



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, SECOND SESSION

Vol. 152

WASHINGTON, MONDAY, JULY 24, 2006

No. 98

Senate

The Senate met at 2 p.m. and was called to order by the Honorable SUSAN M. COLLINS, a Senator from the State of Maine.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Creator, our source of strength, we humbly acknowledge Your power and gratefully accept Your mercy and grace.

We need Your mercy for we fall short of Your glory. We need Your grace, for we can do nothing to deserve Your favor or gain Your love.

Today, permit our Senators to feel Your presence. Give them confidence to draw near to You and to find grace to help them meet national and global challenges.

Help them to find joy in the companionship of Your sovereign leading. Use them to promote the values of justice and peace.

We pray in Your glorious Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable SUSAN M. COLLINS led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate.

The assistant legislative clerk read the following letter:

U. S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 24, 2006.

To the Senate:

Under the provisions of rule I, paragraph 3 of the Standing Rules of the Senate, I hereby

appoint the Honorable SUSAN M. COLLINS, a Senator from the State of Maine, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Ms. COLLINS thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each until the hour of 3 p.m.

Mr. REID. Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

SCHEDULE

Mr. FRIST. Madam President, this afternoon we have a 1-hour period of morning business before we proceed to executive session. At approximately 3 o'clock today we will be turning to consideration of Jerome Holmes to be a United States Circuit Court judge for the Tenth Circuit. We have an order in place that allows for 2 hours of debate today and 2 hours of debate tomorrow morning. Therefore the vote on confirmation of Jerome Holmes will occur tomorrow morning before the policy meetings.

I also remind everyone that we have a consent agreement for the consider-

ation of S. 403, the Child Custody Protection bill. We will be returning to that bill tomorrow afternoon to dispose of the amendments and final passage of the Child Custody Protection measure tomorrow.

I want to put all of my colleagues on notice that we do need to finish that bill on Tuesday, and if we have to work well into the evening, we will do so in order to finish that important bill.

Another issue to consider this week is the Energy Security Act of 2006. That bipartisan bill is on the calendar and we want to proceed to its consideration as quickly as possible. If there are objections to considering that bill, it will be necessary to file cloture and we will be prepared to file that motion. That vote would come as early as Wednesday, Wednesday morning. I do also remind my colleagues that we have a joint meeting on Wednesday morning. At 11 o'clock on Wednesday there will be a joint meeting with the House to hear the address by Prime Minister Maliki of Iraq.

Given this address, a cloture vote would occur possibly around 10 o'clock on Wednesday, in which case we could proceed directly to the House immediately following that vote, sometime after 10:30. If that is the case, and I expect it will be, Senators should stay in the Chamber following that vote and then we will proceed together to the Hall of the House of Representatives for that joint meeting.

I was discussing with the Democratic leader, we should also put our colleagues on notice that next week will be the last week of legislative business prior to the August adjournment. As we plan the schedule for the remainder of this week and next, there is a lot to accomplish. Senators should fully expect a vote on Monday, July 31. We were able to reach several agreements last week, which allowed us to say no rollcall votes for today's session, but I expect very important votes will occur each day next week, including Monday's session, so everyone should plan

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S8113

their schedules to accommodate this final week.

ORDER OF PROCEDURE

Finally, I remind everyone that today marks the eighth anniversary of the fatal shootings of Officer Chestnut and Detective Gibson as they protected the U.S. Capitol. At this time, I ask unanimous consent that at 3:40 this afternoon the Senate observe a moment of silence in recognition of these two fallen officers.

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

Mr. FRIST. Madam President, I will turn to the Democratic leader and then I have a very brief comment on the events today.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

INTELLIGENCE AUTHORIZATION

Mr. REID. Madam President, I didn't mention this in our private conversation, but we are going to do the Defense bill hopefully before we leave, and the one thing we haven't talked about is the Intelligence authorization bill. That has been reported out of the committee. I think we could have a very short time agreement—I mean very short. Is there a way the leader would try to work that into the schedule before we go? Because this would be the second year without an intelligence authorization bill.

Mr. FRIST. Let's consider that. I think over the next day or so we need to get together and go through all we do need to accomplish before we leave for that month for the August recess. Let's talk specifically about that bill as well.

Mr. REID. Yes.

REMEMBERING CAPITOL POLICE OFFICERS GIBSON AND CHESTNUT

Mr. FRIST. Madam President, 8 years—that is how long it has been since two Capitol police officers gave their lives in the line of duty. On July 24, 1998, a lone gunman entered this building, the Nation's Capitol. He was wearing a green fedora with extra bullets in his pocket when he opened fire. He shot two officers and a tourist before falling himself.

It is a day I will never forget. It is a day when I was swiftly driven back to my days in emergency medicine, emergency surgery, in the reality that even your best efforts cannot always save a life—because, despite our best efforts, we couldn't save Special Agent John Gibson or Officer Jacob J. Chestnut. It is a humbling experience, realizing the debt of gratitude we owe these two fallen heroes for their sacrifice and recognizing it can never be fully repaid. But

we can honor their sacrifice by remembering, by offering solemn tribute to their courage, and by protecting the memory of these heroes.

We must ensure that Special Agent Gibson and Officer Chestnut did not die in vain, and that the America they died protecting is the America we preserve today and in the future. I hope, I pray we are never faced with such tragedy again.

Thus, at 3:40 this afternoon, I hope this body will join me in a moment of silence, a moment to reflect on the courageous sacrifice of Special Agent Gibson and Officer Chestnut for, although 8 years have passed, their memory and their sacrifice is alive in these halls today.

I yield the floor.

THE WAR IN IRAQ

Mr. REID. Madam President, 1 month ago on June 22, the Senate held a debate about the raging and intractable war in Iraq. That debate, Democrats—led by Senators LEVIN and JACK REED—gave voice to the concerns of the American people and advocated that the Bush administration change course in Iraq.

We argued that the administration follow the law of the land. The law of the land is that the year 2006 will be a year of significant transition. That is the law. We argued that this year should be a year of transition, that we should follow the law with Iraqis taking charge of their own security and their own government so that American forces could be redeployed by the end of this year.

Our plan would have given the Iraqi people their best chance for success, while also giving America the best chance to confront the growing threats of North Korea, Iraq, and terrorism around the world.

Our plan would have engaged regional powers to help bring stability to Iraq and would have reminded the countries of the world of their commitment to invest in Iraq's long-term economic prosperity which seems to have been lost.

Our plan would have refocused America's military, diplomatic, and economic might on terrorist threats that face us in Iraq and globally, including Osama bin Laden, who remains free after 5 years.

Our plan would have tracked closely with the plan of our commanders on the ground in Iraq today, led namely by General Casey, who on their own have developed a similar strategy for success.

Despite that fact, the majority of the Republicans chose not to join the Democrats in serious debate about Iraq. I think they put their political needs ahead of America's security.

As they have in nearly every Iraq war debate, Republicans have blindly rubberstamped the President's mismanagement of this war and fell in line with his failed policy.

One month later, after the debate on Levin-Reid, the consequence of "staying the course" in Iraq is evident in every place.

In the last month in Iraq, more than 3,000 Iraqis have been killed—an average of 100 a day. And more than 100 were killed just yesterday.

Pick up any newspaper. Here is today's. "Bombings Kill at Least 66 in Iraq."

If you read the article, it is a lot more than 66. The intense violence made last week one of the deadliest in Iraq.

Read the article: 348 people killed, 6 of them police officers. Read the article: 34 dead. Read the article: 60 killed. Read the article: 24 civilians killed.

It doesn't talk about the hundreds and hundreds who have been wounded and injured, many of them for life.

This is a civil war. As I said last week, I tepidly talked about civil war. But I decided that there was no reason to be tepid about it—that there is a civil war going on in Iraq.

Take the New York Times from yesterday. There are lots of other places you could go to find the same thing. "It's Official: There Is Now a Civil War in Iraq."

This wasn't written by somebody who is just passing by deciding to write an op-ed piece and they stick the headline on. He is Nicholas Sambanis, a professor of political science at Yale, author of "Making War and Building Peace." He says, among other things:

The question of whether a country has fallen into civil war is often deliberately muddled for political reasons.

We have had some muddling here.

He goes on to say:

But if the term "civil war" seeks to convey the condition of a divided society engaged in destructive armed conflict, then Iraq sadly fits the bill.

The consequences of staying the course in Iraq is a full-blown civil war.

In the last month, nearly 3,000 additional Iraqis have been killed, 50 American soldiers have been killed, 250 have been wounded, \$13 billion of taxpayer money has been spent since that debate. The price of gasoline is now, as reported in this morning's news, the highest ever, averaging more than \$3 a gallon.

Staying the course, North Korea, on July 4, tested new long-range missiles.

In the last month, Hezbollah has terrorized Israel.

In the last month, al-Qaida found a new sanctuary, it appears, in large swaths of Somalia.

These are the costs of "staying the course" in Iraq and of a Senate which rubberstamps what the President does.

My question today is, how long will America be forced to pay these costs? The longer it takes for this Republican Congress to hold President Bush accountable for his mistakes, the less safe America becomes.

Democrats have asked for another Iraq debate before the August recess. I hope we have that opportunity because