

around the document by tabling 705 separate amendments to the text. It took the involvement of the President of the United States and the Secretary of State to cobble the agreement back together at the last minute at a price of losing some of the provisions that the United States had sought be included with respect to management reforms.

The Bush administration has made the ongoing crisis in Darfur a key concern. Yet when in June of this year members of the Security Council visited the Sudan to send a signal to the Government of Khartoum that it was on the wrong track, Mr. Bolton thought it more important to travel to London to deliver a U.N. bashing speech to a private think tank rather than join his colleagues on a visit to Sudan and carrying on a message of how important we think the genocidal behavior is.

On another occasion, prior to a vote last July on a U.N. Security Council resolution intended to sanction North Korea for its provocative Fourth of July missile launches, Mr. Bolton publicly assured anyone who would listen that he could get support for a resolution with teeth, with the so-called chapter 7 obligations. It turns out he couldn't. The resolution adopted by the U.N. Security Council fell far short of that.

Last September, Mr. Bolton told the House International Relations Committee that the negotiation of an effective Human Rights Council was a key objective of the United States and that it was a "very high priority, and a personal priority of mine."

There were 30 negotiating sessions held to hammer out the framework of this new Human Rights Council, and Ambassador Bolton managed to attend just one or two of those sessions.

In the end, the United States was one of four countries to vote against the approval of the U.N. Human Rights Council.

When the tally is taken on how effective Mr. Bolton has been at the U.N., in my view he gets a failing grade overall.

These are key positions that help to strengthen the United States, and yet in case after case, from reform, to Darfur, to North Korea, to the U.N. Human Rights Council—critical issues to strengthen the United States—our ambassador has failed in getting the kind of results that are critically important.

But there is more.

On the basis of those issues, I urge my colleagues to vote against Mr. Bolton, but I am going to go a step further because I believe other actions taken by Mr. Bolton are so outrageous that Mr. Bolton does not even deserve a vote, in my view.

There is Mr. Bolton's well-documented attempts to manipulate intelligence to suit his world view and seek the removal of at least two intelligence analysts who wouldn't play ball. When these analysts refused to support intel-

ligence conclusions not supported by available intelligence, Mr. Bolton mounted a concerted effort to have them fired. The fact they were not removed does not excuse his actions.

I don't mind a heated debate. I don't mind people having serious disagreements with conclusions. But when you attempt to fire lower level employees who are responsible for gathering intelligence for the United States because you don't like their results, that is dangerous business indeed.

I do not care in which administration you may serve. Any individual, in my view, who attempts to doctor evidence to fire people whose conclusions they disagree with when it comes to intelligence gathering does not deserve to be promoted to the high position of ambassador to the United Nations.

His behavior, in my view, endangers our national security because it goes to the very heart of what we depend upon to protect that security—unbiased professional intelligence collection and analysis. Mr. Bolton stepped away and he stepped over the line and committed an offense so grievous, in my view, it warrants that this Senate deny him an up-or-down vote on his nomination.

In concluding, Mr. President, I return to the point I made earlier; namely, that Mr. Bolton has largely burned his bridges with his colleagues in New York and is not likely to be an effective diplomat when his diplomacy is increasingly becoming the coin of the realm in protecting and advancing U.S. interests at this very unstable moment in this country.

Fifty nine former U.S. Ambassadors and diplomats who have served in five administrations, Democratic and Republican, agree. Yesterday, they sent a letter to the Senate Foreign Relations Committee strongly opposing this nomination—59 former U.S. Ambassadors.

I mentioned earlier the number of people in the Bush administration who are outspokenly critical of this nomination. What more do we need to hear, what more do we need to hear that this is a bad nomination and one that is going to jeopardize the interests of the United States? Those Ambassadors recognize, as do I, that at this critical moment in our Nation's future, the President should put the Nation's interests first and nominate an individual with strong diplomatic skills who believes in diplomacy rather than placating his conservative base by continuing to push for the nomination of an unsuitable nominee.

I believe it is time for the Senate to send that message loudly and clearly to the President by rejecting efforts to ramrod this nomination through in the closing days of this session.

I urge my colleagues to join me in strongly opposing this nomination.

Mr. President, I yield floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

#### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2007

The PRESIDING OFFICER. Under previous order, the Senate will resume consideration of H.R. 5631, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 5631) to make appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes.

Pending:

Kennedy-Reid amendment No. 4855, to include information on civil war in Iraq in the quarterly reports on progress toward military and political stability in Iraq.

Allen modified amendment No. 4883, to make available from Defense Health Program up to \$19,000,000 for the Defense and Veterans Brain Injury Center.

Feinstein-Leahy amendment No. 4882, to protect civilian lives from unexploded cluster munitions.

Mr. STEVENS. Mr. President, what is the pending business on this bill?

The PRESIDING OFFICER. The pending amendment is the Feinstein amendment.

Mr. STEVENS. Is the Kennedy amendment still set aside following that amendment?

The PRESIDING OFFICER. Yes, it is.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. GRAHAM). Without objection, it is so ordered.

#### AMENDMENT NO. 4882

Mrs. FEINSTEIN. Mr. President, I understand it is appropriate for me now to speak on an amendment I offered yesterday having to do with cluster bombs.

The PRESIDING OFFICER. That is correct.

Mrs. FEINSTEIN. Mr. President, I rise to discuss again the amendment offered by myself and Senator LEAHY to this bill on the use of a munition called a cluster bomb. Our amendment is very simple. It prevents any funds from being spent to purchase, use, or transfer cluster munitions until rules of engagement have been adopted by the Department of Defense to ensure that such munitions will not be used in or near any concentration of civilians.

That is not a difficult requirement. It seems to me, because of the widespread damage caused by these munitions, that there ought to be specific rules of engagement which ban their use in areas where civilian death or maiming might result.

Cluster munitions are large bombs, rockets, or artillery shells that contain up to hundreds of small submunitions or individual bomblets. They are intended for attacking enemy troop formations, and they release these small