought it to the attention of his superiors. They said: It doesn't matter. Feed it to the troops. It doesn't matter.

He said: We had convoys of trucks that were attacked on the road with food in them. He was told: You go into that truck bed and you find out what food has shrapnel in it. If you find good pieces of shrapnel, you give it to your supervisors as souvenirs, but feed the food to the troops.

The other thing that was very interesting, talking about employees of Kellogg, Brown & Root, a subsidiary of Halliburton, he said: We were told that when Government auditors come around, don't you dare talk to them. You are forbidden to talk to them. If you do, one of two things will happen. You will either be fired, or you will be sent to a part of Iraq where there is active, hostile shooting going on.

This fellow, in fact, was sent to one of the active areas of Falluja. He had the courage, guts, and temerity, and decided he would talk to Government auditors.

It is unbelievable to me to hear a whistleblower say that a contractor which was being paid with Government funds told the employees: Don't you dare talk to Government auditors. If you do, you will be fired.

That is so fundamentally wrong.

Mr. DURBIN. Mr. President, if I may ask one more question, in one of the hearings that I attended, I recall that Senator DORGAN brought in one of these whistleblowers who talked about the monogrammed towels they were charging the Government to be put into certain facilities. The Senator talked about running up the price of gasoline that they were charging to the Government. I hope the Senator will recount those particular instances.

But I would like to ask the Senator, when Members of Congress get up here and say: We love our soldiers and we love our troops and we stand behind them, how can we then cast a blind eye and overlook the obvious? When our soldiers aren't getting the right equipment, when our soldiers aren't getting the goods they deserve, when they are not getting the supplies they need to be safe and successful, how can that reflect any love of our troops? If we are truly committed to these soldiers, wouldn't we be holding oversight hearings, bringing in under oath these whistleblowers and their bosses? Let us bring them in and put them before the cameras and ask them if they are wasting taxpayer dollars and endangering the lives of our troops. Wouldn't that be the true measure of our commitment to these men and women in uniform?

Mr. DORGAN. Mr. President, clearly that is what we ought to do on behalf of soldiers.

I tell the Senator that the most recent allegations have been made by two people who worked for, once again, Kellogg, Brown & Root, a subsidiary of Halliburton Corporation, about the water that was provided to the military installations. Let me describe that.

Taking water from the Euphrates River—and some of it goes into a system where it is purified and used as potable water to drink. Some of it is used as nonpotable water. But the way they designed the lines to serve nonpotable water to the base, which is used for showering, shaving, and brushing teeth, and so on, the water that was coming out nonpotable areas was actually more contaminated with E. Coli, bacteria, than the raw water coming out of the Euphrates River from the sewage disposal.

Halliburton said it is not true. The Pentagon said it is not true.

It just wasn't one base. We have a memorandum from the person from KBR, a Halliburton subsidiary in charge of water to all the military installations in Iraq. That memorandum, which has now been made public, was from the person who was in charge on behalf of Halliburton, or KBR, of all the water for all the installations. That memo admits that they have a serious problem, and they have made big mistakes that could have caused serious problems, including death.

After we held hearings, a young woman, an Army captain in Iraq, wrote us a long, unsolicited e-mail. She said: There is something going on on my base. I saw there was some questions about water to our military installations in Iraq. I am here. I am treating people for all kinds of skin problems. And I began to see things that made me suspicious that there was something wrong with the water.

She said: I had my staff track back to the water line.

She said: What I found out was they were providing nonpotable water to the

soldiers on this base that was contaminated.

This is from a doctor who is there today. This isn't conjecture, speculation, or accusation. This is from a doctor who is actually treating people. Yet, once again, the company that we are paying as a contractor to provide water service to these bases, connect and purify the water and provide the water to soldiers, denied publicly that anything was wrong. We have two eye witnesses who have testified, whistleblowers one that worked for the company. We have the internal document from the company that discussed how they had made these mistakes, and we have a doctor, a physician, who works for the Army. This is like the old Western movie: Who are you going to believe, me or your own lying eyes?

The fact is, we know what is happening there, yet no one seems much concerned about it. I write to the Defense Secretary about this and say it is quite clear that unhealthy water is being supplied to troops for showering, brushing their teeth, and shaving. No one seems to get really excited over that. It seems to me the Secretary of Defense ought to say, Wait, what on Earth is going on? Let's put a stop to this.

I will talk in a few minutes about how all of this happens. It happens because we have sole-source, no-bid contracts and very little oversight.

Mr. DURBIN. If the Senator will yield for one last question, what strikes me is there is not a sense of outrage that American tax dollars are being wasted but, even more important, that American troops are being shortchanged.

What do we ask of these men and women in uniform? Quite simply, we say, take an oath to wear this uniform and risk your life for America—how much more could we ask—and they do it. And then they expect from us support—support when they are in the field and support when they come home.

I don't understand why there isn't a sense of outrage in this Congress on a bipartisan basis, on both sides of the aisle, that we are not only being ripped off as taxpayers by these no-bid contracts but that we are shortchanging these men and women who are risking their lives while we stand in the comfort and safety of this Senate.

I know Halliburton is a big political force in this town. I know in some quarters you are not supposed to question Halliburton. This is some sacred institution politically. I don't buy it. I count the soldiers that are putting their lives on the line to be much more sacred and much more valuable than any big, huge, no-bid corporation.

I say to the Senator from North Dakota, we have done this before, the two of us have joined together, and said let's put together a bipartisan commission that will ask the hard questions, a commission that will bring people in and put them under oath, find out if

they are cheating us, find out if they are profiteering during a war, find out if they are shortchanging our soldiers, and let the chips fall where they may. If we find there is a violation of law, even if it reaches all the way to the boardroom, so be it.

How many times have we come to the Senate, I ask the Senator from North Dakota, refresh my memory, how many times have we brought this option to the Senate and said to our colleagues, please, for the sake of the troops, let's have real oversight, let's ask these questions.

How many times have we done this during the course of this 3-year war, I ask the Senator from North Dakota who has been the leader in this effort, and I have been glad to join him, how often have we tried?

Mr. DORGAN. Mr. President, we have had three recorded votes on this, and we have brought this to the Senate maybe six times now, altogether. I know it is repetitious. I know it probably is not pleasant to hear all of these things again, yet I don't think there is any choice.

If I might, just for the benefit of my colleague from Illinois, Senator DURBIN and I began talking about this some long while ago when we began to see the evidence of waste. We have worked at it since then.

When Senator DURBIN was asking a question, I described the water issue. I want to read a quote from a memorandum that was written May 13, 2005, an internal Halliburton memorandum, written by Will Granger, the man who was paid with taxpayer funds to do this contract for Halliburton for all of the water issues in Iraq. These are the water issues for the U.S. bases in Iraq that directly affect United States soldiers.

Will Granger, the Halliburton employee:

No disinfection to the non-potable water was occurring [at Camp Ar Ramadi] for water designated for showering purposes. This caused an unknown population to be exposed to potentially harmful water for an undetermined amount of time.

This event should be considered a "NEAR MISS" as the consequences of these actions could have been VERY SEVERE resulting in mass sickness or death.

The deficiencies of the camp where the event occurred is not exclusive to that camp; meaning that country-wide, all camps suffer to some extent from some or all of the deficiencies noted.

That is what was covered up. This was not made public until I was able to dig it out. But when a whistleblower said this is happening—and I am not referring to Will Granger, but to a whistleblower who said this is happening in his testimony to our committee—Halliburton said that it is not happening, you are not telling the truth, the Pentagon says there is no evidence of it.

And here is the internal Halliburton report that says it is happening, No. 1; and, No. 2, this camp was a "near miss" and:

... the consequence could have been VERY SEVERE resulting in mass sickness or death.

A lot of people are making a lot of money, spent by this Congress, in support of our soldiers who are at war, and we have some contractors who are not playing straight with the soldiers or the American people.

I ask consent to show two items on the floor of the Senate.

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

Mr. DORGAN. A man whose name was Henry Bunting came to a hearing I held. I believe Senator DURBIN was at that hearing. Henry Bunting worked for Kellogg, Brown & Root, a subsidiary of Halliburton in Kuwait. In Kuwait, he was the purchaser of supplies for the U.S. Army. They wanted some hand towels, needed some towels, so a purchase requisition goes to Henry. Henry is going to buy some towels. Except when he put in the order for the towels, his company said, no, no, no, you cannot buy those regular towels that way. Towels have to have our logo embroidered on them.

So this is what he had to buy, at more than double the cost of the regular towels, so that the company logo could be put on the towels, and the taxpayers could be charged twice as much.

I am sure the soldiers didn't care one way or another whether there was that embroidered logo on the towel. But Henry, the purchaser, was told: You buy these. And don't ask any questions.

Henry says, You know, the American taxpayer got charged double and he didn't like it and he want to speak publicly. And not just this, it was a thousand other examples of costs being run up, from \$45 for a case of Coca-cola, to \$7,500 a month to lease an SUV. Henry said, It is not just the towels, but he brought the towels along to show us what is going on is really wrong. The American people are taking a bath here and it undermines the soldiers, as well.

Thank God there are some whistleblowers who are willing to come forward.

What we need now, of course, is the opportunity to legislate and see if we can't stop this.

I will not go much longer, although I don't see anyone preparing to offer another amendment yet. I do want to make a couple of points I made the other day on the broader amendment that was turned down by the Senate. That amendment dealt with contracting as well, but it was a much broader amendment than this.

I made the point then, and this actually had to do with Bunnatine Greenhouse. I know there are some who do not want to hear about this anymore. But I don't think we have any choice. This was the top civilian contracting official at the Corps of Engineers. She was the one responsible for overseeing the contracts.

Through the Corps of Engineers, Halliburton and KBR got no-bid, sole-

source contracts, giant contracts. Over one half of the contracts in the war theater are Halliburton.

By the way, this has nothing to do with the Vice President. Whenever you mention that term, they say, You are attacking the Vice President. No, he has been gone a long time. It doesn't have anything to do with him. It has to do with a company that got over 50 percent of the contracts in Iraq.

Bunnatine Greenhouse, the top contracting officer at Corps of Engineers who lost her job, now, as a result of telling the truth, says:

I can unequivocally state that the abuse related to contracts awarded to KBR represents the most blatant and improper contract abuse I have witnessed during the course of my professional career.

For that, she got demoted. Pretty harsh treatment for people who are whistleblowers in this town. She has been replaced, by the way, by someone without experience. When I have asked the general who runs the Corps of Engineers, he said the person that is replacing Bunnatine Greenhouse is now being trained. Not much consolation or confidence, in my judgment, in that for the American people.

One final story. If the issue of water does not motivate someone, let me talk again about Custer Battles. I have plenty of people come to me about Mr. Custer and Mr. Battles. This is an example of what is going on with so much money available.

Mr. Custer and Mr. Battles show up in Iraq without any money, without much experience in contracting, and decide, I will get some of this; I want to get some of this contracting that is available. It was not very long and they got some contracts very quickly. In fact, they ultimately got over \$100 million in contracts.

The first contract was to provide security. They set up a little firm to provide security at the Baghdad airport. Now, among other things, whistleblowers from their own company came forward and said, Here are the things they were doing. They are cheating you blind. They took the forklift troop trucks out of the Baghdad airport, took them somewhere else, put them in the warehouse, painted them blue and sent them back and sold them to the Coalition Provisional Authority. They do not belong to them. They repainted them and sold them back to us. They set up subsidiaries in Lebanon and other places to buy and sell to and from themselves, and inflate the price, and, therefore, injure the taxpayer.

Here is what the fellow who runs the security system at the Baghdad airport said. The Baghdad airports director of security in a memo—a guy, also, that was trying to provide some warning—a memo to the Coalition Provisional Authority, and that is us in Iraq; it was set up by Donald Rumsfeld and that was the United States—here is what he said:

Custer Battles have shown themselves to be unresponsive, uncooperative, incom-

petent, deceitful, manipulative and war profiteers. Other than that they are swell fellows.

This from the director of security at the Baghdad airport. These guys ended up getting over \$100 million in contracts. I will show you a little bit of their money. This is a picture of \$2 million in cash, \$100 bills wrapped in Saran Wrap. I happen to know this guy; you do not see his head, just his body standing in front of the \$2 million. He showed up here. He wanted to talk about this. Here is what he wanted to say.

What he wanted to say was, When I was there, standing in Baghdad, working on these accounts, the word went out to all of the contractors: We pay in cash; bring a bag. He said it was like the Wild West. Bring a sack because we pay in cash.

This \$2 million actually went to Custer Battles. They took a picture of it. He said they used to throw these around as footballs, Saran Wrapped \$100 bills. They threw them around as footballs in the office. And down below they had billions and billions of dollars, apparently.

Lest there be any question about the misuse of money, let me show \$2 million Saran Wrapped just before it went to Custer Battles. How did this happen? Because this guy right here, this fellow right here, told me that our message to everyone was "bring a bag because we pay in cash."

Does anyone doubt there is going to be dramatic waste, fraud, and abuse in those circumstances? Does anyone doubt that at all, and after all of these stories? Doubling the price of hand towels; 25 tons, 50,000 pounds of nails laying on the sands of Iraq because they were ordered in the wrong side, dumped in the sand.

I could go on forever from what I learned from whistleblowers. I will not do that, only to say this: The next step for this Congress, I think, is to establish a Truman-type committee. We have done it before and we can do it again. Never has it been more needed than now. There is, I think, plenty of evidence that the most significant waste, fraud, and abuse that has ever been visited on the taxpayers of this country is occurring now and has occurred in the last 3 years.

The remedy for that? It is not to blame anyone here. The remedy for that is for us to fix it, for us to do something. What should we do? Let's put together the type of thing that worked previously. Harry Truman had the guts to do it.

Harry Truman was a Democrat. There was a Democrat in the White House. I am sure they all were gnashing their teeth at what Harry Truman was trying to do, but on a bipartisan basis Harry Truman put together, with the consent of the Senate, the Truman Committee that sunk their teeth into this issue and really did investigate and came up with a massive amount of waste, fraud, and abuse.

That is a minnow compared to the whale that exists at the moment in waste, fraud, and abuse. It is required of us, in my judgment, required of us to pass this legislation.

Having said all of that, let me compliment the chairman and the ranking member, but let me not do it because it is obligatory but because I really do think they do a great job. I hope they decide to strongly support this amendment. Then I will come back and compliment them some more.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, first let me compliment the Senator from North Dakota. He has been absolutely steadfast on this issue. He has made a major contribution on this issue.

If the Senator will stay for a moment, I want to ask him a question about the Truman Committee which he has made reference to. Perhaps I will make a brief statement and then ask him if he concurs with this history.

When then Senator Truman was appointed to head up the special committee to look into the abuses of contracting during World War II, he did an incredible job for a lot of reasons. One, he took on the abuse, the waste, the fraud that existed. He unearthed it. He brought it out in the daylight. He made a major contribution to our troops and to the taxpayers. It was such an important contribution that his temporary ad hoc special committee then became a Permanent Subcommittee on Investigations.

So that the origin of our Permanent Subcommittee on Investigations which now exists over at the Homeland Security Committee was the special Truman Committee. That is how big an impact that Truman Committee had. And I am wondering whether or not that little bit of history shows us in addition to all of the reasons that were given by the Senator from North Dakota how vitally important these special committees can be, what a contribution they can make to the war effort and to saving taxpayers' dollars.

Mr. DORGAN. Mr. President, the Senator is absolutely correct, first, about the history and, second, about the importance of this. Harry Truman used to have a sign on his desk saying, "the buck stops here." Well, the buck stops here in the Congress on this issue. We are the ones who have to go find this waste, fraud, and abuse and put a stop to it. If we don't do it, it won't happen.

Harry Truman was a straight talker, a straight thinker. He used to say he would only accept one-armed economists because he didn't want people around him saying "on the one hand" and "on the other hand." He decided to sink his teeth into the issue of waste, fraud, and abuse, and he made a big difference at a time when there was substantial waste, fraud, and abuse.

But I would venture to say there has never been a case in our history where

we have pushed hundreds of billions of dollars out the door in a very large hurry and put them in the hands of no-bid, sole-source contracts with big companies and said, "Have a good time." It is unbelievable what is going on, and it is our responsibility to stop it—not tomorrow; it is our responsibility to stop it now.

This is the bill in which we should do it. This amendment fits exactly in this piece of legislation. My hope is that when the dust settles, we will have decided to accept this amendment.

Mr. President, I yield the floor.

Mr. LEVIN. I again thank the Senator from North Dakota for the amendment and I hope that we can get some bipartisan support for it.

There have been reports on abuses. Reports are no substitute for hearings. When you have hearings following a special committee investigation, you have people who are put under oath, who are in the public spotlight so that we can bring a focus on these whistleblower complaints, and that is what has been missing. We have not had a place where the whistleblowers and the people who defend against their charges are brought together, both put under oath in a public forum so that we can then try to end what seems to be so clearly the abuses which have existed.

One of these contracts is a \$10 billion contract-plus, basically. It is for indefinite delivery of goods, and it is for an indefinite amount quantitatively. So you have this contract which exists with Halliburton or the company that they own which allows them to have the total, complete, unilateral sole-source ability to be given a work order—sometimes the money is agreed upon in advance, sometimes the amount of the contract is not agreed to until afterwards—indefinite delivery for indefinite quantities of indefinite goods.

Now, that kind of a contract just automatically lends itself to abuses, which should not happen here. This is something I spoke about yesterday. There should have been at least two and perhaps three contractors who were put in the exclusive contract to provide goods and services in support of the troops.

This is an open-ended contract of undefined scope which then later on billions of dollars of work orders are then put in place. It just lends itself to excess and to abuse. This is something again which I have spoken on a number of times. You need to have competition—not just for who is going to get an open-ended contract but in the implementation of work orders you need some competition. The only way you are going to get it in this circumstance when we are at war is if you have two or three contractors that are awarded these so-called IDIQ contracts so that when it comes to supplying the goods underneath it, they can compete against each other. It is the only hope that you have for a fair price for an amount of goods that is not known at

the beginning but which has to be then supplied during the contract.

What these hearings which Senator DORGAN has spearheaded have shown is this kind of a contract and the potential for abuse that it leads to. It has raised all kinds of questions as to whether Halliburton overcharged the Coalition Provisional Authority for several million dollars for oil that was purchased in Kuwait and delivered to Iraq.

It raised the question of whether Halliburton overcharged the Department of Defense for thousands of meals that were not actually served.

It raised the question of whether Halliburton had the estimating subcontracting and financial management systems needed to run two multi-billion-dollar contracts in Iraq.

It raised the question of why did Halliburton receive a follow-on contract for the reconstruction of the Iraqi oil industry at a time when the DCAA, the Defense Contract Audit Agency, had warned that the company's systems were not up to this challenge.

It raised the question, these hearings that were spearheaded by Senator DORGAN, as to whether Halliburton knowingly supplied our troops with spoiled food or unsafe drinking water.

It raised the question as to whether Halliburton intentionally withheld information from the Government to avoid raising questions about the quality of its performance.

There have been only two hearings in our subcommittee. I compliment our chairman. Our committee and our subcommittee every year have to deal with a bill, and this bill is in the Chamber. It takes a huge amount of our time as a practical matter. The two subcommittees that have hearings on this issue which Senator DORGAN raises simply have not been able to put in the kind of time that a special Truman Committee can focus on this kind of issue. And that is why I very much support the appointment by the Senate of a Truman Committee on Iraq contracting.

When you have this many tens of billions of dollars which are being spent and when you have allegations by whistleblowers, people who are in the know, that we have been unable to get into or have not gotten into for one reason or another, they have not been investigated or overseen by the other committee that might do this, this really needs a focus if we are going to have some credibility in the expenditure of these huge amounts of money in the Iraq war. And this should be done on a bipartisan basis. It would be with a Truman Committee. It needs to be done in a way which is free of any kind of political taint or political slant. But it needs to be done. We have to restore credibility and confidence in this contracting system, and the only way we are going to do that I can see is to have a bipartisan Truman-like committee that spends the time, has the staff focus on it, making recommendations

which I think will be similar to the ones that were defeated yesterday but they should not be prejudged. In any event, it could make recommendations to this body, and I would hope we would all welcome those kinds of recommendations.

Mr. President, I yield the floor.

Mr. WARNER. Mr. President, if I could engage my distinguished ranking member in a colloquy, historically this amendment is almost identical in form to what came before the Senate on 14 September last fall, 2005. It was defeated by a vote of 53 to 44. And that was on the Commerce-State-Justice appropriations bill. Then, with the tenacity of our good friend from North Dakota, he brought the same amendment up again on October 19, 2005. Again, it was defeated by a vote of 54 to 44 on the Transportation appropriations bill.

So the Senate on two occasions has examined this before other committees and defeated it.

Now, let's go back a little bit in history, and this is a part of Senate history that you have greater familiarity with than do I. Your distinguished predecessor, Senator Nunn, when I worked with him—he was chairman, I was the ranking member of the Armed Services Committee—there would be times when he would say, "John, I simply have to take off a week; I have this special committee." He was then on the committee on which you served, I think, throughout your tenure in the Senate; now called Homeland Security, it used to be called Government Operations. And the Senate as a body some time ago decided to take the roots of the Truman Commission, which, indeed, was a successful operation, and repose it, place it into the Government Operations Committee, now the Homeland Security Committee.

Mr. LEVIN. I have been on that committee as long as I have been here.

Mr. WARNER. Another 28 years.

Mr. LEVIN. That subcommittee has a major agenda and a whole host of areas that the chairman has identified, frequently with my support, and it has a very full plate. This committee, our committee, has something that that committee does not have, and that is we have the knowledge, we have the information because we are the committee that specializes in the work of Halliburton in the field. We are the people who have the experience in terms of what the troops need and how it is provided to the troops. And so our committee also has the ability to handle these hearings. Neither committee has seen fit, either because it has too full a plate already—and I think our committee from firsthand knowledge is in that situation—has a very full plate, and therefore has not been able or for whatever reason has decided not to look at what are clearly excesses which need to be reviewed.

So it is a matter of finding, identifying Senators who have an interest in this matter who would focus on this

matter because of the attention that it deserves.

Now, it could be an outside commission. If the chairman would prefer that there be an outside commission to do this, perhaps Senator DORGAN would be willing to do it. But this requires a major undertaking with an investigative—you have to identify and set out special staff that will do the investigations on this, and then prepare for hearings. If our committee were able to do this, I would be all for it.

Mr. WARNER. Mr. President, I say to my good friend, yes, there are instances of fraud and abuse, and work has been done by the Armed Services Committee Readiness Subcommittee. I believe Senator AKAKA is on that committee from your side of the aisle. It is a lot of work. It is not as if somebody is sitting on their hands.

Fraud, waste and abuse within the Federal contracting system, while not pervasive, is a significant problem that we as a Congress must, and are, addressing.

The potential for fraud, waste and abuse is not limited to just Iraq and Afghanistan. Through the use of normal committee legislative tools and processes we have uncovered fraudulent and wasteful cases and are conducting systemic oversight.

The Armed Services Committee has conducted numerous hearings and briefings on acquisition oversight and reform (including oversight of contracting in Iraq) and has initiated investigations by the GAO and the Inspector General on DOD acquisition practices and programs.

Other committees, such as Homeland Security and Governmental Affairs and Foreign Relations, with jurisdiction over government contracting, have similar oversight records.

The Office of the Special Inspector General for Iraq Reconstruction was established to look at Iraqi contracting. The special IG routinely briefs this Committee and others on its findings.

Just yesterday we approved an amendment to expand the special IG's oversight to include a broader range of funds being used to contract for Iraq reconstruction activities.

And, as I noted earlier this week, the special IG submits quarterly and semi-annual reports to Congress. The inspector general operates a hotline for reports of possible waste, fraud and abuse and has uncovered criminal activity that has been referred for prosecution.

The special inspector general's efforts have yielded important oversight results and have prompted three specific lessons learned initiatives.

The lessons learned initiatives are: (1) human capital management; (2) contract management; and (3) program management.

The contract management report should be out later this summer.

The committee has also addressed contract and acquisition reform through a series of legislative provisions and initiatives.

I will highlight three recent examples:

No. 1, Section 817 of last year's defense authorization act addressed the need for a joint contingency contracting plan;

No. 2, Section 841 of that same legislation required GAO to review efforts of the Department to identify and assess areas of vulnerability for contracting waste, fraud and abuse. This report should be completed soon;

No. 3, the committee included a provision in this year's bill to build on previous oversight efforts in the contracting area. Section 864 of our bill would require the Department to develop contingency program management plans. This section is part of a series of provisions designed to improve acquisition and contracting outcomes across the department through better overall program management.

I believe our activities, which I have very briefly outlined here, represent the best approach to conducting oversight. We bring in the experts and have them address systemic and specific problems.

We want to avoid an approach that would lead to wasting much of our oversight efforts on anecdotes of individual fraudulent acts which mayor may not show that we have a systemic problem.

We need to prosecute those singular cases and protect against fraud, waste and abuse in a way that can still deliver goods and services to the warfighter as quickly as possible.

So I say to my colleague, I appreciate his concerns and I look forward to working with him to address problems with Federal acquisition.

However, I do not support the establishment of a new special Committee which would duplicate the work of this Committee and would only look at selected Federal expenditures and contracts.

I come back to this creation of the entity that the Senator from North Dakota wants and I again draw attention to the fact that Homeland Security has been given by the Senate the overall responsibility and an investigating committee with special funding, special staff to do investigations. Senator Nunn utilized it frequently when he was chairman of our committee. But there isn't a committee in this body that is not faced from time to time with the subject of fraud, waste, and abuse. And the Senate decided, rather than have each of the committees have their own special investigating team, to put together this subcommittee in the Government Operations Committee to do this work.

So I come back to my friend and just ask, why should we create something additional to what is already present, structured by the Senate to address the fraud, waste, and abuse problems in all the committees that we serve on and it was placed in the Homeland Defense Committee?

Mr. LEVIN. There have been requests—I believe from the chairman of

the Homeland Security Committee—to get into this. And if the chairman would be willing to sign a letter with me making another request to that chairman to try to find time in either her committee work or in Senator COLEMAN's committee, I would again be very happy to join in that request.

Mr. WARNER. Mr. President, I would certainly entertain that.

Mr. LEVIN. If we are unable to do that on our committee, which we have not been able to do anything that needs to be done here—and I understand the time pressures on the committee because of this annual bill we have; I know what is on the plate over at the Governmental Affairs Committee and on the Permanent Subcommittee on Investigations—

Mr. WARNER. You serve on that committee.

Mr. LEVIN. That is exactly right. I have been there throughout my tenure. I am personally familiar with the work they have undertaken. But if Senator WARNER would be willing to sign a request to Senator COLLINS, I would be delighted to join in that.

Mr. WARNER. What I would suggest we do is have a consultation with Senators COLLINS and LIEBERMAN and then follow up with a letter, if we deem appropriate.

Mr. LEVIN. That would be fine.

Mr. WARNER. That committee has done a prodigious amount of work. I certainly commend the chairman and ranking member of the Homeland Security Committee. They are workers.

Mr. LEVIN. I am on that committee, as you pointed out. I know the workload they have. Just yesterday, they completed a markup on one bill which took 2 days. I don't know of any people who work harder in the Senate than do Senator COLLINS and Senator LIEBERMAN.

Mr. WARNER. So we have a procedure on that. For the moment, I suggest we set aside the pending amendment and turn to the matter of trying to clear some amendments on this side. Is that appropriate at this time?

Mr. LEVIN. That would be fine.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

AMENDMENTS NOS. 4254 AND 4295, 4296, AND 4297,
EN BLOC

Mr. WARNER. Mr. President, I send a series of amendments to the desk which have been cleared by myself and the distinguished ranking member. I ask unanimous consent that the Senate consider the amendments en bloc, the amendments be agreed to, the motions to reconsider be laid upon the table, and that any statements relating to any of these individual amendments be printed in the RECORD.

Mr. LEVIN. Reserving the right to object, and I will not, I just wonder if the Senator would identify the Senator who has sponsored the amendment so that they will hear their amendments have now been cleared.

Mr. WARNER. Fine. The Senators I have indicated here on my sheet are

Senators SESSIONS, OBAMA, ALLARD, SALAZAR, and I judge that scribbling is Senator WARNER of Virginia.

Mr. LEVIN. I thank the chairman.

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

The amendments were agreed to, as follows:

AMENDMENT NO. 4254

(Purpose: To require the use of competitive procedures for Federal contracts worth over \$500,000 related to hurricane recovery, subject to existing limited national security, public interest, and other exceptions)

At the end of subtitle I of title X, add the following:

SEC. 1084. IMPROVED ACCOUNTABILITY FOR COMPETITIVE CONTRACTING IN HURRICANE RECOVERY.

The exceptions to full and open competition otherwise available under (2), (3), (4), and (5) of section 303(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)) and paragraphs (2), (3), (4), and (5) of section 2304(c) of title 10, United States Code, shall not apply to Federal contracts worth over \$500,000 for the procurement of property or services in connection with relief and recovery efforts related to Hurricane Katrina and the other hurricanes of the 2005 season.

AMENDMENT NO. 4295

(Purpose: To require a report on reporting requirements applicable to the Department of Defense)

At the end of subtitle G of title X, add the following:

SEC. 1066. REPORT ON REPORTING REQUIREMENTS APPLICABLE TO THE DEPARTMENT OF DEFENSE.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than March 1, 2007, the Secretary of Defense shall submit to the congressional defense committees a report on each report described in paragraph (2) that is required by law to be submitted to the congressional defense committees by the Department of Defense or any department, agency, element, or component under the Department of Defense.

(2) COVERED REPORTS.—Paragraph (1) applies with respect to any report required under a provision of law enacted on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136) that requires recurring reports to the committees referred to in that paragraph.

(b) ELEMENTS.—The report required by subsection (a) shall set forth the following:

(1) Each report described by that subsection, including a statement of the provision of law under which such report is required to be submitted to Congress.

(2) For each such report, an assessment by the Secretary of the utility of such report from the perspective of the Department of Defense and a recommendation on the advisability of repealing the requirement for the submittal of such report.

AMENDMENT NO. 4296

(Purpose: To prohibit the acquisition by the Secretary of the Army of real property to expand the Pinon Canyon Maneuver Site until the Secretary submits a report analyzing such expansion and provides to the congressional defense committees the extent to which the expansion could be carried out through transactions with willing sellers of the privately held land)

On page 546, after line 22, add the following:

SEC. 2828. REPORTS ON ARMY TRAINING RANGES.

(a) LIMITATION.—The Secretary of the Army may not carry out any acquisition of

real property to expand the Pinon Canyon Maneuver Site at Fort Carson, Colorado until 30 days after the Secretary submits the report required under subsection (b).

(b) REPORT ON PINON CANYON MANEUVER SITE.—

(1) IN GENERAL.—Not later than November 30, 2006, the Secretary of the Army shall submit to the congressional defense committees a report containing an analysis of any potential expansion of the military training range at the Pinon Canyon Maneuver Site at Fort Carson, Colorado.

(2) CONTENT.—The report required under paragraph (1) shall include the following information:

(A) A description of the Army's current and projected military requirements for training at the Pinon Canyon Maneuver Site.

(B) An analysis of the reasons for any changes in those requirements, including the extent to which they are a result of the increase of military personnel due to the 2005 round of defense base closure and realignment, the conversion of Army brigades to a modular format, or the Integrated Global Presence and Basing Strategy.

(C) A proposed plan for addressing those requirements, including a description of any proposed expansion of the existing training range by acquiring privately held land surrounding the site and an analysis of alternative approaches that do not require expansion of the training range.

(D) If an expansion of the training range is recommended pursuant to subparagraph (C), the following information:

(i) An assessment of the economic impact on local communities of such acquisition.

(ii) An assessment of the environmental impact of expanding the Pinon Canyon Maneuver Site.

(iii) An estimate of the costs associated with the potential expansion, including land acquisition, range improvements, installation of utilities, environmental restoration, and other environmental activities in connection with the acquisition.

(iv) An assessment of options for compensating local communities for the loss of property tax revenue as a result of the expansion of Pinon Canyon Maneuver Site.

(v) An assessment of whether the acquisition of additional land at the Pinon Canyon Maneuver Site can be carried out by the Secretary solely through transactions, including land exchanges and the lease or purchase of easements, with willing sellers of the privately held land.

(c) REPORT ON EXPANSION OF ARMY TRAINING RANGES.—

(1) IN GENERAL.—Not later than February 1, 2007, the Secretary of the Army shall submit to the congressional defense committees a report containing an assessment of the training ranges operated by the Army to support major Army units.

(2) CONTENT.—The report required under paragraph (1) shall include the following information:

(A) The size, description, and mission essential training tasks supported by each such Army training range during fiscal year 2003.

(B) A description of the projected changes in training range requirements, including the size, characteristics, and attributes for mission essential training of each range and the extent to which any changes in requirements are a result of the 2005 round of defense base closure and realignment, the conversion of Army brigades to a modular format, or the Integrated Global Presence and Basing Strategy.

(C) The projected deficit or surplus of training land at each such range, and a description of the Army's plan to address that projected deficit or surplus of land as well as

the upgrade of range attributes at each existing training range.

(D) A description of the Army's prioritization process and investment strategy to address the potential expansion or upgrade of training ranges.

(E) An analysis of alternatives to the expansion of Army ranges to include an assessment of the joint use of ranges operated by other services.

AMENDMENT NO. 4297

(Purpose: To make technical corrections to provisions related to the National Museums of the Armed Forces)

On page 65, line 16, insert "facility designated by the Secretary as the" before "National".

On page 65, line 24, insert "facility designated by the Secretary as the" before "National".

On page 66, line 17, insert "facility designated by the Secretary as the" before "National".

Mr. WARNER. Mr. President, the Senator from Michigan and I have been here, together with the leadership of both sides, making it clear we are ready to conduct business on such amendments as may be brought before the Senate on this bill. I believe at this time we have now completed such business as was ready. I anticipate the leadership will advise us with regard to the schedule on Monday, and most certainly we will be back up at some point in time during that day to continue. I hope I will be joined by my distinguished colleague from Michigan urging Senators to come to the floor.

On our side of the aisle, I only know of perhaps two amendments that might be offered—one, as you are quite familiar with, by the Senator from Georgia with regard to certain aircraft programs. That is clear on its face. The other one I will work through. Frankly, I would have to say to my colleagues throughout the Senate, most particularly to my ranking member, I begin to see the light at the end of the tunnel, certainly as regards the amendments that could be forthcoming from this side of the aisle.

Mr. LEVIN. I was hoping the Senator was referring to Iraq, but since he is referring to our bill, I also see that we ought to be able to finish this next week. We will have a good debate on Iraq, I guess probably next Tuesday. Next Monday, I believe we have an amendment lined up.

Mr. WARNER. I know the Senator from Georgia wishes to offer his.

Mr. LEVIN. On your side of the aisle. After Senator DORGAN offered his today, it would then go to your side of the aisle to offer the next amendment, if we want to keep that informal order which has been established.

Mr. WARNER. Correct.

Mr. LEVIN. Then we could perhaps pick up the debate on the Dorgan amendment on Monday after the debate on the judge.

Mr. WARNER. I think the distinguished Senator from Massachusetts intends to revisit his strong approach to some of the situations in Iraq, particularly regarding troop structure.

Mr. LEVIN. I wouldn't want to speak for the Senator from Massachusetts. I

do believe, though, he is working on an amendment. There will be at least two amendments on this side relative to Iraq.

Mr. WARNER. In addition to the one from the Senator from Massachusetts?

Mr. LEVIN. There is one Senator JACK REED and I are working on, and I think there is one Senator KERRY is working on. I can't speak for others. There may be a number of amendments on this side.

Mr. WARNER. I see the distinguished minority whip here. Maybe he could advise us what his ascertainment might be with regard to the balance of amendments on that side.

Mr. DURBIN. Mr. President, I have an amendment related to the rendition of prisoners which I would like to say a word about before we adjourn today. There may be an indication that there are still a few more amendments to be forthcoming. I will bring my amendment to your attention today, and I hope all Members will do the same so that you can plot the schedule for the upcoming week.

Mr. LEVIN. Mr. President, we believe there are a number of amendments which will need debate. It would be useful for all Senators on either Monday or Tuesday morning, if they could, to let us know what amendments they are planning on offering so we could get an estimate—I know you would agree as the floor manager—as to how many amendments are out there.

Mr. WARNER. Mr. President, Senator FRIST and I have discussed that. I believe he is in conversation with the leadership on your side. I heartily endorse that approach. Perhaps we could formalize it in some way.

Mr. LEVIN. I think we might be better off not formalizing it.

Mr. WARNER. Only in the sense that the two leaders and you and I come to the floor. I am not suggesting cloture or anything of that nature. I would hope this bill could be passed on by the Senate without the benefit of any cloture motion.

Mr. DURBIN. Mr. President, I would like to ask through the Chair, if this would be an appropriate moment, I would like to speak to the amendment which I will offer and a few other remarks not to exceed 5 or 10 minutes.

Mr. WARNER. Whatever the distinguished Senator from Illinois wishes, please proceed.

The PRESIDING OFFICER. Is there objection to recognizing the Senator from Illinois for 10 minutes?

Without objection, it is so ordered.

Mr. DURBIN. Mr. President, after wars are completed, history stands in judgment of the leaders, not just whether there was a victory or defeat in the war but whether the war was conducted properly. Almost without fail, history has been a brutal, sometimes difficult judge of the conduct of war. Caught up in concern about protection and security, nations do things which don't stand the test of time and reflection. The man I think was our

greatest President, Abraham Lincoln, in the course of the Civil War suspended the writ of habeas corpus. By suspending that writ, he held prisoners without charges and without due process for long periods of time. It was controversial. Later on, it was judged that perhaps President Lincoln had gone too far.

In the midst of the First World War, with our concern over espionage, Congress enacted the Sedition Act which unfortunately tarred and condemned innocent Americans, and later on we came to realize that. In World War II, the most notorious conduct by our own Government was against our fellow citizens of Japanese ancestry who were interred in camps, innocent people. I know some of them. I have grown up with some of them. I know they carry scars from that incarceration. Throughout our history, as we reflect, we find there are things we should not have done in the course of a war.

I have said on this floor several times that I believe eventually history will be a very strenuous judge of our conduct in this war on terror when it comes to the use of torture. For decades, the United States had established a clear standard that we would never engage in torture—cruel, inhuman, or degrading treatment. Then after 9/11, in the shock and fear that followed, this administration ended up trying to rewrite the standards for interrogation and torture. It wasn't a proud chapter in our history. We now know the administration abandoned that effort after some time. We know as well that some of the people who were involved in it have been reluctant to even discuss what they were doing. But there was a good ending when last year Senator JOHN MCCAIN offered an amendment in the Senate to state unequivocally that the United States would not engage in the torture of prisoners, not engage in cruel, inhuman, and degrading treatment of prisoners.

The reasons are obvious. Prisoners who are being tortured will say anything. It doesn't have to be true. Secondly, the standard we set in the treatment of our prisoners could one day be used against Americans who are taken as prisoners. So not only does it give you invalid information, it sets a standard that we never want our soldiers to be subjected to.

By a vote of 90 to 9, the Senate enacted JOHN MCCAIN's standard for torture, saying that we were not abandoning our longstanding commitment to it. I was happy to cosponsor that effort. There was a debate where Vice President CHENEY came forward and said we need to make an exception for agents of intelligence agencies in our Government. Thank goodness, the Vice President's recommendation was rejected. The President signed it, and I hope he is living by it. Sadly, most of that is being done behind closed doors, and we won't know for a long time, if ever, whether it is being followed. I trust the word of the President when

he says we are not engaging in torture. Now comes the next chapter.

If the President's words are an indication, Guantanamo Bay is likely to be closed. That is a good thing. Guantanamo Bay and the prisoners who are being held there have to be moved to a different situation. If they are in fact a danger to the United States or to any soldiers or any person we value, they should be charged and held or held as enemy combatants. But if they are being held for intelligence purposes, we should be honest. After 3 years, for goodness' sake, what value could they possibly bring to our intelligence?

Several hundred men are being held. Last week, there was the startling discovery that three had committed suicide. It is an indication to me that Guantanamo Bay should be closed, as the President has suggested. I hope it is sooner rather than later.

Then what will happen to the prisoners? The amendment I will offer says that if we are going to be involved in the rendition of these prisoners, the transfer of these prisoners to some other place, some other country, we need to make sure that country abides by the same standards of humane conduct to which the United States ascribes. We cannot be content in sending these prisoners to some other place where they will be subjected to torture if, in fact, we have expressed a value in the United States that we are opposed to torture. That is what the amendment will say, that we make that effort to ascertain and to review regularly those detention facilities to make sure they live by that same standard.

There has been a debate this week in Washington over the war in Iraq. It was also a week when the Department of Defense reported that we have lost 2,500 soldiers. White House spokesperson Tony Snow was asked to comment on this loss of 2,500. I am sure the statement he made doesn't reflect what he really feels in his heart when he said:

It's a number.

I am sure he feels as we all do that it is more than a number. It is more than an aggregate. It is 2,500 precious lives that have been lost by men and women in uniform willing to stand and serve and risk their lives for America.

I have attended some of the funerals. They are heartbreaking. Most of the soldiers are very young. I recall going down to southern Illinois where the funeral service was right outside the farmhouse where this young man grew up, down in Perry County. His mom and dad brought out for us to see, around the tent where the service was taking place, little souvenirs from his life—his fishing rods, his hunting rifle. We were just a few feet away from the tree house he and his dad built. I will never forget that scene as long as I live. It was a reminder that before he was in uniform, he was a son, he was a boy. Their heartbreaking experience will be with them for a long time. There are 2,499 other stories just like

that of grief which will be shared by families for years to come.

We are debating now what should we do in Iraq. The idea that we pull out our troops quickly, precipitously, is unacceptable. It would leave a situation which I am afraid would descend further into chaos and maybe create more instability and more problems to come.

But here is what worries me. When the President of the United States goes to Iraq and says to our enemies in Iraq that we are here to stay, that may be a strong message to our enemies of our resolve, but it is the wrong message to our allies and friends. The Iraqis have to understand we are not going to stay indefinitely. Think of what we have done in this country, not only giving 2,500 of our best and bravest lives, not only having 20,000 of our soldiers come home, half of them with serious permanent injuries, 2,000 of them with head injuries, not only spending \$300 billion in behalf of this effort in Iraq, not only sacrificing at home where we can't afford to fund medical research, Amtrak, education, health care, and the programs which Americans value, not only all these things, but we have been successful; we have deposed their dictator, Saddam Hussein; we dug him out of a hole in the ground and put him on trial.

We have given the Iraqis more than ample opportunity to control their fate and future. We offered them free elections. We have given them a chance to form a government. We have given this country so much in the 3 years we have been there. Now we must say to them: The day has come when you must stand and defend your own country. If you value Iraq as a nation, be prepared to stand and fight and maybe even die on behalf of that nation. But if we say to the Iraqis that we are staying there indefinitely, it is the best deal on Earth because it is the best military on Earth that will be there for them serving as a babysitter and a referee in an ongoing civil war for an indeterminate amount of time.

How many more lives will America give to this conflict before the Iraqis stand and defend their own nation? And when the President and many in the Chamber here don't want to speak to any kind of withdrawal date, they are suggesting to the Iraqis we are there to stay. That is the wrong message. We need to tell them that we have fought and offered our best for their future and that they need to accept that responsibility from this point forward.

This week, I stood in silence at my desk on the floor of the Senate with my colleagues on both sides of the aisle in reverence to the 2,500 lives that have been lost, saying a prayer for their memory and their families, thinking as well of the veterans who have come home, some broken in body and in spirit, who have done so much for this country. We owe it to them, we owe it to their families to reach a point where

we can come home with our mission truly accomplished.

It is more than just a number. Mr. President, 2,500 of our soldiers have given their lives. When this came up initially, I voted against authorization for war. I believed at the time that the administration had misled us as to what was happening there, this threat of weapons of mass destruction and nuclear weapons and connections with 9/11. It turned out they were all false. None of it was true, and we went to war anyway. We were told as soon as we arrived that the Iraqi Army would turn on Saddam Hussein and join us in the fight, and that didn't happen. We were told the Iraqi people would greet us with open arms, and I know many are appreciative for what we have done, but it is still so unsafe in that country. The average soldier just going down the street in a military vehicle is risking his life every single day, more than 3 years after our invasion.

Having voted against that authorization for war, though, I have voted for every penny this President asked for. I lived through Vietnam. I remember what happened. An unpopular war was taken out on our soldiers, and that is not fair. Our soldiers did what we asked of them in the Vietnam war, as they are doing today. Politicians and elected officials can debate and differ on policy, but the bottom line is our soldiers are serving us and we should stand by them. I voted for every penny because of one basic standard: If it were my son or daughter in uniform, I would want them to have everything they needed to come home safely. That is the way I feel, and that is why I voted this week for the supplemental appropriation. But that won't stop me today and in the coming days from challenging this administration and challenging this Congress to make it clear that the Iraqis have to stand and fight and defend, and the American troops are coming home. It is only when that happens that we can truly say that our mission is accomplished.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I would like to share a few thoughts about the Strategic Forces Subcommittee of the Armed Services Committee, which I chair, which deals with space, missile defense, satellites, and many of the other high-tech systems on which our Defense Department relies. But I just want to respond to my colleague, Senator DURBIN. I don't think he actually meant to say that our soldiers are coming home broken in body and spirit, but he came close. That is not what I am hearing. Go out to Walter Reed. They may have broken bodies and broken bones, but they are not broken in spirit.

The night before last, I attended a wonderful ceremony of the 231st birthday of the U.S. Army. I was talking with soldiers there. We were talking about the war and the politics of the

Capitol. They are aware of what is going on. I told them that I thought the Congress would not vote for any immediate withdrawal, and indeed we voted yesterday 93 to 6 against any kind of withdrawal requirement for this year. That vote, represents a strong bipartisan consensus of the Senate. One of those soldiers said: I will tell you what we want, Senator; "We want to win." We want to win this war. That is what the American people want, that is what the soldiers who have gone there and sacrificed want, and that is what they believe in. The soldiers who have been there believe in what they have done. They have been courageous in performing their mission.

It is difficult for me and for them to understand this idea that we can support the soldiers but not support the mission we sent them on, sent them by a three-fourths vote of this Senate. A majority of Democrats and Republicans voted for this war, and we are going to stay the course, we are going to help our military succeed, and we are going to help them win.

The point I pick up more and more as I talk with these soldiers, what I am hearing from them, is they are afraid we are going to mess it up. They believe they are winning. They believe they are doing their job. They believe they will be successful. And they are really worried that this Congress will be the one that will lose its nerve and not stand with them after they put their lives on the line for this country.

I believe this is a big deal, and that success in Iraq is important for our Nation. I visited that region recently. I talked to the leaders of Turkey, Kuwait, Afghanistan, and Pakistan. What would it mean for us if we had a disastrous event in Iraq where the terrorists take over that country? What would it mean to their neighbors? What would it mean to the region? All nations of good will know we must succeed.

Iraq is stepping up. There are now 260,000 Iraqi soldiers and security personnel in uniform and reaching higher and higher levels of performance. They are doing a much better job every day. They will soon be at 350,000 by the end of this year. They are being better equipped and better trained, and I believe we are doing a much smarter job of imbedding our soldiers with the Iraqi units so we can call in air support, we can provide mentoring, we can provide advice, we can call on other kinds of support, if they need it, to be effective.

A majority of the raids and actions that are taking place in Iraq are taking place by the Iraqis. Iraqi soldiers are taking more casualties than American soldiers. We are not babysitting them. This image of millions casting their ballots for a freely elected government of Iraq is not a bad image for us to remember. We need to remember that, and it is important for us, let me note first and foremost, that this Nation not allow the terrorists to win in Iraq.

We are going to be successful. But I realize the American people are concerned. They don't like to see violence and continued death. They don't like to see our soldiers at risk. I certainly understand that; neither do I.

I have been an admirer of General Abizaid, CENTCOM commander, and his team of generals because General Abizaid has always resisted the temptation to see how many troops we can put in Iraq. He said that is not the way to win this war. We need the right number of troops, and we need to begin to draw them down as soon as it is appropriate to draw them down and lift up the Iraqi Army. That is what we need to do.

Some want to have the President set forth a detailed plan so they can criticize it, basically. How will some sort of formalized plan help our soldiers be effective in the battle? It just tells your enemy what you are going to be doing. More importantly, a detailed plan is not going to be permanent. It will have to change because the enemy changes. As soon as you shut off one avenue of enemy success, they take another one and you have to respond to that. That is the history of warfare. That is the way wars have always been fought: you constantly adjust and constantly alter your efforts to be successful toward your ultimate goal of victory. That is what our military is doing.

Trying to demand a date from our military to withdraw or trying to demand from them a plan of what they are going to do 5 months from now fails to understand and recognize the nature of this conflict, and this conflict more than most conflicts because we face an asymmetrical enemy, a nontraditional enemy, who knows it cannot stand and fight our military successfully, so it devises devious and sneaky ways to pit one religion against another, to attack American soldiers, to attack the local police, all designed to crumble the Government of Iraq. But it hasn't happened. Iraqis are still signing up and becoming policemen. Iraqis are still signing up and the army is growing. The Government of Iraq has elected, for the first time, their permanent leadership.

Prime Minister Maliki is in office. His whole Cabinet now has been established. The two key Cabinet positions on which they spent extra time, Defense and Interior, have now been established, confirmed and voted by the 275 member Parliament. So they have their government now, fully elected, a permanent government, just like any other nation in the world. There is no interim government now.

I believe they are going to be successful, and I tell you, it is going to be important for the United States that they are. We have invested a lot; our soldiers have invested a lot. They are proud of what they are doing. They are not broken in spirit. They want to be successful and win.

I have some numbers I will share with my colleagues and those around

the country who might be listening. In this conflict, the Army has had the largest number of people serving in Iraq, yet their enlistment rate through May of this year was 104.3 percent. They have exceeded their enlistment goals for this year. They have exceeded their reenlistment goals. The Army for a few months did miss their goals, and some critics said it was a broken Army and predicted disaster. The Army said: No, we are not broken, and we are going to meet our goals. For 13 consecutive months, the Army has met its goals. The highest retention reenlistment rates come from the units that have just come back from Iraq and Afghanistan.

Staff Sergeant Barr, who was at Walter Reed, was injured by an explosive device. He was punctured by as many as 100 different pieces of shrapnel. He was told he would have difficulty walking and would probably never run again. He said he was going to run again, and he was going back to Iraq with the unit that he came with. And he worked at it and he worked at it and he ran. He eventually went back to Iraq and served again. That is the kind of spirit that we have. That is the kind of spirit that you see in our Army.

I was told by an officer who knew that story that every single soldier in his squad reenlisted. This is the spirit that this Congress needs to strive to be worthy of. This is the kind of professional commitment and courage that inspires us, or should inspire us. We should not be whining around here and trying to find some error that was made somewhere where body armor did not get to a soldier. Body armor is out there protecting soldiers. It is not a problem. To say that there has never been a shortage somewhere or somehow a supply failed to get where it was supposed to, I can't say; but it is not a systemic problem. But to go around and suggest to the citizens of our country that this Congress and the military is not committed to providing body armor to our soldiers is bogus and false and undermines what they are doing. It must be most confusing to our soldiers there.

But I think the vote yesterday should give them confidence that most of this talk is simply politics. Most of it is just complaining and second-guessing, like is done on the floor of the Senate every day. We hear it every day on many issues and debate and criticism is passed of the strength of American Government.

But I would urge my colleagues to think differently about soldiers in conflict, soldiers in harm's way. We need to be careful what we are saying here. It may sound good, it may hurt President Bush, to make this allegation or that allegation, but is it perhaps creating in the eyes of our enemies a belief that we are divided, that we won't stay the course, and that if they just kill enough people, civilians, Americans, Iraqis, that somehow, it will all just fail. Is that the possibility that we

are creating? That is why I urge my colleagues to be very careful and watch what you say in terms of attacks on the efforts that our military have so courageously undertaken in Iraq. Things happen in war. Bad things happen. But no military has done a better job of striving for perfection than ours has.

I would also like to respond to charges that this Nation is going to be embarrassed historically because we have tortured people that were captured in this war on terrorism. We talked about Lincoln. Lincoln eliminated the writ of habeas corpus. Roosevelt, as Senator DURBIN said, locked people up, Japanese Americans, in a way that was not justified. He basically takes a view, as so many seem to be saying on the left and on the Democratic side, that we have a policy of torture in the United States. That is not so. The President has repeatedly, time and time again, said: We have no policy of torture; we do not torture.

There is a statute in the United States Code passed shortly before I came here that defines and prohibits torture. It does not say you can never put any stress on someone, but it says you can't subject them to torture, and it defines it precisely.

They say, well, what about Abu Ghraib. Let me remind everybody, we learned about Abu Ghraib when the Army general reported what happened in Abu Ghraib. Let me remind people that what happened to those prisoners in Abu Ghraib, so wrong that it was, had nothing to do with interrogation, had nothing to do with any plan of torture. These were not even prisoners who had any intelligence. It was the late graveyard shift and a group of soldiers lost their discipline—lost their discipline under the stress of war—and performed in a way that got them prosecuted and sent to jail by the U.S. military. That was not the policy of the United States of America. We have heard this most complex chain of thoughts and reasoning, this complex chain of reasoning which is almost laughable, and is worthy of the most incredible conspiracy theorists, that somehow President Bush is responsible for what happened in Abu Ghraib.

It is not so. The military responded firmly and aggressively to this terrible wrong. And do you remember the story—I know the Presiding Officer does—of the fine African-American colonel under the stress of attacks on his men in Iraq, he fired a gun near the head of an enemy that had been captured in order to attempt to frighten him and to get intelligence from him. Apparently, he got some intelligence of value that he believed helped protect the lives of his soldiers. But do you know what. He was booted out of the military because we don't tolerate that kind of thing. His actions went beyond what our standards allow, and he was cashiered from the Army. A fine person with a fine career who made a big mistake, and he paid for it because we don't accept that kind of thing.

It is demeaning, it is dishonest, it is wrong to suggest that we have a policy to torture prisoners. With regard to Guantanamo, I know the President said he would like to see it closed. Well, I want to know what he is going to do with those prisoners. I have been there twice. Those soldiers do their jobs under difficult conditions every single day. They are highly professional. They do not allow themselves to be baited into overreacting when these prisoners display the worst kinds of anti-Americanism.

Until just recently, not a single captive had died at Guantanamo. Now we have three suicides. So I suppose that is our fault now, that we had three people commit suicide who were being held down there. These are not bad conditions at all. They are good conditions. They are treated fine. They are given the Koran, given places to worship, given places to exercise, and given all kinds of things that most prisons around the world don't give to the prisoners of their own countries, much less to the people who want to destroy their country.

But what I would say is this: They committed suicide. Those suicides were a political statement. They were their efforts to attack and undermine the United States. Their fervent desire was that Members of this Senate and the House of Representatives would use their deaths to speak on the floor to try to undermine our war against terrorism to make us less successful in the war on terrorism. That is exactly what their goal was. And, I would say this: does anyone in this Chamber doubt that if they had access to a bomb, they would have put that bomb on their body and killed anybody they could have? They would have killed themselves to promote their terrorist agenda. If they had been given the opportunity, wouldn't they have put a bomb on and killed others at the same time?

I say those suicides are an absolute indication that we have in Guantanamo some of the most dangerous terrorists in the world.

Now, I heard an official of our great ally, the United Kingdom, say we ought to close Guantanamo. I wanted to write him and say: Do you want to take these prisoners to the U.K.? Do you want to hold them? And then if you get tired of holding them, are you just going to let them go in London on your subways and on your buses? Then the critics worry that if we turn them back to their home countries and we have a rendition of the prisoners back to their home countries, that we have to guarantee that they are going to be treated wonderfully. So we can't keep them in Guantanamo, we can't—who else wants them? We can't even send them back to their home countries to be held in prison, apparently.

So this reminds me of nuclear waste. Everybody has nuclear waste, but nobody wants to do anything with it, and they use the argument that you can't

dispose of nuclear waste to try to block nuclear power. So this is just another attempt to make it more difficult, in my view, for us to be successful in handling these prisoners. They are not being tortured at Guantanamo. It is not the policy of the United States to torture anyone, and they are not being tortured. The few people who violated our high standards have been disciplined and punished.

So let me say this in conclusion, Mr. President. The good news is that we have free debate here, and we get to duke it out and we get to have our say. We just voted yesterday 93 to 6 to declare we have no intention of any precipitous withdrawal from Iraq; that we are going to stand there with our soldiers, and we are going to stand with our allies in Iraq and help them establish a free, decent, democratic government, a government that will be to our national interests to an incredible degree. It will be more valuable than most people can comprehend to us and to the world to have a decent, peaceful Iraq and to defeat the terrorists there who want to take it over and make it their place.

The other good news is that we have had a very successful attack on the CEO of terrorism, Zarqawi, and he has been killed. He clearly was the No. 1 executive officer of terrorism in the world, and that was a big victory.

We also now completed the confirmation of the Defense Minister and the Interior Minister for Iraq, so the entire Cabinet is in place, and an entire government is in place. The Iraqi Army continues to get better, and it continues to grow, and we are beginning to see the possibility that our troops can be withdrawn. If we have to send more troops there, I will listen to the commanders. If they can bring the troops down, that will make me happy. We are going to listen to our commanders and do what it takes and continue this process in a way that leads to—what? Victory. That is what the soldiers we have sent there want, that is what the American people want, and that is what we in this Congress have to do; to figure out how to help our military people go forward and achieve victory. That will be my effort, and I think for the most part that is the bipartisan consensus of this Senate.

Mr. President, again, I finish with a tribute to the professionalism of those in service, to the risk they have incurred; how they have attempted to conduct the violence of war in a way that mitigates civilian casualties and that reflects the highest ideals of the United States of America. I could not be more proud of their service. The conduct of this war on terrorism will be received as the most humane and careful war in history.

I yield the floor.

The PRESIDING OFFICER. The Senator from OREGON.

Mr. WYDEN. I thank the Chair.

Mr. President, let me begin by saying I very much share the view of the Sen-

ator from Alabama about our troops. Day in and day out, they bring the utmost professionalism and the utmost courage and valor to the cause of standing up for American values. I very much share his views with respect to the tribute we ought to be paying to those who serve us, who wear the uniform of the United States and who do it with such extraordinary patriotism and service to our country.

(Mr. SESSIONS assumed the Chair.)

What I am here to talk about, though, is the political decisions that are made and how they affect those courageous troops and how they affect the security of the country.

In March of this year, at a press conference, a reporter asked President Bush:

Will there come a day, and I'm not asking you when, not asking for a timetable—will there come a day when there will be no more American forces in Iraq?

The President responded:

That, of course, is an objective and that will be decided by future Presidents and future governments of Iraq.

... decided by future Presidents. . . .

... decided by future Presidents. . . .

... decided by future Presidents. . . .

I found that statement troubling for two major reasons. First, staying in Iraq for years and years, in my view, will threaten Americans' preparedness to deal with a host of other threats that ought to concern all of us. Certainly at the top of that list would be Iran and North Korea, but suffice it to say, it is a dangerous world.

I serve on the Senate Select Committee on Intelligence. I know the distinguished Senator from Alabama has a great interest in military affairs. No Senator who looks at the facts and the world in a realistic way would conclude otherwise. It is a dangerous world. There are real threats to our country. It is my view that to stay and stay and stay in Iraq will threaten the preparedness of our country at a dangerous time.

Second, it seems to me that making this kind of open-ended commitment to stay in Iraq, an open-ended commitment that in effect says we will be there at least until 2009, doesn't send the right message to the Iraqis about getting serious about their most serious challenges. For example, when I was recently in Iraq with my colleague, Senator SNOWE, I was especially troubled by the Iraqis' response to my concerns about corruption in the Iraqi oil sector. We all know that 90 percent of the revenue generated in Iraq comes from oil, and there has been one independent analysis after another documenting widespread corruption in Iraq's oil sector. I brought that to the attention of the officials Senator SNOWE and I met with on our trip. Essentially, the response was one of denial: Well, Senator, it really isn't that bad; well, Senator, we are getting serious about it; well, Senator, we are thinking about trying X, Y, and Z.

But I say to the Senate today that we continue to read these independent

analyses which have documented widespread corruption and malfeasance in the Iraqi oil sector. Yet it is not being dealt with. My view is that to say the future of American forces in Iraq will be decided by future Presidents is yet another signal to the Iraqis that they have plenty of time to deal with serious problems like corruption in the oil sector, which should have been dealt with some time ago.

Again, I share the view of the Senator from Alabama concerning the professionalism of our troops. Our country and the world is better as a result of the death of Mr. Zarqawi. The kind of carnage and the brutal campaign that Mr. Zarqawi conducted is well understood. We are all very hopeful, because we all root for success in Iraq, that this will deal a blow to the insurgency. Our soldiers and all concerned ought to be proud of what they accomplished in taking down Zarqawi. I am proud of them. I know the Senator from Alabama is as well.

But let us think about the implications of overstretching our Armed Forces. That is why I say I am troubled about what is going to happen to American preparedness for a dangerous world if we stay and stay and stay—until at least 2009. Oregon Guard members, for example, of whom we are exceptionally proud, are on their third rotation in the theater. Some Active-Duty Forces are on their fourth rotation. Others are getting ready for their fifth rotation into harm's way. I am sure that is also the case in Alabama. I am sure it is also the case in every part of the United States. I will tell the Senate today that I think the stress our courageous Armed Forces are dealing with now is at the point where, if we can't get the Iraqis to speed up securing their own defense, this is going to undermine America's preparedness to deal with a dangerous world.

Our Armed Forces are maintaining an exceptional level of professionalism under exceptional stress, but at a certain point it is just not possible to continue in that way and be ready for the kinds of crises and the kinds of national security challenges that exist today. So the preparedness of our U.S. military to deal with a host of national security challenges hinges on what happens in Iraq. The more responsi-

bility the Iraqis take for their future, the less the United States must shoulder, and the sooner we can start bringing our troops home.

When our President says that a future American President will decide when to bring U.S. troops home, it seems to me that sends a message to the Iraqis that they have a lot more time. For the sake of preparedness, for the sake of Iraq securing its own future, we have to speed this timetable up. American troops cannot and should not be in Iraq forever.

Shortly, I will introduce a very simple resolution. It is a sense of the Senate on the President's intention to keep U.S. forces in Iraq until at least 2009. The resolution is very simple. I will just read it this afternoon:

That it is the sense of the Senate that—
(1) the members of the Armed Forces deserve the enormous respect and support of the Senate and the American people for the sacrifices that they are making on behalf of our country; and

(2) the President's intention, as stated on March 21, 2006, that "future Presidents" will determine whether to keep members of the Armed Forces in Iraq undermines the preparedness of the United States military to respond to other crises and should not be supported.

I will close. Again I pick up on the Chair's statement about the commitment of our troops and their courage and their valor. This is not, today, a debate about whether it was right to go to war. We had that debate. I was on the side that voted against, and other Senators were for it. We are long past that point. What we are dealing with now is how to win the peace. That is something which all Senators should be looking to try to work together on and find some bipartisan common ground.

I commend the Senator from Alabama for his statement about our troops. But I do believe we have to find a way to get beyond some of these artificial choices—like cutting and running or staying the course. Hopefully we can do that. I believe one area for bipartisan cooperation should be to try to speed up Iraq taking over its own future.

I was very troubled by the statement that it was the President's intention that the future of our Armed Forces in Iraq would be dealt with by future

Presidents. We have to deal with it now. We have to find a way to win the peace and do it on a bipartisan basis. I intend to work with colleagues on both sides of the aisle to advance this goal, which is not about whether you are for the war or against the war, it is today about winning the peace, and that is why I will be offering my resolution.

I yield the floor.

Mr. GREGG. Mr. President, as chairman of the Budget Committee, I regularly comment on appropriations bills that are brought to the Senate for consideration and present the fiscal comparisons and budgetary data. I believe it is useful to expand that practice, when required, for authorization bills that we consider.

S. 2766, the national Defense authorization bill for fiscal year 2007, is, of course, one of the most important bills the Congress brings up on an annual basis. As Senators know, the Budget Committee does not enforce the levels of the authorizations of appropriations contained in the bill, even though they constitute the vast majority of programs and projects addressed. Ultimately, those authorizations of appropriations only spend money once the Appropriations Committee acts on its Defense bill.

But there is another category of spending in the Defense authorization bill which the Budget Committee does enforce because passage of this bill and its signature by the President would create automatic spending. By that, I mean the direct spending or mandatory spending provisions in the bill.

According to a Congressional Budget Office estimate of June 9, 2006, S. 2766 as reported increases budget authority for mandatory spending by \$458 million in fiscal year 2007 and \$1.508 billion over the next 5 years. Corresponding outlays are \$307 million in fiscal year 2007 and \$1.416 billion over the next 5 years.

Mr. President, I ask unanimous consent that a table of direct spending for S. 2766 excerpted from CBO's official cost estimate be printed in the RECORD.

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

TABLE 4.—ESTIMATED IMPACT OF S. 2766 ON DIRECT SPENDING AND REVENUES

	By fiscal year, in millions of dollars—									
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
CHANGES IN DIRECT SPENDING										
Military Housing in Korea:										
Estimated Budget Authority	160	160	160	0	0	0	0	0	0	0
Estimated Outlays	10	58	109	126	92	48	22	10	5	0
Pilot Projects for Military Housing:										
Estimated Budget Authority	0	0	30	0	0	0	0	0	0	0
Estimated Outlays	0	0	4	14	9	2	1	0	0	0
Maximum Term of Leases for Overseas Facilities:										
Estimated Budget Authority	1	2	5	5	5	5	5	5	5	5
Estimated Outlays	*	1	3	5	5	5	5	5	5	5
SBP Benefits:										
Estimated Budget Authority	53	57	61	63	66	68	70	72	74	76
Estimated Outlays	53	57	61	63	66	68	70	72	74	76
Paid-Up SBP:										
Estimated Budget Authority	202	213	0	0	0	0	0	0	0	0
Estimated Outlays	202	213	0	0	0	0	0	0	0	0
TRICARE Pharmacy Program:										
Estimated Budget Authority	42	61	62	54	46	39	31	22	12	2
Estimated Outlays	42	61	62	54	46	39	31	22	12	2

TABLE 4.—ESTIMATED IMPACT OF S. 2766 ON DIRECT SPENDING AND REVENUES—Continued

	By fiscal year, in millions of dollars—										
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	
Total Changes:											
Estimated Budget Authority	458	493	318	122	117	112	106	99	91	83	
Estimated Outlays	307	390	239	262	218	162	129	109	96	83	
CHANGES IN REVENUES											
Thrift Savings Plan: Estimated Revenues	*	*	*	*	*	*	*	*	*	*	

NOTES.—Numbers in the text may differ from figures shown here because of rounding. SBP = Survivor Benefit Plan. * = between –\$500,000 and \$500,000.

Mr. SPECTER. Mr. President, in evaluating our needs in the Department of Defense authorization bill, key factors will be our relationship with Iran and North Korea as we face two major problems of two nations: one having nuclear weapons and the other appearing to be intent on developing nuclear weapons. I applaud the President's recent move to agree to bilateral negotiations with Iran subject to certain conditions, and I think he was precisely correct in saying that notwithstanding the difficulties with Iran and their apparent intransigence, that all diplomatic efforts ought to be explored before any consideration is given to the use of military force. I think that is a way to approach the international issues. While we deal with some of these tough adversaries, all options should theoretically remain on the table. But to the extent that these problems can be solved through diplomacy, that is obviously the preferable course.

In dealing with countries such as Iran and North Korea, it is difficult when the United States has branded them as the "axis of evil." But President Reagan invited Soviet leader Leonid Brezhnev to a dialogue within weeks after labeling the U.S.S.R. as the "evil empire." So it is possible to have some tough dialogue and some tough rhetoric and, at the same time, work toward negotiations, no matter how difficult the adversary or potential adversary may be.

Early in my activities and public service, when I was an assistant district attorney in Philadelphia, I had an occasion to interview inmates at the State prison, Rockview, who were under the death sentence. Joining the district attorney's office, I was low man on the totem pole, and the low man got the job of traveling to the State prison and talking to people under the death penalty, people who wanted to have their death sentences commuted. It was quite an experience. Very, very tough people who had committed heinous crimes, outrageous lives, bad backgrounds, about as tough a gang as you could find off the streets of Philadelphia, Pittsburgh, and other parts of the State who had committed murders so atrocious that they had gotten the death penalty. That taught me a lesson, leading me to the conclusion that if you could talk to people like that, you could talk to anybody. You don't have to agree with people, but there is no reason not to talk. I am aware that it is a significant transfer to apply that kind of an experience to

international diplomacy, but I think it has some weight.

There are those who oppose talking to Iran or North Korea on a bilateral basis because we don't want to recognize them, we don't want to give them any status. I think a comprehensive answer was made to that by Richard Armitage, who was Deputy Secretary of State right under Colin Powell during President Bush's first term. This is what Mr. Armitage had to say:

It appears that the administration thinks that dialogue equates with weakness, that we have called these regimes evil and, therefore, we won't talk to them. Some people say that talking would legitimize the regimes. But we are not trying to change the regimes, and they are already legitimized in the eyes of the international community. So we ought to have enough confidence in our ability as diplomats to go eye-to-eye with people, even though we disagree in the strongest possible way, and come away without losing anything.

Our relationship with Iran has obviously been extremely difficult since the Shah was deposed in 1979. And Iran is a proud country with a proud history. There is, at least, some part of the motivation to become a nuclear power, nuclear military force to be with the big boys as a matter of international status. I think if we were willing to meet with Iran in a straightforward, diplomatic way as negotiating equals—the United States is never going to be equal with Iran because of the great difference in our power in the international field—but I do believe that our foreign policy would be enhanced if we treated foreign leaders, foreign countries with more dignity and respect. I think it would be a significant step forward if Iran were treated as a diplomatic and negotiating equal, that it might take some of the pressure off their determination to be a nuclear military power or, at a minimum, I think it is worth a try.

I made my first trip to the Mideast back in 1964, and in the intervening 42 years I have made almost 30 trips to the region. I tried to go to Iran shortly after the Iran-Iraq war ended in 1988, and my efforts to go there have never been successful. It is possible to travel to Iran as a tourist, but it is not—they are not receptive to having an official visit.

In the absence of being able to go to Iran, I have contacted and had discussions with two of the Iranian Ambassadors to the United Nations. I made my first contact back in May of the year 2000, a little more than 6 years ago, and I discussed with the Iranian Ambassador to the United Nations the

possibility of an exchange of parliamentarians; that a group of Members of the Senate and the House of Representatives might meet with a group of parliamentarians from the Iranian Parliament. I invited the Iranian Ambassador to the United Nations to a dinner in my hideaway, my office here in Washington, attended by a number of Members. I then met with his successor in August of 2003 and had moved toward concrete plans to have a group of Iranian parliamentarians meet with Members of Congress in Switzerland in January of 2004, but unfortunately, those plans fell through because there was a concurrent, harsh exchange of rhetoric, and the Iranians were not willing to meet at that time.

There was a significant development when the Iranian President, on May 8 of this year, sent President Bush an 18-page letter, and the President appropriately responded, showing interest in having negotiations with Iran. We had been pursuing efforts to have diplomatic pressure applied by Iran in concert with our European allies, trying to involve China and trying to involve Russia, and then Secretary of State Rice signified a shift of U.S. policy by indicating our willingness to negotiate directly with Iran by putting conditions on that offer to negotiate. To repeat, I believe that we ought to be willing to negotiate without conditions. We have similarly sought to deal with North Korea in collaboration with other nations, including Japan and South Korea, China, and Russia, and here again, it would be my hope that we would seek and be willing to have those talks without preconditions.

I was part of a CODEL led by Senator BIDEN in August of 2001, at the time when Senator BIDEN was chairman of the Foreign Relations Committee, and we traveled to the Far East and had plans to meet with the North Korean President, and that did not materialize because at that same time, the North Korean President made an unexpected trip to China. In looking toward the future, it is my hope to be able to go to North Korea. I think there is a climate there of receptivity to meeting with Members of Congress, and that is a course which I intend to pursue.

I have found that in the meetings I have had on foreign travels that, at least in my opinion, they have been a bit productive. In the 25 years of my service in the Senate, I have been on the Appropriations Subcommittee on Foreign Operations, and for 8 years I served on the Intelligence Committee, chairing that committee during the

104th Congress in 1995 and 1996, and those committee assignments and my interests generally in foreign policy have taken me to some 93 countries.

One of the countries I have visited on many occasions is Syria. I have visited Syria on 15 trips. On nine occasions I have had an opportunity to meet with President Hafez al-Assad. I was the only Member of Congress to accompany the Secretary of State to his funeral in the year 2000, and I have since had an opportunity to visit on three occasions with President Bashar al-Assad.

In the course of those meetings I got to know President Hafez al-Assad. The first meeting was in 1988, and it lasted for approximately 4½ hours. I had long heard about President Assad's willingness to engage in extended discussions. We covered a wide variety of subjects. We talked about Syrian relations with Israel. We talked about the Palestinian problems. We talked about the Iran-Iraq war. We talked about U.S.-Soviet relations. On a number of occasions I suggested that I had taken too much of his time. On each occasion he would say: No, I am interested in talking more.

In the course of meeting President Hafez al-Assad on some nine occasions, it developed into a cordial relationship, even, you might call it, a joking relationship. I would urge President Assad to meet with Israeli Prime Ministers and say that our meeting, always attended by the local photographers, would appear on the front page of the Syrian newspaper, the Damascus newspaper, but if President Assad would meet with the Israeli Prime Minister, it would be world news.

I told him when Prime Minister Rabin and Foreign Minister Perez and Palestinian Authority Chairman Arafat got the Nobel Peace Prize, if he would work for peace with Israel, that he would get the Nobel Peace Prize in Stockholm.

He replied: Well, I might be welcome in Stockholm under the arrangement you suggest, but I might not be able to get back to Damascus.

In 1988 I suggested to President Assad that he permit the Jewish women in Syria to leave the country because there were very few Jewish men for them to marry. That was a subject which Congressman Stephen Solarz had undertaken, and I was carrying forward some of what Congressman Solarz had sought to do. President Hafez al-Assad said to me that anyone who came to claim a Syrian Jewish bride would be permitted to take the bride with him out of the country. I relayed that message to the large Syrian community in Brooklyn, NY. Nothing much ever came of it. But in 1992, President Assad permitted all the Jews to immigrate out of Syria. My exhortations might have had some effect—who knows as to what that might have been.

I consistently would urge President Assad to negotiate with Israel, and he would say that he would not do so but entertained the possibility of negotia-

tions with Israel if sponsored by the big 5: sponsored by the United States, the Soviet Union, Britain, France, and the China. Israel was unwilling to engage in those negotiations because only the United States would be neutral or perhaps friendly toward Israel. Finally, President Assad did agree to go to Madrid, in 1991, to negotiate with Israel.

I had extensive discussions with a very distinguished Syrian diplomat, Walid al-Moualem. When Benjamin Netanyahu was Prime Minister of Israel, in 1996, upon taking office Prime Minister Netanyahu made a forceful declaration that Israel and he would hold Syria responsible for the actions of Hezbollah in southern Lebanon. That led to a realignment of the Syrian military, and for a time it looked as if that was a tense situation. I was in Israel at that time and was asked by Prime Minister Netanyahu to carry a message to President Assad that Israel wanted peace. I conveyed that message to President Assad, and later, when I met with Walid al-Moualem, the Syrian Ambassador to the United Nations—met with him here in Washington—he told me that the conversations I had and the message I carried from Prime Minister Netanyahu to President Assad had been, as he put it, "helpful in deescalating the dangerous tensions."

Ambassador Moualem later told me I had gained the trust and confidence and personal relationship with President Assad because, as he put it, "they viewed me as being objective" even though, as he put it, "nobody could question my support for Israel."

I am not making any major contentions, or making any claims as to what effect these visits would have had. But every little bit helps. In getting to know Assad and getting to know his son, it does provide an opportunity for a statement as to our values in the United States, what we would like to see happen. I think it is helpful and certainly can do no harm.

In January of 1989, I made my first trip to Iraq and returned a year later with Senator SHELBY.

I will conclude briefly and will supplement my remarks today with more specification at a later time on exact dates, based on trip reports which I make after coming back from each of my travels.

I had referenced the conversation which Senator SHELBY and I had with Saddam Hussein in January of 1990. I do not know if it would have ever been possible to have dissuaded Saddam Hussein from his practices of aggression, but on that occasion Senator SHELBY and I had a professional conversation with him, and it is my view conversations of that sort have the potential to be helpful.

I have had occasion to visit with Palestinian Authority Chairman Yasser Arafat on some eight occasions. I have conveyed messages from Prime Minister Netanyahu to Chairman Arafat

about the terrorism issue. Whether it had any effect or not I do not know. I have had occasion to visit Cuba on three occasions, meeting with President Fidel Castro on a wide range of conversations, urging him to have respect for human rights. I questioned him about the deployment of Soviet missiles in 1962, asking about possible involvement in the assassination of President Kennedy, which he denied in talking to him about assassination efforts. I believe there is a fruitful basis to have cooperation with Cuba on drug interdiction, and it is something I have pursued and intend to pursue in the future.

I have had occasion to visit China on four visits. I have had discussions with the Chinese leader about their failure to respect human rights, about the detention of a librarian from Dickerson College, who later was freed after a condemnatory resolution was filed in the Senate, and I have taken the lead in urging Temple University to establish a school in Beijing to inform Chinese leaders about the due process of law.

I had an opportunity to meet with President Chavez in Venezuela last August. There was a controversy on drug enforcement. The Venezuelans would not meet with our ambassador, and I asked for a meeting of President Chavez with our ambassador. I met with the Venezuelan Minister of the Interior. I don't have time to summarize it now, but President Chavez was willing to discuss a protocol for drug cooperation.

I believe the talks with people, even our tough adversaries, our toughest adversaries, can be fruitful. As we structure our legislation for the Department of Defense and look later to the Department of Defense appropriations subcommittee, a subcommittee on which I serve, it is my hope that the United States would be vigorous in the pursuit of negotiations with Iran to diffuse the risk there, to try to find a way of recognizing them in respect and dignity, persuading them not to become a nuclear power, and to have bilateral talks with North Korea on the same unconditional basis—again treating them with respect and seeking to find a way to have an international protocol which would contain and control the significant threat posed by North Korea.

As I say, Mr. President, I have generalized. Most of what I have said has come from floor statements which I have made in the past 25 years. And I will document this further at a later time when there is more time for the presentation.

I thank the Chair and yield the floor.

Mr. LEAHY. Mr. President, I want to thank the Democratic Leader, Senator REID, for his leadership and the hard work he has done to include an amendment to National Defense Authorization Act which increases protections for the dedicated women and men throughout our judiciary. The recent

shooting of a State judge in Nevada provides another terrible reminder of the vulnerable position of our State and Federal judges. Unfortunately, this is not the only recent reminder. Last May, the Judiciary Committee heard the courageous testimony of Judge Joan Lefkow of Chicago, the federal judge whose mother and husband were murdered in their home. We must protect judges where they work and where they and their families live.

The amendment now incorporated into the bill which I cosponsored with Senator REID, Chairman SPECTER, and Senator DURBIN, would enact provisions from the Court Security Improvement Act of 2005, CSIA, S. 1968, which Chairman SPECTER and I introduced last November. Our bill and this amendment authorize additional resources to improve security for State and local court systems. We also respond to requests by the Federal judiciary for a greater voice in working with the U.S. Marshals Service to determine their security needs. This amendment provides criminal penalties for the misuse of restricted personal information to seriously harm or threaten to seriously harm Federal judges, their families or other individuals performing official duties. It provides criminal penalties for threatening Federal judges and Federal law enforcement officials by the malicious filing of false liens, and provides increased protections for witnesses. It also includes an extension of life insurance benefits to bankruptcy, magistrate and territorial judges, and provides health insurance for surviving spouses and families of Federal judges, both of which are provisions that I suggested be included.

Finally, this amendment contains provisions which have passed the Senate several times extending and expanding to family members the authority of the Judicial Conference to redact certain information from a Federal judge's mandatory financial disclosure. This redaction authority is intended to be used in circumstances in which the release of the information could endanger the filer or the filer's family. I hope that the House of Representatives finally takes up and passes this extension and expansion of redaction authority.

U.S. MARINE CORPS BASE CAMP LEJEUNE WATER CONTAMINATION

Mr. JEFFORDS. Mr. President, the motto of the U.S. Marine Corps is *Semper Fidelis*. Translated, it means, "Always Faithful," but among members of the Marine Corps the motto holds a deeper meaning. *Semper Fidelis* represents our Nation's shared commitment to those who dedicate their lives to protect us. As a Navy veteran, I know we must always honor the men and women of our Armed Forces and their families for the sacrifices they make for our Nation everyday.

Lately, I am afraid Congress has not fulfilled its commitment to our men

and women in the military, and this is especially evident in the lack of support for our military veterans and their families. Our lack of assistance for those exposed to the highly contaminated drinking water at U.S. Marine Corps base Camp Lejeune in North Carolina is one of the best examples of this body's shortcomings.

Camp Lejeune is the site of one of the largest drinking water catastrophes in our Nation's history. Between 1980 and 1985, Camp Lejeune drinking water samples conducted by the Marine Corps found high levels of volatile organic compounds used by the Marines in solvents for industrial degreasing. The contaminated wells were closed in 1985; however, the contamination itself may date back until the late 1950s. To put the contamination in perspective, the current EPA health standard for these chemicals is 5 parts per billion. The tap water samples taken at homes and the elementary school between 1980 and 1985 reached levels as high as 1,400 parts per billion.

While the health effects of exposure to the contaminants at Camp Lejeune are still being studied, the U.S. Agency for Toxic Substances, ATSDR, has documented at least 100 babies exposed in utero to the contaminated drinking water at Camp Lejeune have birth defects and cancers, including spina bifida, leukemia, and cleft palates. This is at least twice the rate found in the general population.

For the last 20 years, the calls for assistance from those affected by this contamination have gone unanswered. The Department of Defense's cooperation has been slow, and the political will in Congress has been lacking. I will offer a modest amendment to answer the call for help.

Senator DOLE's amendment would do two things. First, it would provide veterans' health care benefits to those exposed in utero while at Camp Lejeune. The in utero exposures to Camp Lejeune's contaminated water happened under the Marine Corps watch, and it is our responsibility to assist those who were harmed. Medical assistance is a modest step to help restore faith among our veterans and their family members in the Government's commitment to them.

Second, it requires the Marine Corps to notify those who may have been exposed to the water contamination upon the completion of the ATSDR's study on the human exposures to drinking water. To date, the Marine Corps has issued targeted press releases, but information has not been sent to all who may have been exposed. The ATSDR's modeling of the contaminated water will make it possible to notify exposed segments of the Camp Lejeune population, without creating undue worry among the greater population that resided on base. This amendment will require the Marines to provide notice to those who may have been exposed, to outline the events leading to the exposures, to describe the potential adverse

health effects, and to give the affected people resources they can use to obtain more information.

I thank Senator DOLE for her leadership on this issue. Without her, this tragic situation would not have gotten the attention it deserves.

Nevertheless, concerns have been raised about this amendment. The people exposed to the highly contaminated drinking water at Camp Lejeune have waited for decades for answers. Congress needs to take steps now and not delay for years debating this issue.

For this reason, I have worked with Senator DOLE on a second, compromise Dole-Jeffords amendment. This amendment would require a comprehensive National Academy of Sciences study to be completed within 18 months to evaluate the strength of the link between TCE and PCE exposure and adverse health impacts for prenatal, childhood, and adult exposures at Camp Lejeune.

It also requires the Navy to notify those potentially affected by the water contamination at Camp Lejeune so they can learn what happened, how it may have affected them, and what steps they may want to consider taking now to minimize the potential health impacts. While I am told by the Defense Department that individual notification by letter to each person affected is impractical, under this compromise amendment, the Navy would carry out a media blitz and place a letter on its Web page providing the information that those affected deserve to have.

Again, I thank Senator DOLE for taking a bipartisan approach to this issue and for pushing to make constructive progress. We have a moral responsibility to support our troops and their families, and any failure to do so, is a failure to fulfill our commitment embodied in the Marine's motto *Semper Fidelis*. I urge my colleagues to approve this compromise amendment.

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

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

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there now be a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

FATHER'S DAY

Mr. FRIST. Mr. President, in a few moments we will be closing for the week. Before we leave, I want to take just a few moments to reflect on a very special holiday coming up this weekend, and that is Father's Day.

On Sunday, families all across America will celebrate their dads with dinners and lunches and gifts and, if my