

And he doesn't feel, and this Senator doesn't feel, that we can take the third option of picking up and leaving it because of the enormous consequences. And if we can't fix it, we have to contain it, but then you are going to have to own that containment and have a containment strategy executed by the United States because the region can't do it for itself. And containment, according to General Zinni, is very messy and is probably much tougher in the long run.

So perhaps as we discuss next week these two resolutions over the issue of 21,000 troops, let's remember that in the long run, for us to be successful in stabilizing Iraq, we have to look to additional issues that have to be solved, such as the economics there, the diplomacy, the security—a lot of what the Iraq Study Commission has come forward with in their plan. And let's also understand that as we talk about what we want to do to stabilize Iraq in getting the Iraqi security forces able to provide their own security, that getting them provided with guns and other equipment isn't going to provide the security that you need because, the Iraqi security forces need civil affairs and psychological operations and counterintelligence and intelligence forces. They are going to have to have civil affairs moving in behind their military operations in order to paint buildings and create infrastructure so there will be something positive left behind.

Remember, the doctrine under Secretary Rumsfeld was "clear, hold, and build." The problem was, they cleared an area, but they never held it. They never got around to the point of building. General Petraeus said yesterday in our committee we were going to go in and clear, hold, and then we have to be able to build. Whether we talk about 21,000 troops or not, you cannot build in the midst of sectarian violence of Shia, Sunnis, and the overall Arab-Persian conflict. Until we address these issues, at the end of the day, Iraq is not going to be stabilized. In a destabilized society, a priority has to be in rebuilding institutions in social, economic, and political areas.

One of the things the United States may consider increasing its emphasis on, since we have so many agencies of government there all doing their own thing, is an interagency coordinating mechanism to help bring everything together so, indeed, "clear, hold, and build" has an opportunity to be executed and then, hopefully, an opportunity to succeed.

I wanted to offer some additional ideas, a lot of which have been inspired by General Zinni, someone who understands how to operate in that part of the world as we debate next week the resolutions over whether we would indicate our approval of the President's plan. Maybe when we debate that, we can debate the deficiencies of not only what has been done in the past but what we have to do in the future in order to give that country an opportunity to stabilize.

I hope it is not too late. I must say, this Senator feels at times it is too late, particularly with these almost 1,500 years of sectarian violence that occurred after the death of Mohammed in the 600s A.D., that it was the rebellion started by his son-in-law that ultimately led to the Shiite sect which was born out of rebellion and wanting to get revenge. We have seen that play out over centuries and centuries. Again, we are seeing it play out now in Iraq. But we must be optimists and we must try, for the stakes are exceptionally high.

#### COMMITTEE ON THE JUDICIARY RULES OF PROCEDURE

Mr. LEAHY. Mr. President, today the Judiciary Committee held its first business meeting of the year. I can now report to the Senate that we have organized our subcommittees, including our creation of a new subcommittee on Human Rights, named our subcommittee chairs and ranking members, adopted our committee rules and adopted our funding resolution. I thank our ranking member, Senator SPECTER, and all members of the committee for their cooperation.

We were delayed a few weeks by the failure of the Senate to pass organizing resolutions on January 4, when this session first began. The Republican caucus had meetings over several days after we were in session before finally agreeing on January 12 to S. Res. 27 and S. Res. 28, the resolutions assigning Members to Senate committees.

The Judiciary Committee has traditionally met on Thursday. Regrettably, the delay in Senate organization meant that I could not notice or convene a meeting of the committee the morning of January 11, as I had hoped. We devoted the intervening Thursday to our oversight hearing with the Attorney General. January 18 was the date the Attorney General selected as most convenient for him, and we accommodated him in that scheduling.

Today, I can report to the Senate, in accordance with Senate Rule 26.3, that the Judiciary Committee has, again, designated Thursday mornings as our regular meeting days for the transaction of business. The Judiciary Committee has also reported the authorization resolution required by Senate Rule 26.9. In addition, the Judiciary Committee adopted its rules. In accordance with Senate Rule 26.2, I ask that a copy of the rules of the Senate Judiciary Committee be printed in the RECORD.

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

#### RULES OF PROCEDURE UNITED STATES SENATE COMMITTEE ON THE JUDICIARY

##### I. MEETINGS OF THE COMMITTEE

1. Meetings of the Committee may be called by the Chairman as he may deem necessary on three days' notice of the date, time, place and subject matter of the meet-

ing, or in the alternative with the consent of the Ranking Minority Member, or pursuant to the provision of the Standing Rules of the Senate, as amended.

2. Unless a different date and time are set by the Chairman pursuant to (1) of this section, Committee meetings shall be held beginning at 9:30 a.m. on Thursdays the Senate is in session, which shall be the regular meeting day for the transaction of business.

3. At the request of any Member, or by action of the Chairman, a bill, matter, or nomination on the agenda of the Committee may be held over until the next meeting of the Committee or for one week, whichever occurs later.

##### II. HEARINGS OF THE COMMITTEE

1. The Committee shall provide a public announcement of the date, time, place and subject matter of any hearing to be conducted by the Committee or any Subcommittee at least seven calendar days prior to the commencement of that hearing, unless the Chairman with the consent of the Ranking Minority Member determines that good cause exists to begin such hearing at an earlier date. Witnesses shall provide a written statement of their testimony and curriculum vitae to the Committee at least 24 hours preceding the hearing in as many copies as the Chairman of the Committee or Subcommittee prescribes.

2. In the event 14 calendar days' notice of a hearing has been made, witnesses appearing before the Committee, including any witness representing a Government agency, must file with the Committee at least 48 hours preceding appearance written statements of their testimony and curriculum vitae in as many copies as the Chairman of the Committee or Subcommittee prescribes.

3. In the event a witness fails timely to file the written statement in accordance with this rule, the Chairman may permit the witness to testify, or deny the witness the privilege of testifying before the Committee, or permit the witness to testify in response to questions from Senators without the benefit of giving an opening statement.

##### III. QUORUMS

1. Six Members of the Committee, actually present, shall constitute a quorum for the purpose of discussing business. Eight Members of the Committee, including at least two Members of the minority, shall constitute a quorum for the purpose of transacting business. No bill, matter, or nomination shall be ordered reported from the Committee, however, unless a majority of the Committee is actually present at the time such action is taken and a majority of those present support the action taken.

2. For the purpose of taking sworn testimony, a quorum of the Committee and each Subcommittee thereof, now or hereafter appointed, shall consist of one Senator.

##### IV. BRINGING A MATTER TO A VOTE

The Chairman shall entertain a non-debatable motion to bring a matter before the Committee to a vote. If there is objection to bringing the matter to a vote without further debate, a roll call vote of the Committee shall be taken, and debate shall be terminated if the motion to bring the matter to a vote without further debate passes with ten votes in the affirmative, one of which must be cast by the minority.

##### V. AMENDMENTS

1. Provided at least seven calendar days' notice of the agenda is given, and the text of the proposed bill or resolution has been made available at least seven calendar days in advance, it shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless such

amendment has been delivered to the office of the Committee and circulated via e-mail to each of the offices by at least 5:00 PM the day prior to the scheduled start of the meeting.

2. It shall be in order, without prior notice, for a Member to offer a motion to strike a single section of any bill, resolution, or amendment under consideration.

3. The time limit imposed on the filing of amendments shall apply to no more than three bills identified by the Chairman and included on the Committee's legislative agenda.

4. This section of the rule may be waived by agreement of the Chairman and the Ranking Minority Member.

#### VI. PROXY VOTING

When a recorded vote is taken in the Committee on any bill, resolution, amendment, or any other question, a quorum being present, Members who are unable to attend the meeting may submit their votes by proxy, in writing or by telephone, or through personal instructions. A proxy must be specific with respect to the matters it addresses.

#### VII. SUBCOMMITTEES

1. Any Member of the Committee may sit with any Subcommittee during its hearings or any other meeting, but shall not have the authority to vote on any matter before the Subcommittee unless a Member of such Subcommittee.

2. Subcommittees shall be considered de novo whenever there is a change in the Subcommittee chairmanship and seniority on the particular Subcommittee shall not necessarily apply.

3. Except for matters retained at the full Committee, matters shall be referred to the appropriate Subcommittee or Subcommittees by the Chairman, except as agreed by a majority vote of the Committee or by the agreement of the Chairman and the Ranking Minority Member.

4. Provided all Members of the Subcommittee consent, a bill or other matter may be polled out of the Subcommittee. In order to be polled out of a Subcommittee, a majority of the Members of the Subcommittee who vote must vote in favor of reporting the bill or matter to the Committee.

#### VIII. ATTENDANCE RULES

1. Official attendance at all Committee business meetings of the Committee shall be kept by the Committee Clerk. Official attendance at all Subcommittee business meetings shall be kept by the Subcommittee Clerk.

2. Official attendance at all hearings shall be kept, provided that Senators are notified by the Committee Chairman and Ranking Minority Member, in the case of Committee hearings, and by the Subcommittee Chairman and Ranking Minority Member, in the case of Subcommittee hearings, 48 hours in advance of the hearing that attendance will be taken; otherwise, no attendance will be taken. Attendance at all hearings is encouraged.

#### HONORING OUR ARMED FORCES

Mr. HAGEL. Mr. President, I rise to express my sympathy over the loss of U.S. Army 1LT Jacob Fritz of Nebraska. Lieutenant Fritz died from wounds sustained in an ambush in Karbala, Iraq, on January 20. He was 25 years old.

Lieutenant Fritz was raised on his family's farm near Verdon, NE. From a young age, Lieutenant Fritz knew he

wanted to be a leader. After graduating from Dawson-Verdon High School in 2000, he followed through on this goal. I had the honor of nominating Lieutenant Fritz to the U.S. Military Academy at West Point and he graduated from the Academy in 2005. His brother, Daniel Fritz, 22, followed in his footsteps and is currently in his third year at West Point.

Lieutenant Fritz was leading a unit of more than 30 soldiers in Iraq since October. Lieutenant Fritz described his mission as a liaison between Iraqi police and the U.S. Army. He said the work was challenging but rewarding. Thousands of brave Americans like Lieutenant Fritz are currently serving in Iraq. We are proud of Lieutenant Fritz's service to our country.

In addition to his brother, Lieutenant Fritz is survived by his parents Lyle and Noala and his younger brother Ethan.

I ask my colleagues to join me and all Americans in honoring 1LT Jacob Fritz.

#### ETHICS REFORM

Mr. LEVIN. Mr. President, I rise today to speak on the lobbying and ethics reform bill that the Senate has passed.

In the early 1990s, I along with several colleagues, including Senator William Cohen, embarked on a journey to enact meaningful lobbying and ethics reform. While we had been assured by colleagues that this was a monumental and perhaps impossible undertaking, we nonetheless forged ahead. Decade after decade, Congress had tried to close loopholes that had existed for almost 50 years, which kept lobbying activities in the dark.

In 1995, we finally succeeded in passing the Lobbying Disclosure Act. Our bill, for the first time, opened up the world of lobbying, and the billions spent in it, to the light of day. That act required paid professional lobbyists to register and disclose whom they represent, how much they are paid, and the issues on which they are lobbying.

As much as we knew that the Lobbying Disclosure Act was a real step forward, we knew that like all procedural reforms, it too would eventually need updating. Inevitably, lawyers and lobbyists would find loopholes and create new methods to dance around the law's intent.

We have seen this dance prominently over the past few years. From super-lobbyist Jack Abramoff's attempts to peddle influence, to Congressman Duke Cunningham's abuse of the appropriations process, it is obvious that the time to close these loopholes has come.

The bill that the Senate just passed brings much needed reforms, many of which I sought in the original Lobbying Disclosure Act over a decade ago. It goes after not only the real problems that have arisen over the past few years, but as the perception of corruption that is sometimes the effect of too

little disclosure and rules which are too weak.

One of the most important reforms in S. 1 is a strict curb on gifts by lobbyists to Members of Congress. These are perks that have no place in Government. The new rules in this bill will eliminate these gifts.

I am also pleased at the final outcome of the strong earmark reform provisions in this bill. Too many earmarks are added in the dead of night or buried in conference reports so dense that the average American has no idea where their tax dollars are going. The language can also be ambiguous to the point where we don't even know who is the intended beneficiary. This bill will require full and open disclosure of earmarks, which I hope will help to ensure the quality of the projects which are funded.

Strong travel restrictions are also an essential component of this bill. The new rules will ensure that Members traveling on corporate jets would have to reimburse at the charter rate, not as is now the case merely at the level of a first class commercial ticket.

While I applaud passage of these strong reforms, I believe we needed to go even further. One of the most important provisions in this bill is one that I worked on with Senator LIEBERMAN, which would have finally closed the major loophole that exists under current law that allows lobbyists to conceal millions of dollars worth of expenditures spent in stimulating "grass-roots" lobbying efforts, or what has been described as "astroturf" lobbying.

Ten years ago, when we enacted the Lobbying Disclosure Act, it required paid lobbyists to disclose the amounts that they spend to try to influence Congress and the executive branch. However, under the LDA, lobbyists are not required to disclose how much they spend in efforts to persuade others to help them make their case. In the mid-1990s, the Wall Street Journal estimated that major lobbying firms spent almost half a billion dollars every year for this purpose. The amounts have undoubtedly grown substantially since then. Yet these amounts still go undisclosed on the lobbying disclosure forms filed by those firms. The disclosure provision in S. 1 was intended to close this loophole and require paid lobbyists to disclose all of their expenditures, instead of just some of them.

This provision would have had no impact at all on citizens who contact their Government, regardless whether they decide to make those contacts on their own initiative or at the suggestion of others. It would have had no impact on religious organizations, unions, universities or other employers who suggest that their own members or employees contact the Government. It was aimed at paid lobbyists who spend large sums of money to persuade others to contact the Government in support of a lobbying campaign that they are conducting on behalf of a client. These paid lobbyists would have been required to disclose how much they are