

problem. More American troops will not solve the problem in Iraq.

I am a member of the Foreign Relations Committee. We completed over 3 weeks of hearings concerning the current status in Iraq. We heard from military experts and foreign policy experts, generals and policy people. I must tell you, they raise serious questions as to whether we can win the war in Iraq on the battlefield. They are telling us over and over again that what we need is a surge in diplomacy, not additional American troops. We need to signal the Iraqi Government, the international community, and, most importantly, the American people that our presence in Iraq is not indefinite. More American troops will not bring about victory in Iraq. More diplomacy might. More engagement of the international community might. But more American troops will not.

It is time for this body to act. It is time for us to debate the current circumstances in Iraq and the President's policy, and it is time for us to take action on the President's plan to escalate. That should be our first vote, and that is what Majority Leader REID is attempting to do. But my colleagues on the other side of the aisle are trying to use procedural roadblocks so we cannot have an up-or-down vote on the President's plan. We should never play politics with our American troops who are in harm's way. We shouldn't be doing that. But let us have a vote up or down on the President's policy, and then we need to look at other options.

The majority leader indicates that we will certainly be taking up the recommendations of the 9/11 Commission, to implement their recommendations, and we will have an open debate and the opportunity to offer amendments as to how we can bring our troops home with honor, how we can engage the international community, how we can move forward in the Middle East. That we need to do. But we first must stop the escalation of American troops, and that is the vote the other body will be having as early as tomorrow, and I hope, with the support of my colleagues, we can have that vote by Saturday. That is what we should do.

I urge my colleagues to allow us to have the debate on this floor and an up-or-down vote on the President's plan to add additional American troops. Then I hope we will find some way to listen to what the experts are telling us, to listen to what the American people are telling us, that they want to see from our country a changed policy in Iraq. They want America to exercise its international leadership that only we can do. They want us to find a way to honorably bring our troops home, to energize the international community on diplomacy and on rebuilding Iraq. And they want the Iraqis to stand up and defend their own country in the midst of a civil war, and we will help end that civil war by allowing the Iraqis to take control of their own country and by energizing

a diplomatic solution so that all the people in Iraq have confidence that their Government will protect their rights, and then working with the international community, helping build a type of country where the people can live in peace and prosperity. That should be our mission.

But let us start by removing the procedural roadblocks. Let us start by having an up-or-down vote, as the other body will have, on whether we support or oppose the President's plans to escalate American troops.

#### IRAQ

Mr. SANDERS. Mr. President, the issue of American presence in the Middle East is of great importance. We are currently engaged in a war in Iraq from which, according to poll after poll, a majority of the American people believe we should withdraw.

In the face of the momentous elections of this past November, in which the American electorate indicated their dissatisfaction with the President's policies in Iraq, President Bush has responded with a call for more troops, not less. At this moment, he is escalating the war, not redeploying our brave men and women out of harm's way. He is sending these troops into the middle of a civil war.

Now there are reports that the President may be considering expanding this tragic war into Iran. The President has no constitutional authority to make war on Iran without congressional approval, nor has he historical precedent. I offer today a resolution "expressing the sense of Congress that the President should not initiate military action against Iran without first obtaining authorization from Congress." The resolution sets forth the constitutional grant of authority to Congress for declaring war and funding any war, it cites Federalist Paper No. 69 on the intention of the drafters of the Constitution, and it cites Presidents Washington and Jefferson on the power reserved to Congress to authorize war.

The resolution strongly and unequivocally affirms that the President does not have the power to initiate military action against Iran without first obtaining authorization from Congress, that neither of the existing authorizations to use military force in Iraq gives him such authority, and that the President must seek congressional authority prior to taking any military action against Iran.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, at this moment across the Rotunda, not far

from here, in the House of Representatives, there is an ongoing debate about the war in Iraq. It has been 2 or 3 days of debate with Members each allowed 5 minutes to express their feelings about this war. It is historic. It happens rarely that that procedure is used, almost always in cases involving war. I have been through it as a Member of the House of Representatives and can recall the sleepless nights that led to votes on questions of war. You know that at the end of the day, if the decision to go forward on a war is made, people will die.

Many decisions we make on the floor of the House and Senate have little consequence, some are purely ceremonial, and some just deal with money. But when it comes to war, it is a matter of life and death. So I am sure every Member of the House of Representatives, regardless of their feelings about this war, has thought long and hard about what they are saying. They have taken this matter very seriously because they understand that America is taking this very seriously.

We have lost over 3,100 of our best and bravest soldiers, men and women who have gone off to war with parents behind and families crying, wondering if they will return safely. Unfortunately, they did not, some of them. There are some 23,000 or 24,000 who have returned with serious injuries. Some are minor, but some are very serious, such as amputations and blindness, traumatic brain injuries and many other injuries that will haunt these soldiers for a lifetime as they try to return to normal life.

We have spent a lot of money on this war, over \$400 billion. As we labor with this new budget, we see the result of the decision to go to war. From the monetary side, it shortchanges America in terms of what we desperately need. Whether we are talking about additional medical research, help for education, money to schools that need a helping hand to make No Child Left Behind work, assistance for families to have health insurance and health protection, this war has been costly to America. For those who believe the money would have been better spent right here at home, that a strong America begins at home, there is a serious concern about when this war will end and what the ultimate cost will be.

We know our military is much different today than when we invaded Iraq. It was an invasion this President decided to make without provocation and, frankly, without evidence that there was any serious threat against our country. Having made that decision, having gone overseas and lost these lives and brought back so many injured soldiers, we understand now we live in a different Nation. We live in a Nation where we watch, sadly every day, evidence of violence in Iraq, evidence of innocent people being killed on their streets, and unfortunately our own soldiers are caught in the crossfire of their civil war.

In the last election, the American people were finally given a chance to speak about this war, and they said: We want a change. We don't want this to continue. We don't want to continue to lose these brave soldiers or continue to spend this money. They elected a Congress which was given the charge of moving us in that new direction. For the first time in a long time, Democrats control both the House and the Senate. In the Senate, it is a very scant margin. On a good day, it is 51 to 49.

Those who know the Senate, know that important measures take 60 votes. In order to achieve passage, we need bipartisan cooperation. We need to reach across the aisle and find common ground. We have tried to do that. In some respects, we have been successful. We have passed bipartisan ethics reform to deal with some of the issues of integrity that have haunted this Chamber and the House of Representatives over the last several years. We have passed a minimum wage increase at the Federal level for the first time in 10 years—something long overdue. We even passed a spending bill to finish this fiscal year, to try to mop up some of the unfinished business from last year's Congress, which left town with many appropriations bills unresolved.

The one issue we have not addressed in the Senate, the issue now being debated in the House of Representatives, is the war in Iraq. We feel—many of us on the Democratic side and some on the Republican side—that we should have this debate. We owe it to the American people. Members should stand up and state where they are, what their position is, and what they think we should do as a Nation. I know if this debate took place, it would be important not just for this institution but for the country to know we came here understanding our responsibility.

Two weeks ago, we offered to the Republican side of the aisle an opportunity to debate the very fundamental question raised by the President's new plan for Iraq. The President has proposed another 21,000 American soldiers in combat mode going into Iraq to join the 130,000 already there. We know that 21,000 combat soldiers would require at least the like number of support troops, so it is a substantial escalation of the war to add 42,000 or 44,000 American soldiers to the 130,000 already there. Many of us think it would be a serious mistake. We question whether escalating this war, sending more troops into harm's way, is any way to bring it to an end.

We have tried it before unsuccessfully. Additional troops, as good as they are, cannot overcome the ravage of a civil war. Unfortunately, we have learned that we suffer more casualties every time we send our brave soldiers and marines and airmen and sailors into this conflict. So we tried 2 weeks ago to start the debate, to let Members stand and say whether they support the President's escalation of the war or whether they oppose it.

Most Americans have an opinion. In fact, overwhelmingly they say it is a bad idea. When asked, they can give a yes or no as to whether they support the President's escalation. We offered to the Republican side of the aisle not just a yes or no but their answer to our criticism of the President's escalation. We said we would stand by two separate Republican resolutions to be offered on the floor. One Republican resolution, sponsored by JOHN WARNER, Republican of Virginia, critical of the escalation of the war, was supported by most Democrats, including myself. The other, offered by Senator JOHN MCCAIN, a Republican of Arizona, supports the President's position on the war.

I think it would have been a spirited debate, an important and historic debate, but the Republicans rejected that. They wanted more. They wanted more resolutions brought to the floor. They didn't want us to focus on the very fundamental issue at hand. They wanted to bring in other issues, such as funding for the war, support for the troops, and so many things that were not at issue, were not what we were discussing. So we tried to keep the focus on the basic issue: Should we escalate the number of troops committed to this war?

We had what we call a cloture motion, which means closing down debate on a certain issue. A cloture motion would say we are going to move to the debate on the war in Iraq. We called that cloture motion, and it failed. As I said, we don't have 60 votes on this side of the aisle. We need help on the other side of the aisle. Only two Republican Senators said we will join you in calling for a debate on the Warner resolution and a debate on the McCain resolution. Two Republicans stepped forward. The rest said: No, we don't want that debate.

Well, an odd thing happened. After that vote, many of the Senators had Senator's remorse, I call it. It is a version of buyer's remorse. They wished they had cast another vote. Within days, they started coming to the floor and saying, that isn't what we meant to say. We didn't want to say stop the debate on Iraq. We believe there should be debate on Iraq. Yes, they said, we voted to stop the debate on Iraq, but we didn't mean to stop the debate on Iraq.

They were so transparent. They were twisted in knots. They came to the floor repeatedly, seven or eight of them. They sent letters to the leadership. They had press conferences, and they talked to anyone in the hallway, saying they had made a mistake and they wanted to return to the issue. So we gave them that chance today. We gave them that chance. We said: Let us return to the issue, let us debate the issue on the floor of the Senate as they have done it in the House, and let us also add to that another Republican opportunity for the McCain amendment, which supports the President's position. We would have, again, a basic

vote on a fundamental issue, fair and square. What did the minority leader from Kentucky do? He objected. He didn't want to engage in that debate. That is truly unfortunate. While the House of Representatives is deeply engaged in a debate of historic moment, important to everyone across this country and particularly to our men and women in uniform, unfortunately, the minority objected. They don't want to engage in a straight up-or-down debate on the fundamental issue.

The argument they make is, we have many other things we want to talk about when it concerns Iraq. We may want to talk about funding for Iraq. We may want to talk about the ability of Congress to cut off funding—all of these issues. And we have said to them, that is all well and good, we will give you the chance to do it. As soon as this debate is finished on the escalation of troops, the President's proposal, we will immediately, within hours, move to the next issue, the 9/11 Commission recommendations, open to amendment, and then you can offer whatever amendment you care to on the issue of Iraq.

So it wasn't a matter of foreclosing the debate, it was a matter of saying: Let us focus the first part of this debate on an up-or-down question on the President's escalation of the war. You can vote, as the House is about to, saying this is a bad policy or you can support Senator MCCAIN, who believes that sending more troops is the right policy. They rejected it.

So now we have been forced to a position, which I am not happy with, but which we have to accept, and that is we have to call another cloture vote, another procedural vote, another attempt to move us to a debate stage. That vote is going to occur, as presently scheduled, on Saturday afternoon. It will be a historic vote as well because, once again, the Republican minority will have a chance to join us in starting the national debate on Iraq in the Senate.

The question is: Will they support this effort this time? I hope they will. I hope they will come on Saturday, as inconvenient as it may be in their personal schedules, and join us in voting for cloture. If they will, if we can bring 60 votes forward to close down debate on the procedural aspects and move forward on the real debate about Iraq, it is a good thing for America. If they continue to hold to this position that they are going to protect this White House from any possibility of embarrassment, that they are going to somehow stop the Senate, which has a reputation as the great deliberative body on Capitol Hill, if they are going to stop the Senate from the debate on Iraq, it will be at the expense of this institution and, more importantly, at their own expense.

The American people, whatever their position on this issue, expect us to stand up and debate it and to say where we stand. We will find on Saturday how

many of the Republican Senators answer the rollcall; how many come and how they vote.

We know that as inconvenient as it may be for these Senators to return on Saturday, as tough as it may be for many of them to get back, it can't be any tougher than the assignments we give to our soldiers and sailors and marines and airmen to put on the uniform of our United States of America and to defend our country and to risk their lives every day.

So I hope our colleagues will be with us on Saturday. I hope they will join us in moving forward on this debate.

I can recall the vote that led us into the war in Iraq as if it were yesterday. It was a time just weeks before an election. There was almost a feeling of hysteria across this country about the possibility of weapons of mass destruction in Iraq. Condoleezza Rice, who was then Security Adviser to the President, suggested the possibility of mushroom-shaped clouds. All sorts of fears were engendered in a population still very wary after 9/11. It was not an easy vote because there had been a buildup, this drumbeat of support for invasion. And the day came in October when it occurred. There were 23 of us who voted no, one from the State of Rhode Island on the Republican side and 22 Democrats voting no. At the time, it was not an easy vote. I look back on it now as one of the most important votes I ever cast.

There comes a time when Members of the Senate have to face responsibility and face a vote. There will come a time when the Republicans have to face a vote on Iraq. They cannot protect the President and the White House indefinitely and forever.

I had a great friend from the State of Oklahoma, a Congressman by the name of Mike Synar. I have told this story many times, and I mention his name because I don't want him to be forgotten. He passed away in 1996 from a brain tumor. But Mike was one of a kind. He just could not stand Members of the House of Representatives who were unwilling to face tough votes. He used to get up in our caucus over there and get the floor, and we knew what was coming when people were whining and complaining about facing a controversial vote or controversial debate. And he said:

If you don't want to fight fires don't be a fireman, and if you don't want to cast tough votes don't run for Congress.

He was right. Whether you are on this side of the aisle or that side of the aisle, you better be prepared to face a tough vote and an important vote, and nothing is more important than a war, a war which has so many of our great soldiers with their lives on the line as we stand in the safety of this Capitol Building.

I hope my colleagues on the Republican side will reconsider their position. They cannot stop this debate. It is going to occur. It is occurring across America in family rooms, in offices, in

schools, in restaurants. Everywhere you turn, in the streets, in the shopping centers, it is occurring. It is going to occur right here on the Senate floor. They cannot hold back the tide. It is building against them. That tide is going to push them over, and we are going to bring this issue to a debate on the floor. We owe it not only to the men and women in uniform, we owe it to the people who were kind enough to give us a chance to serve in the Senate.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TESTER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### EXPRESSING THE SENSE OF THE CONGRESS ON IRAQ—MOTION TO PROCEED

##### CLOTURE MOTION

Mr. REID. Mr. President, I move to proceed to calendar No. 25, S. 574, a bill to express the sense of the Congress on Iraq, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

##### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the motion to proceed to S. 574, a bill to express the sense of Congress on Iraq.

Ben Nelson, Russell D. Feingold, Ben Cardin, Robert P. Casey, Jr., Byron L. Dorgan, Amy Klobuchar, Daniel K. Akaka, Maria Cantwell, John Kerry, Ken Salazar, Jack Reed, Chuck Schumer, Jeff Bingaman, Barbara Boxer, Dick Durbin, Tom Harkin, Jay Rockefeller, Harry Reid.

Mr. REID. I ask unanimous consent that the live quorum be waived.

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

Mr. REID. Mr. President, I announce that we will have the cloture vote on Saturday at 1:45 p.m. As I always said, I would keep the vote open if it appeared there were problems that Senators were having in advance of the vote. I have heard from Senators on both sides of the aisle that there is no time that meets everyone's expectations. So what we would do to try to handle as many people as possible, we will start the vote at 1:45, and we will act as if it starts at 2 o'clock and terminate the vote at 2:20. I hope that meets with everyone's problems as far as transportation and getting to and from here.

So on Saturday, because I think these are extraordinary circumstances, we will make sure that as many people are protected as possible.

#### HONORING PRESIDENT GERALD R. FORD

Mr. DURBIN. Mr. President, like his hero, Abraham Lincoln, Gerald Ford helped heal our Nation. His calm leadership and fundamental decency helped hold our Nation together at a time when the forces of war and scandal threatened to tear it apart.

When he took the oath of office on August 9, 1974, President Ford declared, "This is an hour of history that troubles our minds and hurts our hearts." During his Presidency, he worked to ease our minds, comfort our hearts, and restore our faith in our government.

In his first official remarks as President, Gerald Ford promised America:

In all my public and private acts as your president, I expect to follow my instincts of openness and candor with full confidence that honesty is always the best policy at hand.

Those were not just words to Gerald Ford, as he proved on October 17, 1974, when he appeared voluntarily before Congress to give sworn testimony—the only time a sitting President has done so about his pardon of Richard Nixon.

Gerald Ford believed that pardoning Richard Nixon was the only way to end the long national nightmare of Watergate. He also believed that it might end his political career. And he did pay a high price at the time in lost public approval and public trust.

Over time, however, many people came to see the Nixon pardon not as an act of collusion, but of courage and conciliation. In 2001, the Kennedy Library Foundation awarded President Ford its John F. Kennedy Profile in Courage Award.

Gerald Ford believed in hard work and duty to one's country. At the University of Michigan, he washed dishes at his fraternity house to earn money for college expenses. After graduating in the top quarter of his class from Yale Law School, he returned home to Grand Rapids, MI, to practice law—but Pearl Harbor was attacked. Like so many young men of his generation, Gerald Ford put his life on hold. He enlisted in the Navy and spent the next 4 years in the service.

After the war, Gerald Ford decided to run for Congress and was supported by Michigan's legendary Senator Arthur Vandenberg, one of the architect's of American internationalism. His experience in World War II and his friendship with Senator Vandenberg helped turn him away from isolationism.

As President, he described himself as "a moderate in domestic affairs, a conservative in fiscal affairs, and a dyed-in-the-wool internationalist in foreign affairs." In the 2½ years of his Presidency, he ended America's involvement in the war in Vietnam. He helped mediate a cease-fire agreement between Israel and Egypt, signed the Helsinki human rights convention with the Soviet Union and traveled to Vladivostok to sign an arms limitation agreement with Leonid Brezhnev, the Soviet President.