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Senate

The Senate met at 10 a.m. and was called to order by the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland.

PRAYER

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

Let us pray.

Eternal Lord God, who alone stretches out the heavens, from everlasting to everlasting, You are God. Thank You that our daily work is intended by You to bless us and not to be a burden.

As our lawmakers labor today to fulfill Your purposes, give them strength and wisdom to discern the signs of these times. We do not ask You to give them faith for every day they will live but for enough faith to live 1 day at a time. Lord, keep them vigilant in the face of temptation, resolute in their determination to resist it and do Your will. Fill their hearts with Your spirit so that whatever they do will glorify and honor Your Name. Keep them from becoming weary in doing good, reminding them that at the proper time, they will reap a harvest if they don't give up.

We pray in the Name that is above every name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BENJAMIN L. CARDIN 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 from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 14, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. CARDIN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following any time Senator MCCONNELL and I will use, there will be 60 minutes of debate prior to a vote on the motion to invoke cloture on the motion to proceed to S.J. Res. 9 relating to Iraq policy. The time is equally divided and controlled between the leaders or their designees. The leaders will have the final 20 minutes immediately prior to the vote, with the majority leader controlling the last 10 minutes.

I have had an ongoing discussion with the Republican leader about how we could or would proceed to the Iraq resolution following whatever happens this morning. In addition to Iraq, I mentioned a proposed agreement regarding the U.S. attorney legislation. I anticipate that agreement will be able to be reached soon, which would eliminate the necessity of a cloture vote on the motion to proceed on the legislation. If no agreement is reached, then once we dispose of the Iraq resolution, a cloture vote would occur automatically on the motion to proceed to the U.S. attorney legislation.

As the day progresses, I will have more to say about the schedule after conferring with the Republican leader.

RECOGNITION OF THE MINORITY LEADER

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

REACHING AN AGREEMENT

Mr. MCCONNELL. Mr. President, let me just indicate that Republican Senators will be voting for cloture on the motion to proceed. The majority leader has it entirely correct. He and I will be discussing during the course of the day how to proceed, both on the Iraq issue and on the U.S. attorney proposal, and we will be, as I indicated, trying to reach an agreement on both of those matters.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I haven't had a chance to confer with the distinguished Republican leader. I would like to ask unanimous consent that there be 5 minutes additional time on each side for the debate prior to the cloture vote.

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

Mr. REID. Mr. President, finally, on our side, I yield 4 minutes to Senator KENNEDY, 4 minutes to Senator LEVIN, 4 minutes to Senator BIDEN, 4 minutes to Senator NELSON of Florida, and 4 minutes to Senator REED of Rhode Island.

RESERVATION OF LEADER TIME

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

TO REVISE UNITED STATES POLICY ON IRAQ—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, there

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will now be 1 hour 10 minutes of debate equally divided and controlled between the two leaders or their designees prior to the motion to invoke cloture on the motion to proceed on S.J. Res. 9, with the final 20 minutes for the leaders and the majority leader controlling the final 10 minutes.

The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, as I understand it, I have 4 minutes.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. KENNEDY. Would the Chair let me know when I have 30 seconds remaining?

The ACTING PRESIDENT pro tempore. The Senator will be notified.

Mr. KENNEDY. Mr. President, this is a defining moment. The American people are watching. The world is watching. The issue is clear: Will we stand with our soldiers by changing their mission to begin to bring them home or will we stand to keep our soldiers in Iraq's civil war? History will judge us. We can either continue down the President's perilous path or embrace a new direction. If we don't change course, we know what lies ahead: more American casualties, more American death, and more destruction. A new strategy that makes the Iraqis less reliant on our military is the best way forward. More of the same misguided policy will result in more of the same tragedy for our military. Let's try a new course and try it now.

We must proceed because Iraq is the overarching issue of our time. We are being told we need to be patient. We are being told we have to give the latest escalation a chance to succeed. But we have heard it all before. We have heard for years that this administration has a plan for success. We have heard for years that progress is just a few months away. We have heard for years that we have turned a corner. But the plans for success keep getting tossed aside for new plans, the timelines for progress keep getting extended, and we have turned so many corners that we have ended up back where we started: trying to control Baghdad.

It is time to change direction. There are too many parents who have buried their children, too many children left without their father or mother, and too many soldiers missing arms and legs and eyes and ears. It is time to change course, let the Iraqis step up to the plate and take responsibility for their own future, and begin to redeploy our troops out of Iraq.

Those of us who oppose the war are used to the administration's attacks. They have questioned our patriotism and called us defeatist. When we challenged the President's misguided policy, they accused us of having political motives and being partisan. They were wrong then, and they are wrong now. Our motives have always been clear: to protect the lives of our soldiers.

The American people are far ahead of the administration. We have an obligation to stand up for our troops and stand up to our President when he stubbornly refuses to change course in Iraq. We are meeting our responsibility by changing the mission of our military, not micromanaging the war.

The recent hearings on Walter Reed should instruct us here today. They tell us how little faith we can put in this administration. The very people who hide behind the troops when their policies are questioned have failed to keep faith with our wounded soldiers. But just as importantly, the hearings on Walter Reed remind us all of the human costs of the war. This administration has done all it can to hide them from us. They have forbidden photographs of the coffins flown back from Iraq. The President has avoided attending the funerals of the fallen, and the tours at Walter Reed never included Building 18. But the hearings on Walter Reed swept away all the spin and camouflage and put our wounded soldiers back where they belong: at the heart of our debate about the war.

At the end of those hearings, everyone agreed that the Army had failed these brave soldiers. But we failed them long before they arrived at an Army hospital. This administration failed them when it trumped up the intelligence in order to make the case for war.

The ACTING PRESIDENT pro tempore. The Senator has 30 seconds remaining.

Mr. KENNEDY. I ask unanimous consent for 30 additional seconds.

It failed them when it sent too few troops with too little armor. It failed them when it turned the reconstruction of Iraq into a political science project.

We in the Senate will fail them today if we do not vote to change course and to bring our soldiers home.

At the end of this debate, the American people will know where each of us stands. On our side of the aisle, we stand with the American people. The voters told us in November to change course and begin to bring our troops home, and that is what we are going to do. We stand for our constitutional system in which the Congress speaks for the people in matters of war and peace and can require that the President listen to them. Finally, we stand with our troops. We alone are insisting on a policy worthy of their courage and worthy of their sacrifice.

Peace and progress in Iraq must be earned by the Iraqis and their neighbors. We must no longer send our brave soldiers into an uncertain fate on the streets of Baghdad. Bring them home to the heroes welcome they have earned.

The ACTING PRESIDENT pro tempore. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, I ask unanimous consent that I be recognized for the first 15 minutes, followed, in the order in which people are recognized, by Senator MARTINEZ for 5 minutes and Senator ALEXANDER for 10 minutes.

Mr. LEVIN. Mr. President, reserving the right to object, is this dividing the hour of debate on the motion to proceed?

Mr. MCCAIN. Yes.

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

The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, I amend my request. Delete Senator MARTINEZ; just Senator ALEXANDER for 10 minutes. I believe that would leave me or other speakers an additional 5 minutes, according to the division of time.

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

Mr. MCCAIN. Mr. President, no matter we will debate this year is as important as the future of America's involvement in Iraq. The decisions we make will shape the future of the Middle East, the conduct of American foreign relations, the security of our Nation, and the lives of our countrymen.

Just as each of us will use our best judgment to find answers to the problems we face in this war, so too must we heed the moral implications of our judgments regardless of the political ramifications. Matters of war and peace impose responsibilities on us that mock our other less solemn obligations in which partisan or personal considerations may be expected to have a less injurious effect.

I must admit to some bewilderment at the way in which the proponents of the resolution authored by the majority leader have chosen to proceed. They do not support the President's plan to send additional troops to Iraq as one element of a broader effort to stabilize that violence-torn country. They believe the Senate should be on record as opposing the plan to augment our forces. Fair enough. Let's have this debate, and if any Senator believes our Nation is embarking on a misguided approach, he or she has not just the right but the obligation to oppose it vigorously. Such is our responsibility as elected officials in a Congress that possesses the constitutional power of the purse.

Yet we debate today not legislation that would defund the war but, rather, a new resolution authorizing again the use of military force in Iraq. Having authorized the President to use military force in Iraq in 2002, the sponsors of this new resolution would attempt to legislate our troops' mission in midstream. They would not declare war, nor end it, as the Constitution provides, but micromanage it. I ask my colleagues: Is such micromanagement of warfare the responsibility of this body? The Supreme Court has said in the past that the conduct of campaigns is the province of our Nation's executive branch, not a task for lawmakers. Yet S.J. Res. 9, by choosing particular

missions for U.S. forces in Iraq and forbidding others, would attempt to exercise the power properly reserved for the Commander in Chief of our Armed Forces.

When Congress authorized this war, we committed America to a mission that entails the greatest sacrifice a country can make, one that falls disproportionately on those Americans who love their country so much they volunteer to risk their lives to accomplish that mission. When we authorized this war, we accepted the responsibility to make sure they could prevail. When we voted to send them into battle, we asked them to use every ounce of their courage and fortitude on behalf of us.

Now it is only right that we, the elected officials entrusted with overseeing the future of our soldiers' involvement, exercise a lesser magnitude of courage, our political courage, on behalf of them and the country they serve. If any Senator believes that our troops' sacrifice is truly in vain, the dictates of conscience demand that she or he act to prevent it. Those who would cut off all funding for this war, though I disagree deeply with their position and dread its consequences, have the courage of their convictions, and I respect them for it. If, on the other hand, you believe, as I do, that an increase of U.S. troops in Iraq, carrying out a counterinsurgency mission and coupled with critical political and economic benchmarks to be met by the Iraqi Government, provides a better—and perhaps the last—chance for success in Iraq, then you should give your support to this new strategy.

It may not be popular nor politically expedient, but we are always at our best when we put aside the small politics of the day in the interest of our nation and the values upon which they rest.

Mr. President, allow me to turn to the substance of this resolution. After stating, twice, that the conflict in Iraq requires principally a political solution, it would legislate the withdrawal of U.S. forces in Iraq. Let me ask the sponsors of this resolution precisely what assumption is behind this construction. Is it that all hope is lost in Iraq, that we have lost the war and thus must bring our troops home? Or is it the proponents' contention that by withdrawing troops we will actually maximize the chances of success?

Can we, by withdrawing our troops from Iraq, actually increase the stability in Iraq rather than risk catastrophe, and induce a political solution rather than make it less possible? Is success in Iraq as simple as issuing redeployment orders, a move blocked only by stubborn commanders and civilian authorities?

General David Petraeus, for one, believes that it is not. Of course the dire situation in Iraq demands a political solution. That is undeniably true. But a political solution among the Iraqis cannot be simply conjured. It is impossible for meaningful political and economic activity to take place in an environment as riddled with violence as Baghdad is today. Security is the precondition for political and economic progress, and without security, we will not see the political settlement all of us agree is necessary.

Until the government and its coalition allies can protect the population, the Iraqi people will increasingly turn to extra-governmental forces, especially Sunni and Shiite militias, for protection. Only when the government has a monopoly on the legitimate use of force will its authority have meaning, and only when its authority has meaning can political activity have the results we seek.

The presence of additional forces could allow the Iraqi government to do what it cannot accomplish today on its own—impose its rule throughout the country. Toward that end we have begun executing a traditional counterinsurgency strategy aimed at protecting the population and controlling the violence. In bringing greater security to Iraq, and chiefly to Baghdad, our forces can give the government a fighting chance to pursue reconciliation.

This does not imply that reconciliation is the inevitable outcome of a troop surge. On the contrary, there is no guarantee of success. What the situation demands is not a guarantee, but rather a strategy designed to give us the best possible chance for success. This, I believe, is what the new plan represents. It gives America and the Iraqis a better chance to avoid the catastrophic consequences of failure.

Catastrophic failure is, on the other hand, what many of us fear is on offer should the proponents of this resolution prevail. They would shift the focus of our commanders and troops from establishing security in Iraq to three limited objectives: protecting coalition personnel and infrastructure, training and equipping Iraqi forces, and conducting targeted counter-terrorism operations.

Let us think about the implications of ordering American soldiers to target ''terrorists,'' but not those who foment sectarian violence. Was the attack on the Golden Mosque in Samarra a terrorist operation or the expression of sectarian violence? When the Madhi Army attacks government police stations, are they acting as terrorists or as a militia? What about when an American soldier comes across some unknown assailant burying an IED in the road? The obvious answer is that such acts very often constitute terrorism in Iraq and sectarian violence in Iraq. The two are deeply intertwined, and that is one reason why progress has been so difficult. To say that targeting terrorist violence is allowable while stopping sectarian violence is illegal flies in the face of this reality.

The three limited missions contained in this resolution would prohibit intervention to stop genocide, should that terrible consequence unfold as a result of our withdrawal. Can we really expect American soldiers and Marines to turn their backs while ethnic cleansing on a Rwanda-like level of violence occurs in Baghdad? I don't think it is realistic or right to expect Americans to observe another Srebrenica on a truly epic scale occur, and do nothing to stop it. And I don't think it is realistic to think that we can somehow ameliorate its catastrophic consequences for the rest of Iraq and the region by continuing to chase insurgents and al-Qaida terrorists on search and destroy missions or stretching our forces along its borders to prevent other nations from intervening more forcefully to support whichever side they find their interests aligned with.

I've heard some argue that Iraq is already a catastrophe, and we need to get our soldiers out of the way of its consequences. To my colleagues who believe this, I say, you have no idea how much worse things could get, indeed, are likely to get, if we simply accede to the sectarian violence in Baghdad. It is a city of six million people, two million of whom are Sunni. Without U.S. forces there to attempt to prevent it from descending further into the sectarian warfare, and all of its citizens turning to the militias and insurgents to protect them, the bloodshed and destruction we have witnessed to date will be but a suggestion of the humanitarian calamity to come.

The President, under this legislation, would have to begin redeployments within 120 days, and nearly all troops would have to leave Iraq by March 31, 2008. Why were these dates chosen? Why these and not others? Why dates for withdrawal, rather than conditions? Such mandates are a retreat, not a strategy, and we should be honest about the character of such a proposal.

Iraq is not Vietnam. We were able to walk away from Vietnam. If we walk away from Iraq now, we risk a failed state in the heart of the Middle East, a haven for international terrorists, an invitation to regional war in this economically vital area, and a humanitarian disaster that could involve millions of people. If we walk away from Iraq, we will be back—possibly in the context of a wider war in the world's most volatile region.

All of us want to bring out troops home, and to do so as soon as possible. None of us, no matter how we voted on the resolution authorizing this war, believes the situation that existed until recently is sustainable. None of us can say we have proposed a course of action that will achieve certain success. The hour is late. The situation is, indeed, dire.

But all of us have a responsibility to withstand despair to make sound, informed judgments about how to proceed from here, and to defer our own interests and political considerations to considerations of what is in the best interests of our country. Presidents don't lose wars. Political parties don't

lose wars. Nations lose wars and nations suffer the consequences. Those consequences are far graver than a lost election.

When a nation goes to war, a million tragedies ensue. None are more painful than the loss and injury of a country's finest patriots. It is a terrible thing, war, but not the worst thing. The men and women we have sent into harm's way understand that. They, not us, have endured the heartache and deprivations of war so that the worst thing would not befall us, so that America might be secure in her freedom, The war in which they fight has divided Congress and the American people. But it has divided no American in their admiration for them. We all honor them. We are all—those who supported the decision that placed them in harm's way and those who opposed it—we are all humbled by their example, and chastened in our prideful conviction that we, too, in our own way, have offered our country some good service. It may be true or it may not, but no matter how measurable our own contributions to this blessed and beautiful country, they are a poor imitation of theirs. I know we all know how little is asked of us compared to their service, and the solemn and terrible sacrifice made by those who will never return to the country they loved so well.

In the last few weeks some of those brave men and women have learned their tour in Iraq will last longer than they were initially told. Others have learned that they will soon return to combat sooner than they had been led to expect. It is a sad and hard thing to ask so much more of Americans who have already given more than their fair share to the defense of our country. Few of them and their families will have greeted the news without feeling greatly disappointed and worried, and without offering a few well deserved complaints in the direction of those of us who have imposed on them this additional hardship. Then they will shoulder a rifle and risk everything—evetything—to accomplish their mission, to protect another people's freedom and our own country from harm.

May God bless and protect them. And may we, their elected representatives, have the political courage to stand by our convictions, and offer something more than doubts, criticism, or no confidence votes to this debate. They deserve more than that.

I know that every Member of this body is united in our regard and concern for them. I know every Member of this body is struggling to understand the best way forward to avoid complete failure in Iraq. But whether this resolution carries or not, these soldiers and marines are going to deploy to Baghdad. If we are certain that despite their courage and devotion they cannot succeed, then take the action the Constitution affords us to prevent their needless sacrifice. If we are not prepared to take that action, then let us do everything in our power to help them succeed. Those are the only responsible, the only honorable choices before us. There are no others. I wish there were. But here we are, confronting a political, military and moral dilemma of immense importance, with the country's most vital security interests and the lives of the best Americans among us at stake. May God grant us the wisdom and humility to make this difficult judgment in our country's best interests only, and the courage to accept our responsibility for the consequences which will ensue.

I yield the floor and reserve the remainder of my 5 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Delaware is recognized.

Mr. BIDEN. Mr. President, our troops don't lose wars; bad policy and bad leadership lose wars. We should have the courage to stand up and tell the administration they have had a Godawful policy. They put our troops in a position that, in fact, has made it virtually impossible for them to succeed at the outset. They deserve a policy, a plan, but there is no plan.

We went to war with too few troops, we went to war unnecessarily, and we went to war with men and women who were ill-equipped, and they are coming home ill-served. It is about time we have the courage to stand up and say to the President: Mr. President, you have not only put us in harm's way, you have harmed us. You have no policy, Mr. President.

I am so tired of hearing on this floor about courage. Let's have the courage to tell the administration to stop this ridiculous policy they have.

We are taking sides in a civil war. I was there in Srebrenica. I was in Tuzla. I was in Sarajevo. I was in Brcko in the Balkans. How did we solve that? We solved that with a policy of separating the parties.

This is a cycle of self-sustaining sectarian violence that 20,000, 30,000, 50,000, 100,000 Americans will not be able to stop. This is ridiculous. There is no plan. I ask the President and everyone else who comes forward with a plan, whether it is capping or surging or whatever they have: Will it answer the two-word test: Then what? Then what? Then what? What happens after we surge these women and men?

And by the way, he said General Petraeus is one who believes. He may be the only one who believes this is a good idea. Virtually no one else thinks it is a good idea. Look, in this story about the Constitution, we gave the President specific authority, which is our responsibility. It was to take down Saddam, if need be, it was to get rid of weapons of mass destruction that did not exist, and it was to get compliance with the U.N. resolution. Every one of those have been met. Saddam is dead, there were no weapons, and Iraq is in compliance with the U.N.

So if one wants to be literal about it, his mission no longer has the force of law. Everyone I have spoken with, including from the Biden-Gelb plan straight through to the Iraq Study Group, says: Look, use our troops wisely; use them wisely. What are their missions? We have the right and obligation constitutionally, and we should have the courage constitutionally, to exercise our responsibility to say: Why are our troops there?

Did anybody on this floor, did anybody count on the utter incompetence of this administration when they were getting the authority they were getting? Absolute incompetence. I stood on this floor 3 years ago saying we need another 100,000 troops before the sectarian violence became self-sustaining and warned, as others did, that once it did, all the king's horses and all the king's men could not hold that country together.

So what is our objective here? Our objective is to leave Iraq relatively stable within its own borders, not a threat to its neighbors and not a haven for terror.

What is the President and my friend from Arizona and others insisting on? What can never be: a central government that is a democracy that is going to be fair to the rest of its citizens. It is not possible, mark my words.

So as long as the President keeps us on this ridiculous path, taking us off a cliff, I ask my colleagues: Does anybody think they are going to be able to sustain keeping American forces in Iraq at 160,000 for another year and a half? What do you think? What do you think is going to happen in Tennessee, in Delaware, in Illinois? Are we going to break this man's and woman's Army? What are we going to do here? How many times do we have to ask those 175,000 marines to rotate, three, four, five, six, seven times?

And what is the President's political solution? I love this. Everyone says there is no military solution, only a political solution. Name me one person who has come up with a political solution—one—other than me and Les Gelb.

There is a political solution. It is what history teaches us. When there is self-sustaining sectarian violence, there is only one of four possibilities:

They either, one, expire, kill one another off; two, you impose a dictator; three, you have an empire; or, four, you have a Federal system.

Mr. President, I ask unanimous consent for 30 more seconds.

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

Mr. BIDEN. Mr. President, I am tired of hearing about courage. The only courage being evidenced in this country is by those folks out on the battlefields getting shot at, getting killed. Why are they there? Let's get on with this. This is the only rational way to move.

All this malarkey about cutting off funds—this is about the mission.

Mr. President, you are leading us off a cliff. Stop.

I yield the floor.

The ACTING PRESIDENT pro tempore. The assistant majority leader.

Mr. DURBIN. Mr. President, it is my understanding that when we allowed the unanimous consent request for the Senator from Arizona, it gave 5 additional minutes to the minority. I ask unanimous consent that the majority have 5 additional minutes so we have equal time in this debate.

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

Who seeks time? The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, next Tuesday will mark the start of the fifth year of the war in Iraq. Our Nation has spent almost $400 billion now in Iraq and is spending an average of almost $9 billion in U.S. taxpayers' funds per month. More importantly, we have lost almost 3,200 American service men and women and have suffered almost 24,000 wounded.

The resolution before us is aimed at turning the responsibility for the future of Iraq over to the Iraqis themselves. Last year, we adopted a resolution which said that calendar year 2006 was going to be a period of significant transition to full Iraqi sovereignty with Iraqi security forces taking the lead for the security of a free and sovereign Iraq, thereby creating the conditions for a phased redeployment of U.S. forces from Iraq. That was over a year ago.

We were supposed to be through a year of significant transition by now. It has not happened. The only way it is going to happen is if this Congress makes it happen.

Many of us have long maintained it was necessary that pressure be placed on the Iraqis to come together politically because only a political settlement could bring about the end of sectarian violence in Iraq and the defeat of the insurgents.

I have recounted how Ambassador Khalilzad and even President Bush have told me a number of statements that many of us have made—that we should begin to reduce our presence in Iraq—were, indeed, useful statements, useful in an effort to prod the Iraqis to reach a political settlement.

Those words—the words of President Bush, Ambassador Khalilzad, and recently Secretary Rice—words prodding the Iraqis to take responsibility, telling the Iraqis the open-ended commitment is over, telling the Iraqis we must begin to reduce our presence in 4 to 6 months are useful words for the Iraqis to hear.

The problem is it is not the President who is speaking those words. The problem is the administration has not adopted those words as a matter of policy. Now it is time for Congress to explain to the Iraqis: It is your country. We cannot save you from yourselves. It is time for us, the Congress, to tell the Iraqis as a reminder that it is their own Prime Minister, Mr. Maliki, who acknowledged the following when he said a few months ago:

> The crisis is political, and the ones who can stop the cycle of aggravation and bloodletting are the [Iraqi] politicians.

A few weeks ago, Ambassador Khalilzad said in an interview on television that the congressional debate is ''useful in one way. It does send a message to the Iraqis that the patience of the American people is running out, and that is helpful to my diplomacy.''

I wish to repeat this because there are a number of Members of this body and there are a number of members of the administration who have attacked this debate as somehow or another undermining our troops. It is quite the opposite. We support our troops when we give them our best thinking as to how to succeed in Iraq. It is good for our troops to have a debate in this democracy about whether a course is failing or succeeding and, if it is not succeeding, to offer our best thoughts as to how to make it succeed.

Our troops deserve everything we can give them. They haven't gotten it. They deserve the best equipment. They didn't get it. They deserve treatment when they come to our hospitals. They didn't get it. They deserve our best thinking, our honest thoughts as to how we can succeed in Iraq, how can we change course from a failing course to one which succeeds.

We know there is no military solution in Iraq, there is only a political solution, and that must be achieved by the Iraqis themselves. We cannot save the Iraqis from themselves. It is their country. After 4 years of shedding American blood and American treasure, it is long overdue that the Iraqi leaders be told, not just by this Congress, although we alone apparently will do it, but by the administration that they and they alone have the responsibility, the capability, and the power to make Iraq a country instead of a place of civil strife.

This resolution we are about to embark upon will end the open-ended commitment of American military forces that is not working. We must change this course. Only the Iraqis can save their country, and we will be helping to force them to do that. It shouldn't be necessary, but it is. We will be helping to force the Iraqi leaders to save their country if we step up finally and say: We have been there longer than we were in World War II. We have been in Iraq longer than we fought the Korean war. Iraqis leaders, only you, and you alone, can decide: Do you want a civil war or do you want a nation? We hope you choose a nation.

I yield the floor.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from Tennessee is recognized for 10 minutes.

Mr. ALEXANDER. Will the Chair let me know when 2 minutes remain, please.

The PRESIDING OFFICER. The Senator will be notified.

Mr. ALEXANDER. Mr. President, my purpose today is to say I believe it is time for President Bush to take the Iraq Study Group report down off the shelf and use it for something other than a bookend. But first let me say something about the resolution that we are about to consider.

There is a reason why we don't have 535 commanders in chief or 100 commanding generals each saying: Charge down this street or over that hill. The Founders of our country made the President the Commander in Chief and gave to Congress the power to declare war and pay for it. That is why I will vote against this resolution and any of the resolutions that seek to micromanage the war. Once a war is authorized, as this one was by a bipartisan vote of 77 to 23 in 2002, it is the President's job to manage the war.

As an example of why we don't need 535 Members of Congress micromanaging the war, consider this: Since last January, the new Democratic majority has offered 17 different bills and resolutions outlining what we ought to do in Iraq, and there will be more coming in the next few weeks, I am sure.

I am not about to cut off funds for General Petraeus's troops in the middle of the current military exercise, which clearly Congress has the power to do but should not do.

I have—and each of us has—the responsibility as a Senator to say what I believe is the right way forward for our country in Iraq, and my belief is this: The President would be wise to take down off the shelf the recommendations of the bipartisan Baker-Hamilton Iraq Study Group to develop a strategy based on those recommendations and to ask Americans to accept that strategy as the right way forward in Iraq.

I believe the President would have been wise to do that in January during his State of the Union Address. The country was then looking for a new way forward in Iraq. The Iraq Study Group, after 9 months of careful bipartisan work, offered such a plan. Instead, the day after the report was announced in December, some who wanted another 100,000 or 200,000 troops to win the war said the report was a recipe for defeat. On the other side, those who wanted the United States out of Iraq immediately dismissed the report as more of the same. So the report was put on the shelf. That is, until lately.

Lately, the President's National Security Adviser has cited the Baker-Hamilton report as authority for the surge of troops in Baghdad, which, in fact, on page 73, the report did say might be necessary. Over the weekend, the United States participated in meetings with Syria and Iran, perhaps the most controversial recommendation in the report. The timetable and strategy for reducing our combat strength in Iraq contained in the new Democratic Senate resolution sounds very much like the Iraq Study Group, calling for combat troops to be largely withdrawn from Iraq by next March. But the Iraq

Study Group specifically opposed setting timetables or deadlines for withdrawal, noting that its recommendation should be ''subject to unexpected developments on the ground.''

At the same time, like one of the Republican-sponsored resolutions, the Iraq Study Group recommended the United States work closely with Iraq's leaders to support the achievement of certain ''milestones.'' In short, if there is any bipartisan consensus emerging about how the United States should go forward in Iraq, the best blueprint of that consensus can be found in the report of the Iraq Study Group.

The membership and process of the Iraq Study Group is as important as the substance of what it said. It included some of America's most distinguished citizens from the Reagan and Carter and the first Bush administrations, from the Congress, and the Supreme Court. One of its former members is today's Secretary of Defense. It was ideologically and politically diverse. The group spent 9 months, met 9 times, including a trip to Baghdad, interviewed 171 individuals, and made 79 specific recommendations.

Its assessment of the ''dire'' current conditions in Iraq was honest and sober. It didn't shy away from bad news—that 79 percent of Iraqis have a mostly negative view of United States influence in their country; that 2,900 Americans at that time had been killed, with another 21,000 wounded; that we had spent roughly $400 billion, and that estimates run as high as $2 trillion on this war. The group acknowledged its recommendations weren't perfect, but were the best options.

As much as America needs a new strategy in Iraq, we also need a consensus in support of that strategy. To put it bluntly, a majority of the American people do not now have confidence in the President's course in Iraq. The Iraq Study Group offered the President an opportunity to say, okay, here is a different approach suggested by a bipartisan group of distinguished Americans. It is not my strategy, it is theirs. The President could say, I accept it, and for the good of our country and the Armed Forces fighting for it, I ask you to accept it.

Such a statement would not exhibit Presidential weakness. That would be Presidential leadership, recognizing that the President's job is not only to choose the right strategy but to successfully persuade at least half the people he is right. The President still has this option before him. I respectfully suggest he would be wise to exercise it today, this week. Come back to Congress, report on the progress of the last few weeks in Iraq, invite the Iraq Study Group members to sit in the gallery, compliment their work, accept their recommendations, and ask the Congress and the country to also accept their recommendations.

Now, this course won't satisfy those who want another 100,000 or 200,000 more troops to win the war in Iraq. Neither will it satisfy those who want all troops out on a specific timetable. But it will get United States troops quickly out of the combat business in Iraq and into the support business. It will reduce the number of American forces in Iraq over the next year. It will leave American special forces in Iraq to go after al-Qaida and the troops to help guard the borders, because there would still be a limited United States military presence. It will send a signal to the rest of the Middle East to stay out of Iraq. It will give support to General Petraeus and his troops, who are in the midst of a surge to make Baghdad safer. It will expand diplomatic efforts to build support for Iraqi national reconciliation and sovereignty, including with Iraq's neighbors. And it will recognize, or at least begin to recognize, that America has done most of what it can do to help Iraq. As Prime Minister Tony Blair has said, it is time for the next chapters in Iraq's history to largely be written by the Iraqis themselves.

Finally, this course will recognize that while the United States can and should be a shining example of democracy, and while the United States does have the mightiest military force in the world, a conservative view of human nature and our own national interest places limits on what we can do to make it possible for others to adopt our democracy and to adopt our way of life.

Mr. President, I yield the floor.

Mr. REED. Mr. President, I rise to express my strong support for the United States policy in Iraq Resolution of 2007. I think it represents a sound policy and strategy that will help us achieve our objectives not only in Iraq but in the region, and not only in the region but across the globe.

Let me first begin by saying I have heard many of the opponents suggest this Senate has but one choice: either to cut off funding or to allow the President to continue to pursue any policy he feels is appropriate. That is a false choice, similar to the false choice the President presented to this Senate in 2002 and 2003. That choice was that we could either invade Iraq or step back and watch them morph into a much more serious threat. In fact, there were diplomatic options. There was the possibility of effectively using U.N. inspectors. So I don't think we should engage in discussions of false choices. We have the authority constitutionally to adopt policies, to shape what the President does, and that is the essence of this resolution.

Just today, the New York Times' Walter Dellinger and Christopher Schroeder wrote an op-ed piece which bears on this point. They say the Supreme Court has long recognized Congress's authority to set limits on the President's military power, as in 1799, when it accepted Congress's power to authorize the seizure of ships going to but not coming from French ports. Talk about micromanagement; that is micromanagement.

That is not what our Iraq resolution does. We are laying out policy objectives, a changed mission, which I think will enhance the ability of military forces in the United States to do their job and to protect our country.

The Dellinger piece goes on to say, ''More important, the legal advisers of presidents have themselves repeatedly recognized this congressional power. When former Chief Justice William Rehnquist was President Reagan's chief legal adviser in 1970, he flatly rejected the all-or-nothing claim.'' In Rehnquist's words, ''It is both utterly illogical and unsupported by precedent to think Congress may not delegate a lesser amount of authority to conduct military operations.''

That is essentially what we are talking about today. We are trying to redefine the mission so that it is consistent with the highest purposes of American national strategy. This mission would, first, recognize we have to protect our forces, giving the Commander in Chief broad discretion in protecting those forces; second, that we have an ongoing obligation to help train Iraqi security forces, which is absolutely critical; and, third, that we have the ongoing obligation to go after the terrorists wherever they may be. We did this in Somalia a few weeks ago when we had information of al-Qaida operatives. We had much cooperation on the ground and we went in there. That is the same option we must pursue in Iraq and every place else. These are the three missions that are most consistent and most important to our national strategy.

Also, this resolution begins a phased redeployment; not a rigid, inflexible timetable, but starting a date where we begin to pull out combat forces, leaving, of course, forces to carry on this mission of training Iraqi security forces, going after the terrorists, and protecting our own forces. Our goal, and it is strictly a goal, is that these combat brigades should be out of the country, we hope, by March of 2008.

This is a policy that I think will work, a policy that will be supported by the American people, and a policy that will encourage, I think, the political solution that is necessary. As everyone has noted, the answer to Iraq is not going to be achieved by military means. It will be achieved by political means. General Petraeus has said that. These are his words: ''There is no military solution to a problem like that in Iraq, to the insurgency of Iraq.''

We have to have, and this resolution calls for, the application of diplomatic power, support for the creation of functioning institutions in Iraq that can provide both the kind of political progress and economic progress these people demand, tangible signs that their Government will function. That is what we are encouraging and directing in this policy.

This policy makes sense and it is well within not only the obligation of this

Congress but the constitutional power of this Congress.

Mr. President, I request an additional 1 minute to be yielded from the time of the leader.

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

Mr. REED. Mr. President, what the President is suggesting to us, his policy, is more of the same for a much longer period of time. As we all know, recently General Odierno suggested this surge is probably going to last not until the end of this year but into next year, and probably into the following year. That is putting a huge strain on our troops.

I think also we have to recognize our focus in Iraq, our preoccupation with Iraq, is inhibiting our strategic flexibility across the globe. It has enhanced the relative power of Iran, ironically, and it has caused us, belatedly, to begin serious negotiations with North Korea, which might be a profitable and progressive thing to do, but the focus on Iraq is serious.

Let me tell you, one of the most interesting comments that I have heard is when I asked Admiral McConnell, the head of our intelligence establishment, where is the most likely threat coming from, engaging in an attack on the United States, Pakistan or Iraq? He answered quite quickly: Pakistan.

We have to change our policy. This resolution will do that, and I urge its support.

Mr. DURBIN. Mr. President, how much time remains on our side?

The PRESIDING OFFICER. There is 5 minutes 15 seconds.

Mr. DURBIN. Mr. President, I ask that you notify me when there are 2½ minutes remaining.

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

Mr. DURBIN. Mr. President, the question is: What is our duty? We know what the duty of our soldiers will be when they raise their hand and take an oath to serve our country. They agree to risk their lives for America. They follow orders. They follow the lead of their commanders. They march into battle. Some come home and some do not. But what is the duty of the Congress? What is our responsibility when it comes to war?

First, of course, was the authorization for the use of force. President Bush came to us and said, I want to have the authority to invade Iraq for three reasons: No. 1, to get rid of the dictator Saddam Hussein; No. 2, to destroy weapons of mass destruction; and No. 3, to make sure the country lives up to the requirements of the United Nations resolutions.

Many of us felt at the time that America was being misled about the real danger in Iraq. Some of us, some 23 Senators, voted against the authorization of force back in October of 2002. But as we take a look at that scene in Iraq today, we realize that all three of those things have been accomplished. Saddam Hussein no longer exists, weapons of mass destruction never existed, and there is no question about complying with the United Nations resolutions.

So the obvious question is: By what authority is America still there? By what authority do 150,000 Americans now risk their lives while we stand in the safety of this Chamber?

This resolution seeks to define our mission today in realistic terms. If the President had come to Congress 4 years ago and said, I want the authority to send American troops into the middle of a civil war in Iraq, a war that has been brewing for 14 centuries between warring Islamic factions; I want American soldiers on the street risking their lives every day until the Iraqis resolve this age-old dispute, do you think we would have approved that authorization of the use of American force? Of course not. It would have been pure folly.

Sadly, the situation today has no clear mission, and that is the reason for this resolution. This resolution makes it clear the Iraq Study Group, Democrats and Republicans, men and women who served our country so well in public service, would have a chance to step forward and come up with a plan that makes sense for America to start coming home, and that is what this resolution says.

The PRESIDING OFFICER. The Senator has 30 seconds remaining.

Mr. DURBIN. Who wants America to come home at this point? The American people do. The Iraqi people want us to leave. In fact, the Iraqi leadership has said it is time for us to start withdrawing our troops. The resistance to bringing our troops home comes from the other side of the aisle and from the White House. They believe we need more troops.

How often will America respond when the Iraqis pick up the phone and dial 9–1-1 to send another 20,000 of our best and bravest to go into battle? It is time for the Iraqis to stand and defend their own country. It is time for the American forces to start to come home. It is time for us to acknowledge that they have done their job and done it well. We have lost almost 3,200 American lives; 24,000 have been injured. We know among those injured many have not been greeted as they should have been. They have been sent to flophouse rooms at Walter Reed's Building 18. They have been pushed through the bureaucracy of the Veterans' Administration. For those who say they support our troops, they will have a chance to prove it soon, as we start trying to put the resources we need into the military and VA, to help our troops as they return.

This resolution is an opportunity for this Congress to speak to the reality of what is going on in Iraq today, and the reality suggests that it is time for American forces to start to come home; not more forces in harm's way but more forces coming home to be greeted by us, as Americans, for the fine job they have done. We cannot blame them if the mission has been lost over the last 4 years. They had nothing to do with that. But we can make it clear that our future mission is going to be one we can define precisely: to stop terrorism, to train the Iraqis so they can defend themselves, and to protect our own troops. Those are clear missions.

For those who resist this resolution, the obvious question is this: What do you think our mission is today? Is it simply to send more and more troops into harm's way, that they would risk their lives? I think not.

For those who argue that we are micromanaging the war, I guess my question for them is, isn't it time that somebody managed this war? Isn't it time, when it came to troops and mission and equipment, that we clearly had a management plan that our troops deserve?

For those who argue that we are cutting off funding, they have not read the resolution. We are not cutting a penny from the troops and the money that they need to come home safely. But we are saying that our mission has to be clear and our troops have to come home.

I urge my colleagues on both sides of the aisle to support what the American people want, the redeployment of our fine troops back to America.

The PRESIDING OFFICER. The time of the Senator has expired. The Republican leader is recognized.

Mr. McCONNELL. Mr. President, today Senate Republicans will agree to move to debate on an important question, and that question is this: Should a majority of Senators direct activities in the war in Iraq? Republicans are eager to engage in this debate on the Reid resolution because it is different in kind from any of the previous Democratic proposals—very, very different.

It is unprecedented in the powers it would arrogate to Congress in a time of war. It is a clear statement of retreat—a clear statement of retreat from the support that the Senate only recently gave to GEN David Petraeus, and its passage would be absolutely fatal to our mission in Iraq.

Previous resolutions proposed by the Democrats were a mere statement of opinion or of sentiment. This one has a binding quality. It would interfere with the President and General Petraeus's operational authority to conduct the war in Iraq as he and his commanders see fit. It would substitute for their judgment the judgment of 535 Members of Congress.

The judgment they have made in this, that Iraq is simply a distraction on the Global War on terror and that U.S. troops should begin to withdraw in months, with all combat forces leaving within a year—that is the judgment that the Reid proposal makes. This is the memo that our enemies have been waiting for. Osama bin Laden and his followers have repeatedly said that the United States does

not have the stomach for a long fight with the terrorists. Passage of the Reid joint resolution will be the first concrete sign since September 11, 2001, that he was right on target.

Timetables are bad, but don't just take my word for it. Speaking at the National Press Club in 2005, my good friend, the majority leader himself, said this:

> As for setting a timeline, as we learned in the Balkans, that's not a wise decision, because it only empowers those who don't want us there, and it doesn't work well to do that.

Six months after the majority leader made that observation, the chairman of the Foreign Relations Committee, Senator BIDEN, said this:

> A deadline for pulling out . . . will only encourage our enemies to wait us out. . . . [It would be] a Lebanon in 1985, and God knows where it would go from there.

That was our friend, JOE BIDEN, the chairman of the Foreign Relations Committee.

Shortly after Senator BIDEN's observation, Senator CLINTON made the same point, just 3 months after that:

> I don't believe it's smart to set a date for withdrawal.

Said Senator CLINTON:

> I don't think you should ever telegraph your intentions to the enemy so they can await you.

That is the majority leader, the chairman of the Foreign Relations Committee, and a prominent Democratic candidate for President, all on the wisdom of what this Reid proposal proposes to do, just a short time back.

Surely Senators REID, BIDEN, and CLINTON have not changed their minds about who would benefit the most—who would benefit the most if we set a date certain for withdrawal. They know just as well as I do that this is just what the terrorists have been waiting for and just what our allies in Iraq and the entire region of the world have feared.

Setting a date certain for withdrawal will send a chill up the spine of every Iraqi who has dared to stand with America. Millions of good men and women have helped us in this fight. Since we arrived in Iraq, nearly 120,000 Iraqis have volunteered to serve in their Army. More than 8,000 Iraqis have died in uniform to defend the fledgling democracy over there. And, recently, in Anbar Province, we are told that roughly 1,000 Sunnis volunteered for a police force over a couple of weeks.

These brave men and women are watching what we do. They know, as we do, that chaos will engulf Iraq and the rest of the region on that day. They know they and their families will likely face a firing squad soon after we leave. The message we send them with this resolution is this: Good luck.

General Petraeus understands the importance of the mission in Iraq and his new mission to secure Baghdad. In a recent letter to the soldiers under his command, he wrote as follows—General Petraeus said:

> The enemies of Iraq will shrink at no act, however barbaric. They will do all they can to shake the confidence of the people and to convince the world that this effort is doomed. We must not underestimate them. Together with our Iraqi partners, we must defeat those who oppose the new Iraq. We cannot allow mass murderers to hold the initiative. We must strike them relentlessly. We and our Iraqi partners must set the terms of the struggle, not our enemies. And together, we must prevail.

That is General Petraeus just recently. These are the words of the man this body sent to Iraq unanimously. They are the words of a military commander, confident yet realistic and committed above all to victory. This is the voice of courage and resolve in the face of danger. We do best to listen to voices such as this, which speak of victory rather than defeat and withdrawal. We owe it to him, his soldiers, our allies and the world.

Republicans are ready for this debate.

I have some more time, I gather?

The PRESIDING OFFICER. The Senator has a little over 6 minutes remaining.

Mr. MCCONNELL I yield back that time.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, in life you can't stand still. You either go forward or backward. If it were not such a serious matter—and it is a serious matter—to have the Republican leader go back to a statement that I made 5 years ago is what is wrong with the Republicans in this debate. Things have to change. Things change. You can't stand still. You either go forward or backward. To take a statement that I made 5 years ago and think that things haven't changed in 5 years is without any degree of sensibility.

In just a few days our country will mark a solemn anniversary: the beginning of the fifth year of a war that has raged in faraway Iraq. For the fifth year, this war has taken a tremendous toll on our country, our troops, their families, and our standing in the world. Mr. President, 3,200 Americans, soldiers, airmen, sailors, and marines have been killed in Iraq. We have seen tens of thousands of our best wounded—men and women who have come home to a health care system unprepared and ill-equipped to take care of them.

Our Army has been stretched dangerously thin. Our Treasury has been spending, week after bloody week, $2 billion, each week; $2 billion each week.

Despite these tremendous costs, despite these great sacrifices, despite the opposition to this war, Iraq continues to spiral out of control. In February, attacks in Iraq increased dramatically. Three American soldiers and 100 Iraqis died every day—every day in February. In March it seems it is going to be just as bad. Our overburdened troops, including hundreds of Nevadans, have done everything asked of them and more. It is their political leaders at home who have failed—who failed our troops and the American people. President Bush did not go to war with enough military on the ground. We all know that. President Bush didn't have a plan to win the peace, much less the war. President Bush surrounded himself with yes-men, who told him what he wanted to hear, what he needed to hear. To this day, President Bush lacks a plan to complete the mission so our troops can come home. His current strategy of more of the same is not working.

Five years into the war in Iraq the mission has changed but the Bush policy has not changed. Saddam is gone, long gone. There are no weapons of mass destruction; there never were. Iraq is in chaos. There is no stability in Iraq. U.S. troops are policing a protracted civil war, not hunting and killing terrorists who attacked us on September 11, 2001.

The original mission no longer exists. Yet President Bush wants to stay the same—the same—failed course, to surge toward more of the same, to sustain more failure.

Today, the Senate must finally send a clear message to the Commander in Chief, President Bush. That message is: It is time for a new way forward. Change course, Mr. President. The way to succeed in Iraq is not more of the same; it is to change the mission and change the course. Our country must have a surge, but that surge must not be a military surge. There must be escalation in our diplomacy.

This is the message the American people delivered to Congress on November 7, 2006. This is the message we must send President Bush again today.

In just a few moments, we will have another cloture vote. I urge my colleagues to vote to allow the debate to proceed and then vote to change the course. Vote for the resolution. Voting no today is voting to greenlight the same failed course in Iraq. Voting no today is an endorsement of 5 years of failed policy. Voting no today is an endorsement of America's continuing occupation of Iraq. Voting no today is a vote to support President Bush maintaining an open-ended commitment to keep U.S. troops in the middle of an Iraqi civil war.

But a ''yes'' vote on cloture and on the resolution—and a vote for the resolution—is a vote of hope, hope that after 4 years in this war we can finally begin to have the Iraqis control their own destiny, their own future. We can tell President Bush to change course, redeploy our troops, bring in Iraq's neighbors, and revitalize reconstruction efforts that have failed, that have fallen woefully short.

Five years into the war, is it not the time for a new direction? The answer is yes, and that direction starts by voting yes on this next vote.

I yield back my time.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order and pursuant to rule XXII, the Chair lays before the Senate

the pending cloture motion, which the clerk will report.

The 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 Calendar No. 72, S.J. Res. 9, to revise the United States policy on Iraq.

Harry Reid, Carl Levin, Dick Durbin, Byron L. Dorgan, Robert P. Casey, Jr., Barbara C. Boxer, Edward M. Kennedy, Patrick Leahy, Jay Rockefeller, Patty Murray, Jack Reed, Debbie Stabenow, H.R. Clinton, Jeff Bingaman, B.A. Mikulski, Ben Cardin, Robert Menendez.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S.J. Res 9, a joint resolution to revise United States policy on Iraq, shall be brought to a close?

The yeas and nays are required under the rule.

The clerk will call the roll.

The assistant journal clerk called the roll.

Mr. DURBIN. I announce that the Senator from Washington (Ms. CANTWELL) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

I further announce that, if present and voting, the Senator from Washington (Ms. CANTWELL) would vote ''yea.''

The PRESIDING OFFICER (Ms. KLOBUCHAR). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 89, nays 9, as follows:

[Rollcall Vote No. 74 Leg.]

YEAS—89

Akaka	Ensign	Murkowski
Alexander	Feingold	Murray
Baucus	Feinstein	Nelson (FL)
Bayh	Graham	Nelson (NE)
Bennett	Grassley	Obama
Biden	Gregg	Pryor
Bingaman	Hagel	Reed
Boxer	Harkin	Reid
Brown	Hutchison	Roberts
Brownback	Inouye	Rockefeller
Burr	Isakson	Salazar
Byrd	Kennedy	Sanders
Cardin	Kerry	Schumer
Carper	Klobuchar	Sessions
Casey	Kohl	Shelby
Chambliss	Kyl	Smith
Clinton	Landrieu	Snowe
Cochran	Lautenberg	Specter
Coleman	Leahy	Stabenow
Collins	Levin	Stevens
Conrad	Lieberman	Sununu
Corker	Lincoln	Tester
Cornyn	Lott	Thune
Craig	Lugar	Vitter
Crapo	Martinez	Voinovich
Dodd	McCain	Warner
Dole	McCaskill	Webb
Domenici	McConnell	Whitehouse
Dorgan	Menendez	Wyden
Durbin	Mikulski	

NAYS—9

Allard	Coburn	Hatch
Bond	DeMint	Inhofe
Bunning	Enzi	Thomas

NOT VOTING—2

Cantwell	Johnson

The PRESIDING OFFICER. On this vote, the yeas are 89, the nays are 9. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Wisconsin is recognized.

Mr. FEINGOLD. Madam President, I am pleased the Senate has voted to allow debate on the Iraq war to go forward. It is far past time we had this important debate. It is far past time we brought our involvement in this misguided war to a close.

Under the strong leadership of Senator REID, the Democratic caucus has produced a joint resolution that takes a significant step toward ending our involvement in the war in Iraq. I support the resolution, and I hope my colleagues will do the same.

The resolution does not go as far as I would like. I continue to believe the only way we are ultimately going to end the President's failed policies in Iraq is by exercising Congress's power of the purse to safely bring our troops out of Iraq. I have introduced legislation that would do that, and I will continue to look for every opportunity to bring up my bill for a vote.

I will support this resolution because it avoids the mistakes of previous proposals to address Iraq. It does not allow the President's misguided policies to continue. It does not tacitly reauthorize the war. It does not focus solely on the so-called surge. This is binding legislation that would bring to an end our involvement in perhaps the greatest foreign policy mistake in our country's history.

Some of my colleagues continue to argue that Congress should defer to the Commander in Chief when it comes to Iraq, that we should give him the opportunity to change course in Iraq or that we should allow his escalation plan a chance to succeed. Those arguments ignore our congressional responsibilities.

Mr. ROBERTS. Madam President, would the Senator yield for a question?

Mr. FEINGOLD. Madam President, at the conclusion of my remarks, I would be happy to yield.

Congress authorized this war, and it is in our power to bring it to a close. More importantly, we have not just the power but the responsibility to end a war that is draining vital national security resources in pursuit of a goal that cannot be achieved militarily.

The political problems that are driving much of the insurgency and sectarian strife in Iraq are tragic and important. They require the attention of U.S. policymakers. They do not require—in fact, they cannot be solved by—a massive and indefinite U.S. military presence in Iraq.

Some of my colleagues raise the specter of dire consequences if we redeploy U.S. forces from Iraq. That is precisely why we need a strategic approach to redeployment, one that addresses ongoing instability and other threats, with our intelligence, diplomatic, economic and, in a limited manner, military capabilities. Not only is the continuation of this war not going to end sectarian and insurgent violence, it puts off the day when we develop a comprehensive strategy for Iraq that is sustainable, and that fits squarely within the larger struggle of fighting al-Qaida.

As long as the President's policies continue, our troops will continue to put their lives on the line, our constituents will continue putting billions of their dollars into this war, our military readiness will continue to erode, our Guard and Reserve members will continue to face heavy burdens, and our ability to respond to an array of national security challenges will continue to suffer a great deal. From Somalia to Afghanistan to the ongoing fight against al-Qaida, we face threats and challenges that require serious attention and resources. Right now, far too much of both are being spent on a single country. It is this singleminded and self-defeating policy that needs to end, and it is up to Congress to do so.

Time and again, the President has made it clear that nothing—not the wishes of the American people, not the advice of military and foreign policy experts, not the concerns of Members of both parties—will dissuade him from pursuing policies in Iraq that are not working. Faced with a clear mandate from the voters last November, the President just stalled for time, and then he announced not just a continuation but an escalation of his policy. So Congress cannot wait for the President to change course. We need to change the course ourselves.

This resolution recognizes, and acts on, that reality. It would effectively terminate the misguided resolution authorizing force in Iraq, while allowing a minimal number of troops to remain to perform very limited functions: protecting personnel and infrastructure, training and equipping Iraqi forces, and conducting certain targeted counterterrorism operations. The latter provision is a particular priority of mine, which is why my original legislation includes exactly the same language.

Clearly, the United States has an ongoing role to play in addressing the terrorist threat in Iraq. While Iraq was not a hotbed of terrorism before the President led us to war in that country, al-Qaida and its allies are trying to use the anger and frustrations unleashed by that war to their advantage. Like Afghanistan and Somalia, Iraq will need to be closely monitored to ensure that it does not become a failed state and a breeding ground for terrorism, and we must be prepared to pursue targeted missions to take out terrorists.

But maintaining 140,000 U.S. troops in Iraq is not the way to defeat al-Qaida. Military operations of any size will only succeed if they are combined with other measures—including diplomatic, economic, and intelligence measures—as part of a comprehensive strategy for defeating the terrorists who threaten our country. Al-Qaida is

not a one-country franchise; it is a global threat that requires a global response.

The Reid resolution would require the President to begin redeploying combat forces not essential to the three limited functions I just mentioned within 120 days, with a goal of finishing redeployment by the end of March 2008. While I support a faster redeployment with a firm deadline, these provisions are, in fact, binding and would make clear that the President's commitment to an open-ended, massive military mission in Iraq is over. That is what the American people want, and that is what this Congress should ensure.

Regardless of what happens this week, I believe the introduction of this resolution, with the cosponsorship of some 41 Senators, represents a significant step toward ending the war. The overwhelming majority of Democrats are saying that the war must come to a close and that they are prepared to take binding steps to do just that. The question each of us will face as this debate continues is how to best end our involvement in the war and redeploy our troops.

I look forward to the opportunity to offer an amendment to the upcoming supplemental that would actually use Congress's appropriations power to require the safe redeployment of our troops. While I do not agree with much of what has been said by those in this body who continue to defend a disastrous war, they are right about one point: If we are serious about opposing the war, we must be serious about ending funding for the war.

I am pleased the Senate has voted to allow debate on the Reid resolution to go forward. Unfortunately, however, some in this body continue to make arguments that undermine the ability of Congress to have a serious discussion about the Iraq war. They fail to recognize that this body has an obligation to address the most pressing issue facing the country today and respond to the overwhelming sentiment of our constituents. They purport to defend the President's prerogatives and the morale and well-being of our troops, but their rhetoric has the effect of trying to stifle open and honest debate.

While I cannot speak for the President, I am confident our troops, and our constituents, are ready for this debate. They know that in a democracy such as ours, discussion of major foreign policy issues can and should be conducted openly. So I am glad the Senate is beginning such a discussion today, and I will continue pushing this body to finally bring to a close our involvement in a war that has been a disaster on so many fronts.

Madam President, I am now happy to yield for a question to the Senator from Kansas.

Mr. ROBERTS. Madam President, I was just going to ask the distinguished Senator if he would yield. While I can't associate myself with all of his remarks and, as I note, the press gallery and the world will little note nor long remember our colloquy, perhaps, I wish to congratulate him for his forthrightness and his candor and his conviction.

The Senator and I have talked about the situation and about the need for full debate in regard to our national security and the war in Iraq, and I had hoped his resolution would be agreed to during the last—or the previous attempt when we only had one resolution and that was it. I had asked at that particular time, in a very similar situation—I was making a speech, and the Chamber was empty, and so I can empathize with that. But my comments were that we should consider the McCain amendment with the benchmarks, the Gregg amendment, and Senator FEINGOLD's, because his is very forthright. It is very clear and very understandable. Now, I would not vote for it, but I respect the Senator's opinion, and I respect his candor.

The Senator has been a member, a valuable member of the Intelligence Committee. I had the privilege of being the chairman of that committee. I think I am the longest serving Senator on the Intelligence Committee up to this point—10 years. It is tough work. There are a lot of times I disagreed with the Senator, but the Senator is an extremely valuable member of the Intelligence Committee. Upon learning all of the intelligence from the 19 different agencies that comprise the community, he has developed a very strong opinion. I respect that. That is what we should be doing. We should be having a full debate. I hope in voting to proceed that we at least get that full debate.

I would say to the Senator, one of my best friends is General Petraeus, who used to be the commanding general at Fort Leavenworth, at the Intellectual Center of the Army, and he wrote the counterterrorism manual for the Army. He just finished it. We talked a lot about the British experience in regards to what happened at that particular time in Iraq. It is unique, it seems to me, because what the Senator wants to do follows the same time period General Petraeus wants to inform us as to whether we are making any progress and if we can achieve stability in Iraq, and that is a mighty big ''if.''

I think by the summer at least, if we are not making progress, at that particular time we are going to have to go to a policy of containment as opposed to intervention, as the Senator has suggested. How we do that, I am not quite sure. We haven't had that debate on the Senate floor.

Now, this Senator, Mr. FEINGOLD, has called for that debate, and that is what we should be debating. It calls for a lot of different opinions.

So I congratulate the Senator. I thank him for his candor. I thank him for being forthright. I wish we could vote on the Senator's resolution this time around. Does the Senator think that is even possible?

Mr. FEINGOLD. Madam President, I wish to thank the Senator from Kansas, first of all, for his kind words and for listening to my speech and for being present to do so. He has endangered himself politically by saying kind words about me and my resolution in front of some groups who may find that a little strange. But I do enjoy working with him, and I especially enjoyed working with him when he was the chairman of the Intelligence Committee.

I, of course, want to do exactly what the Senator from Kansas has said. I want to have a debate and a vote on the approach I have suggested. As I just indicated in my remarks, I believe that is the next thing which needs to happen after we have this debate.

Just so the record is clear, though, the Democrats have agreed to vote on S.J. Res. 9 and the McCain amendment and the Gregg amendment and the Warner resolution, as well as the Reid resolution. So the Republicans objected to that.

Mr. ROBERTS. Why not the Feingold resolution?

Mr. FEINGOLD. I would like to do that, but I think probably the appropriate place to do that is the supplemental.

Mr. ROBERTS. Madam President, if the Senator would continue to yield, what if I ask unanimous consent that the Senator's amendment be made in order?

Mr. FEINGOLD. I would object on behalf of the leadership because I agreed that this should be the next step and we should take up this resolution.

I say to the Senator from Kansas, this resolution before us, the Reid resolution, makes perfect sense. What it does is it says: Look, we no longer believe the authorization that was given in 2002 makes sense, and it severely limits that resolution and moves us in the right direction. So I think that is the proper step. The supplemental bill is about to come up. I think that is the right place, given that it has to do with funding, for the type of amendment I have suggested. So I would object on behalf of the leadership.

But I do look forward very much to the day not only when we debate this but when I persuade you that it is a good idea that we cut off the funding in order to bring the troops safely home—which, by the way, is what we did—and I assume Senator ROBERTS was involved in this as well—with Somalia. The Senator remembers ''Black Hawk Down.'' He knows it well. We lost 18 people. We decided: This isn't working out. This isn't a good idea. What did the Senate do? It passed legislation that said by a certain date we will no longer fund this military mission, but it gave plenty of time to get the troops out, and they got out successfully. That is the nature of what I propose to do with an amendment on the supplemental.

Mr. ROBERTS. If the Senator will continue to yield for a question, you are talking about step 2. Step 1 is being considered, and your specific resolution would be step 2 on the supplemental.

Mr. FEINGOLD. Step 1 was our vote here in this body and in the House to say that the surge was unwise, and a majority did vote for that here, as well as in the House. This is step 2. This says that the fundamental underpinnings of this mistake should be reversed, that the resolution authorizing force in Iraq should be reversed. Yes, step 3, in my view, would be saying—to enforce it. Since the President won't listen to us, we need to turn to the ultimate power, the one the Senator from Kansas and I both agree is the appropriate power in this situation; that is, whether to use the power of the purse to remove funding.

Mr. ROBERTS. So if the Senator will continue to yield, we are on step 3 until we get to your resolution?

Mr. FEINGOLD. We are on step 2.

Mr. ROBERTS. It would be step 3 before you would think it would be appropriate to consider your resolution?

Mr. FEINGOLD. I think we would be best to do it on the supplemental. That seems to be the appropriate vehicle.

Mr. ROBERTS. I have got it. I just want to make clear, understandably, I would probably vote no—well, not probably—I would vote no on the resolution. But again, the thing that disturbs me is when we get to the what-ifs. What if we pass your resolution? What if we pass somebody else's resolution? What happens if we get the troops out? Hopefully they would not be in a situation where we have to send them back. The what-ifs on what happens to us, which you have discussed in a rare discussion on the floor, we haven't talked about that.

Mr. FEINGOLD. We need to get to that.

Mr. ROBERTS. We have an honest difference of opinion, but we have not talked about that. That is the whole point I am trying to make, that at least the Senator is trying to force the issue in making his point, and let nobody say that they challenge your patriotism or your intent or whatever. I know there is a lot of rhetoric flying around. I don't agree with that at all. I think this debate ought to take place, and this debate is not taking place. So thank you to the Senator. And I don't think I have endangered—well, maybe I have—my reputation just a little.

Mr. FEINGOLD. I think the Senator from Kansas is on shaky ground with some people now. But I think the Senator from Kansas should know that we are essentially in the heat of agreement here; the only question is the order in which it should happen. The exact questions the Senator has discussed should be debated in the Senate. I hope they are debated soon. Guess what. We just had a debate, so we are having a debate, and this is the beginning, and we will continue it.

Mr. ROBERTS. I thank the Senator.

Mr. FEINGOLD. I thank the Senator from Kansas, and I thank the Chair. 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.

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

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

Mrs. HUTCHISON. Madam President, I ask unanimous consent that I be allowed to speak for up to 10 minutes as in morning business.

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

LATIN AMERICA

Mrs. HUTCHISON. Madam President, I rise today to talk about Latin America. I think this has been highlighted by the President's trip there and the focus the President is putting on Latin America.

It is so important that we not forget our own hemisphere and some of the problems we are facing in our hemisphere.

President Bush, of course, is in Mexico right now. He is holding discussions with Mexican President Calderone. Immigration, reducing poverty, fighting drugs, and strengthening our economic relationship are all items on the agenda. This is the President's final stop on a five-nation trip that included Brazil, Uruguay, Columbia, and Guatemala.

But the President of Venezuela, Hugo Chavez, has been conducting his own tour, deliberately instigating protests and riots to disrupt the President's peaceful mission.

It is very important that we focus on Mr. Chavez and what is happening in South America because it will affect the stability of our whole hemisphere.

The problem starts in Venezuela, a nation which once enjoyed 50 years of democratic traditions but now is in the early stages of a dictatorship. Last month, elected representatives in Venezuela abdicated their responsibility and gave the Venezuelan leader sweeping power to rule for 18 months to be able to impose economic, social, and political change. These dictatorial powers would be alarming in anyone's hands but particularly dangerous in the hands of Hugo Chavez.

This strong man rules an oil-rich nation that exports 1.1 million barrels of oil to the United States per day, roughly equivalent to what we import from Saudi Arabia. President Chavez has already colluded with other OPEC nations to raise oil prices, and when he nationalizes multibillion dollar crude oil projects, that is going to make the prices rise again. This could have a severe impact on the pocketbooks of American families. According to some economists, every time oil prices rise by 10 percent, 150,000 Americans lose their jobs.

Mr. Chavez has used his nation's windfall oil profits to buy political support at home and to stir trouble abroad. He says Venezuela has a ''strong oil card to play on the geopolitical stage'' and ''it is a card that we are going to play with toughness against the toughest country in the world, the United States.''

In his struggle against U.S. imperialism, President Chavez has found a useful ally in the world's largest state sponsor of terrorism, the Government of Iran. He is one of the few leaders in the world to publicly support Iran's nuclear weapons program. The Iranian mullahs have rewarded Mr. Chavez's friendship with lucrative contracts, including the transfer of Iranian professionals and technologies to Venezuela.

Last month, President Chavez and Iranian President Mahmud Ahmadi-Nejad revealed plans for a $2 billion joint fund—$2 billion—part of which they say will be used as a ''mechanism for liberation'' against American allies.

This could help achieve the vision that Mr. Chavez has stated:

> Let's save the human race; let's finish off the U.S. empire.

Mr. Chavez has grown bolder by interfering in the elections of several Latin American countries and his own brand of politics has made some gains.

Bolivia's newly elected President, Evo Morales, has nationalized the energy industry, rewritten the Constitution, and promised to work with Mr. Chavez and Fidel Castro to perform an ''axis of good'' to oppose the United States.

The former Soviet client, Daniel Ortega, has returned to the Presidency of Nicaragua. During the 1980s, Mr. Ortega ruled his country with an iron fist until U.S.-backed freedom fighters ousted him from power. Nicaragua's democracy prospered for the next 16 years, but now he's back.

In response to the Ortega victory, Hugo Chavez said:

> Long live the Sandinista revolution.

Then, in his first week as President, Mr. Ortega met with President Ahmadi-Nejad from Iran and told the press that Nicaragua and Iran share common interests and have common enemies.

Left unchecked, Presidents Ahmadi-Nejad and Chavez could be the Khrushchev-Castro tandem of the early 21st century, funneling arms, money, and propaganda to Latin America, endangering that region's fragile democracies and volatile economies. If these two succeed, the next terrorist training camp could shift from the Middle East to America's doorstep. We need to face reality. We need to confront this threat head on.

At the pinnacle of the Cold War, President Reagan seized the initiative and repulsed Soviet efforts to set up camp, in our hemisphere, with Cuba. We should follow that lead. We should dust off the Cold War play book and become active in helping our friends to the south.

Specifically, we should adopt a three-pronged approach: Energy independence would be No. 1. We should confront the Chavez threat head on by reducing imports to the United States from Venezuela. How can we do that? We can do it by increasing our domestic energy supply and production and

accelerate innovation for renewable fuels—wind power, solar power, ethanol, biodiesel, even wave energy. Using the currents in the sea can always produce energy, and research is going on in that effort.

There is so much we can do to make our country independent from people such as Mr. Chavez and Mr. Ahmadi-Nejad and others who would try to affect our economy by raising the price of oil or cutting off the supply.

No. 2, free trade. We should try to reduce heartbreaking poverty by approving free trade agreements with friendly Latin American countries, those Latin American countries that have democracies, that want to increase their economic prosperity.

We need to reauthorize the President's trade promotion authority which expires on July 1. Free trade and working for economic prosperity in these countries is the best way to keep them free.

And No. 3, debt relief. We should help stabilize Latin America's fragile democracies by reducing their crushing debt burdens. This would empower their newly elected governments, or their elected governments that have been elected many times before, to use their revenue on education and health care for their people, strengthening their democracies.

Energy independence, free trade, and debt relief would go a long way toward helping us strengthen our whole hemisphere.

As we are looking at so much volatility around the world, it is important we remember that if we strengthen our hemisphere, if we increase the prosperity and the living standards of people throughout our hemisphere, it will not only help us have stronger economic ties, which will be good for our country and other countries, we create export markets for our goods as well as importing the goods from overseas, from Latin America, but it also is a security issue for our country. The idea that we would have terrorist training camps set up in countries that are hostile to America in South America is one I don't even want to anticipate. It would be very harmful for the security of America to have more of these dictatorships setting themselves up as an ''axis of good'' to thwart American freedom and democracy.

I am glad our President has gone to Latin America. The President of Mexico acknowledged that the President of the United States, after 9/11, had security threats that had to be addressed and, therefore, he was not able to do the innovations working with South America he had hoped he would be able to do in his first term as President.

But now the President is trying to renew that promise and go to South America and Mexico and talk about what binds us together. Land binds us together. Borders bind us together. We need good relations with Mexico and Central and South America. We want friendly borders. It is important for our security.

I hope the President's efforts are not for nought. I hope we can enhance what he has started by promoting free trade, by giving him the ability to negotiate free trade agreements with more of the South American countries that are friendly to America, by promoting independence in energy supply for our country so we don't have to depend on any foreign source for energy to make sure our economy stays strong, and to try to help them be relieved of debt that would allow their countries to invest more in education and health care for their people and their children.

This is an initiative whose time has come. Maybe it is an initiative whose time has long since come but is now beginning to become a viable option for our country. I hope the President's efforts are rewarded with Congress stepping up to the plate and helping America become more energy independent, helping America have more free trade agreements to build up economies in these foreign countries. That would be a huge step in the right direction.

I yield the floor.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Madam President, will you state the parliamentary situation in front of the Senate at this moment.

The PRESIDING OFFICER. The Senate is postcloture on the motion to proceed to S.J. Res. 9.

Mrs. BOXER. So, Madam President, we are now debating whether to proceed to S.J. Res. 9. I am glad the Chair clarified that. I am here to speak briefly, to say I hope our colleagues will say yes and will proceed to S.J. Res. 9. I will go into why I think that would be an excellent vote for this Chamber to take. I wish to speak briefly as to where we are procedurally.

Our Democratic leader, Senator REID, has presented to the Senate S.J. Res. 9. Its purpose is to revise the policy of the United States in Iraq, and if ever we needed to revise the policy of the United States in Iraq, it is certainly now. In my belief, it was certainly a year ago and the year before.

As someone who did not vote to give the President the authorization to go to war in the first place, I and a number of my colleagues have watched with horror as we have seen take place what we predicted.

We said the President did not consider what would happen if our troops were not greeted as liberators and, in fact, were greeted as occupiers. We asked questions about the possibility of sectarian violence among the Sunni, Shia, and others. We said it was a mistake to take our eye off capturing bin Laden and finishing our work in Afghanistan, which is crucial. We wondered why the President was doing this when the whole world was with us after the tragedy of 9/11. He turned around and went after Saddam Hussein, told us he was going to get nuclear weapons, told us he was harboring al-Qaida, and I will tell you, Madam President, all of that proved to be false.

So he took the country to war on false pretenses, and who has paid the price for that? The military families. The dead. These families have lost over 3,000 of their nearest and dearest, and they will never, ever—ever—be the same.

The wounded are suffering the worst kind of wounds. These are the folks who have paid the heavy price and who continue to pay the heavy price.

I am proud of Senator REID and the Democratic leadership. We promised the people we would make this our No. 1 priority, and we are. We tried to debate Iraq before. The Republicans stopped us. Now we are trying to do it again.

We have a resolution I wish to share with you, Madam President. I said it was called a Joint Resolution to Revise United States Policy in Iraq. It says, and I am going to truncate this:

Whereas, Congress and the American people will continue to support and protect the troops who are serving or have served bravely and honorably in Iraq; and whereas the circumstances referred to in the authorization in 2002 have changed substantially; and whereas U.S. troops should not be policing a civil war, and the current conflict in Iraq requires principally a political solution; and whereas U.S. policy in Iraq must change to emphasize the need for a political solution by Iraqi leaders in order to maximize the chance of success and to more effectively fight the war on terror; therefore be it resolved that we transition this mission away from being in the middle of a civil war toward being supportive of the Iraqi troops and training them; that we shall begin the phased redeployment of the U.S. Forces from Iraq not later than 120 days after enactment of the resolution; that we then move forward with a comprehensive strategy so that we finally resolve this Iraq quagmire—it means that it has to be diplomatic and political and economic—and that there be a report every 60 days so we know how this redeployment is going.

This is a breath of fresh air. This resolution is a breath of fresh air into a situation where you can't even breathe you are so suffocated from the tragedy, from the deaths, from the wounded, from the explosions every single day. So, yes, we are debating whether we should proceed to S.J. Res. 9, and I hope we will.

In closing, let me say this. There is a lot of talk about loving the troops, and I think every one of us in this Chamber loves the troops, so I have a rhetorical point here. If you love the troops, and I believe we all do, why put them in the middle of a civil war where they can't tell who is shooting at them? If you love the troops, why do you give them a mission they can't accomplish? They can't solve the civil war. That has to be done diplomatically, politically. If you love the troops, why would you lower the standards for their future colleagues in arms? We are stunned to see that convicted violent felons are

now being taken into the military, that is how desperately stretched the military is.

If you love the troops, why would you put them in a place such as Walter Reed, where you have mold on the walls and vermin, and not give them the access when they leave Washington and go back home, not give them definitive access to the help they need?

Why would you send them, if you loved the troops, out to battle again and again and again? I met a man yesterday whose son is on his third tour. I have the charts in front of my office with the names of the California dead. He looked at that, and I saw the look on his face, and I said, what is wrong? He said, I have a son in Iraq, third tour of duty, no rest.

So why do you have a rule that says they have to have rest; they have to be properly trained; they have to have the proper equipment?

If you love the troops, why would you continue to send them over in that fashion, without being properly equipped or trained? Why would you send them out on the battlefield with post-traumatic stress and a bottle of antidepressants, if you loved the troops?

I am proud to be a cosponsor of S.J. Res. 9. This is a comprehensive solution. The other side of this debate keeps saying, well, where is your solution? Here it is. It is right there. We transform the mission to a mission that can be accomplished, not mission impossible. That mission will be to protect United States and coalition personnel and infrastructure, training and equipping Iraqi forces, and conducting targeted counterterrorism operations. Now that is a mission we can accomplish.

As for sending our troops into the middle of a civil war, that is wrong, and I don't believe anyone who voted for that resolution—and I am so proud and so glad I didn't vote for that resolution to take this country into this ill-fated war, but if you voted for it, you didn't vote to put troops in the middle of a civil war. So if that is where we are right now, we need to change it.

You know, Martin Luther King—and I read this recently—who is one of my heroes in life, said during the Vietnam war that what can happen to you when you are faced with these horrible options, these horrible choices—and by the way, the worst kind of leadership, no matter where it comes from, is a leadership that gives you no good choices, okay? But Martin Luther King said, when you are faced with that circumstance—and he was talking about Vietnam, where it was tragic, there were no good choices, what could we do—said, paralysis sets in and people can't change. What happens is the status quo prevails and it becomes a new reality: dead, dead, dead soldiers every day, suicide bombs, and we can't get out of it.

The surge isn't a new strategy. It has been tried before. We know what is happening. The enemy tells us what is happening. They are leaving, going someplace else to cause trouble; waiting it out. We know they will adjust to this.

There is only one solution, and that is why S.J. Res. 9 is so important. What is the solution? We spell it out. A comprehensive strategy shall be implemented as part of a comprehensive diplomatic, political, and economic strategy that includes sustained engagement with Iraq's neighbors and the international community for the purpose of working collectively to bring stability to Iraq.

There is no more coalition of the willing. They are all leaving, whether it is Great Britain—which now is going to have only a few thousand troops there—Italy, Spain, Portugal. I could go through the list. They are all leaving. We need to redeploy our troops and we need a comprehensive strategy. I am proud to support S.J. Res. 9, and I hope when we have this vote we will vote to proceed to this very important resolution.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. MENENDEZ). The Senator from Texas.

Mr. CORNYN. Mr. President, I have a lot of respect for the Senator from California, but I couldn't disagree with her more on this topic, and I will explain why.

This resolution that is currently before the Senate calls for the President to begin withdrawing troops from Iraq within 120 days. It calls for withdrawing all combat forces from Iraq—all combat forces from Iraq—by March 31, 2008, and it calls for limiting the flexibility of our military commanders to go after the enemy.

None of these provisions strikes me as wise or a good idea. And it is not just me. Let me quote from January 31, 2005, a speech made by one of our distinguished Members at the National Press Club. This distinguished Senator said: ''As far as setting a timeline, that is not a wise decision, because it only empowers those who don't want us there.'' Who was that speaker? Well, none other than our majority leader, Senator HARRY REID, Democrat from Nevada, who said, ''It is not a wise decision to set a timeline, because it only empowers those who don't want us there.''

Senator REID was not the only one. Senator CLINTON said, ''I don't believe it's smart to set a date for withdrawal. I don't think you should ever telegraph your intentions to the enemy so they can await you.'' That was a comment she made on February 13, 2007.

Senator JOE BIDEN, Democrat from Delaware, said: ''A deadline for pulling out will only encourage our enemies to wait us out.'' He said that on June 21, 2005, in a speech at the Brookings Institution in Washington, DC.

I think we find ourselves in a time warp, but it is hard to know whether the distinguished majority leader's position is what he says today, when he says we ought to set a timeline for the withdrawal of troops, or whether we ought to credit his remarks made in 2005, when he said it is not a wise decision because it only empowers the enemy.

I think we know where the differences come down. There are those, as the distinguished Senator from California said a few moments, who regard what we are doing in Iraq, and she used these words, as ''mission impossible.'' In other words, there are those who simply have given up, who believe all is lost and there is nothing we can possibly do to reverse the tide in Iraq and in the global war on terror, what Zarqawi, the former head of al-Qaida in Iraq, called the central front in al-Qaida's war against the rest of the civilized world.

What I would suggest is that this resolution, which calls for withdrawing troops beginning in the next 120 days, sets a hard deadline of March 31, 2008, to withdraw all troops and which limits the flexibility of our military commanders to go after the enemy. This is not a plan to succeed. This is a plan destined to fail. Because, in fact, to give the critics some credit, they have given up, so they believe all that is left is retreat, to admit defeat. But this Senator is not prepared to give up on either the mission or the members of our military who are carrying out that mission in Iraq.

Arbitrary deadlines for withdrawal and micromanaging our military commanders on the ground is not a military strategy, it is a recipe for defeat. The problem is the new majority and the Democrat strategy can best be characterized as one of slow bleed, micromanage, and say nice things about supporting the troops but don't support the mission we sent them on. I have said before, and I will say it again, if you believe all is lost and there is no possibility of success in the war in Iraq, to me, the logical conclusion is you would defund the effort to support that mission there. In other words, you would use the tool that is available to Members of Congress, the power of the purse, to cut off the funds.

I disagree with that. I don't think we should. But Senator DODD and Senator FEINGOLD have been the ones who have said, you know what, passing nonbinding resolutions is simply not worthy of the Senate. Nowhere else in life can you pass a nonbinding resolution, make a ''no'' decision and be credited for doing anything. Only here in Washington, only in the Senate can you pass a nonbinding resolution and somebody says, you know what, we have done something. Well, the fact is, the only thing we would have done is to lend encouragement to those who want to see us fail in Iraq and to possibly undermine the morale and support given for our troops who are in harm's way.

Giving the enemy a timetable when American troops should withdraw from Iraq only helps the enemy plan on how to accomplish their goals, not ours.

Our focus should be, how can we succeed in Iraq. The irony of this proposal—the best I can tell, the 17th proposal that has come from the majority since we began talking about Iraq resolutions—is it comes at a time when the new Baghdad security plan appears to be making some hopeful signs toward success. One of those signs is Muqtada al-Sadr, the radical Shiite cleric who is in charge of the Shiite militias in Iraq, has fled the country because he knows the American military and our Iraqi allies are beginning to enter areas such as Sadr City, which have been in his sole province and domain. He has left to go to Tehran, to Iran. Similarly, he has instructed the Mahdi armies, the Shiite militias, not to confront the American soldiers or Iraqi allies as they go in to clear, hold, and build in some of the previously most dangerous areas of Iraq, that of Sadr City.

Democrats have offered 17 proposals on how to lose in Iraq but not a single proposal on how to succeed. The chairman of the Senate Armed Services Committee, Senator LEVIN, recently conceded that there are between 5,000 and 6,000 members of al-Qaida in Iraq—specifically in Al Anbar Province. To pass legislation that sets an arbitrary deadline for withdrawing our combat forces without defeating al-Qaida in Iraq makes no sense. Rather, it would provide potentially a safe haven, a power vacuum into which al-Qaida could reestablish itself, gain a foothold, and use that platform as a place to launch terrorist attacks against the United States and other countries.

The Iraqis know our commitment to Iraq is not open-ended, so it is simply not accurate to say that is the position of either the administration or anyone in this body. No one has made an open-ended commitment to Iraq. The Iraqis understand that the future of Iraq is in the hands of Iraqis, and that is exactly where it should be.

But to pass legislation that micromanages how our troops should fight and to try to make tactical decisions on how to handle those 130,000 or so troops on the ground from Washington, DC, is simply crazy. We unanimously confirmed GEN David Petraeus, who essentially is the architect of the counterinsurgency plan now being carried out in Baghdad. General Petraeus will lead our operations in Iraq and, frankly, he doesn't need armchair generals here in Washington, DC, trying to tell him what to do. General Petraeus knows what to do, and that is the reason the Senate unanimously confirmed him to carry out this new Baghdad security plan.

If Members of this body really support our troops, then they will provide our troops with the resources they need to accomplish their mission and not engage in a slow-bleed strategy of cutting off resources or reinforcements. We all want our troops to come home as soon as possible. But any decision to withdraw from Iraq should be based strictly upon national security considerations and not on political expediency.

We find that even our colleagues on the other side of the aisle are conflicted internally about the best strategy as reflected by this now 17th iteration of their resolution strategy. A Washington Post editorial dated March 13 labels the restrictions on Iraq war funding drawn up by House Democrats—and the 17th proposal on Iraq, by the way—this is the Washington Post. They called it ''something of a trick,'' and is merely ''an inflexible timetable, conforming to the need to capture votes in Congress or at the 2008 polls.''

Then an article in the Wall Street Journal yesterday quotes House Appropriations Committee chairman, Democrat of Wisconsin, DAVID OBEY, saying this about the language contained in the wartime spending bill passed or being considered in the House—specifically regarding the benchmarks laid out for Iraq. Mr. OBEY is quoted as saying:

> I don't know if these are the right benchmarks or right conditions or right timetable.

Mr. OBEY said:

> It's a huge mistake for people to look at this word and that word. . . . This language will change 10 minutes after it passes the House.

The Vice President was quoted as saying this on March 12, and I couldn't agree with him more in this regard. He said:

> The second myth is the most transparent. And that is the notion that one can support the troops without giving them the tools and reinforcements necessary to carry out their mission. . . . When members of Congress pursue an anti-war strategy that's been called slow bleed, they're not supporting the troops, they are undermining them. And when members of Congress speak not of victory, but of time limits—when members speak not of victory but of time limits, deadlines or other arbitrary measures, they're telling the enemy simply to watch the clock and wait us out. . . . Anyone can say they support the troops and we should take them at their word. But the proof will come when it's time to provide the money. We expect the House and Senate to meet the needs of our military and the generals leading the troops in battle on time and in full measure.

I couldn't agree with the Vice President any more than in those quoted remarks. We have now had 17 different proposals from Democrats in the Senate to date. Maybe there are more to come but 17 so far. For my colleagues on the other side of the aisle to propose this ever-shifting plan of how to deal with Iraq is simply not constructive.

I must say that it is simply absurd that we would tell our enemy when we plan to leave Iraq. I am joined in that belief by Senator CLINTON and Senator REID, from the statements I quoted earlier.

This Senator is not prepared to give up on our men and women in uniform, and I am not prepared to agree to arbitrary timetables or strings on the money that we appropriate that will limit their ability to be successful. I hope all of us, Republican or Democrat alike—all Americans would hope that our American soldiers, sailors, marines, and airmen will come back home safely but after they have accomplished the mission we have asked them to take on, and that is to leave Iraq in a condition where it is stabilized, where it is able to govern itself and defend itself. Only then will we have eliminated another safe haven for al-Qaida and terrorist activities. Only then will we have reduced to the barest possible minimum the likelihood that we will have to return following a regional conflagration, following a vast humanitarian crisis and ethnic cleansing that is likely to occur if we do not take every possible step to see this Baghdad security plan succeed.

Yes, we all want our troops to come home as soon as possible. Some of us are not willing to set arbitrary deadlines or to bring our troops back home based on some calendar that bears no relationship to conditions on the ground. We want them to come home as soon as possible, but after they have accomplished the mission that they so bravely have taken on and in which they are so nobly led by GEN David Petraeus.

I believe S. Res. 9 is misguided. It should be defeated, and I will do everything within my power to urge my colleagues to so vote.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEVIN. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. LEVIN. Mr. President, after 4 years of fighting and the loss of almost 3,200 American lives, 24,000 wounded, $350 billion spent on this war, it is long past time for a new approach in Iraq. Everybody who participates in this debate wants to maximize our chances of success in Iraq. Even those of us who voted against going to war and those of us who have disagreed with how this war has been conducted want to see a stable Iraq which enhances our own national security.

But continuing the current course and surging along the current course does not do that. The President's current course of action, of putting more U.S. military personnel in the middle of a growing civil war in Iraq, does not enhance our security and it does not maximize the chances of success.

The President's plan has a fundamental flaw because what is needed in Iraq is a political solution among the Iraqi leaders, not a military solution. Our troops perform bravely and brilliantly, but American military firepower will not end the civil war in Iraq. It has been apparent for a long time that there is no military solution in Iraq, that an Iraqi political solution is necessary to end the violence. GEN Peter Chiarelli, commanding general of

the multinational force in Iraq, said the following in December:

We need a commitment by all Iraqis, of all of the ethno-sectarian groups to commit first to nonviolence and to resolving their differences through the political process . . .

And he continued:

I happen to believe that we have done everything militarily that we possibly can.

At his confirmation hearing in December, I asked our new Secretary of Defense, Bob Gates:

Do you believe that the end to violence in Iraq requires a political settlement, and that we need to communicate a sense of urgency to the Iraqis to pressure them to reach a settlement that only their politicians can reach?

Dr. Gates replied:

Yes, I do.

The Iraq Study Group stated that:

The violence in Iraq cannot be stopped or even contained if there is no underlying political agreement among Iraqis about the future of their country.

Perhaps most telling was Iraqi Prime Minister Maliki's acknowledgment recently on this essential point. This is what Iraq's own Prime Minister said:

The crisis is political. And the ones who can stop the cycle of aggravation and bloodletting of innocents are the Iraqi politicians.

The real battle for Baghdad is not a military battle, it is a political one, and that battle can be resolved only by Iraqi politicians and not by our military.

So how do we pressure the Iraqi leaders to reach the political settlement that is essential? We can start by ending our open-ended commitment to Iraq. The President has changed his rhetoric about ending our open-ended commitment, but he has not changed his policy. In fact, he sent the opposite message when he sent more troops to Baghdad.

Our objective in Iraq, and the objective of this resolution, must be to shift responsibility to the Iraqis, both politically and militarily, for their future. For that to happen, we must end the open-ended commitment that has been made by this administration to Iraq of the presence—without decision by us, leaving it up to the Iraqis for how long and how many—of American troops.

We must make clear to the Iraqis that their future is in their hands, not ours. We must make it clear to the Iraqis they must reach a political settlement among themselves and, if they do not, we cannot save them from themselves.

As General Abizaid said in November:

It's easy for the Iraqis to rely upon us to do this work. I believe that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future.

General Casey made the same point in early January when he said:

The longer we in the U.S. forces continue to bear the main burden of Iraq's security, it lengthens the time that the government of Iraq has to take the hard decisions about reconciliation and dealing with the militias. And the other thing is that they can continue to blame us for all of Iraq's problems, which are at base their problems.

The Iraq Study Group specifically drew the connection between the importance of ending the open-ended commitment of American troops and persuading the Iraqis to make political compromises. There is a connection between the two, the Iraq Study Group said, between ending the open-ended commitment and getting the Iraqis to resolve their political differences. Here is the way they put it in the Iraq Study Group's report:

An open-ended commitment of American forces would not provide the Iraqi government the incentive it needs to take the political actions that give Iraq the best chance of quelling sectarian violence. In the absence of such an incentive, the Iraqi government might continue to delay taking those difficult actions.

That is the Iraq Study Group.

Columnist Tom Friedman put it succinctly recently in the New York Times:

Right now everyone in Iraq is having their cake and eating it—at our expense. We have to change that.

But instead of putting pressure on the Iraqis, the President is putting his faith in the Iraqis to meet certain benchmarks they have set for themselves. But look at the track record of the Iraqi Government in meeting some of the benchmarks and promises it has set for itself and it has made.

Iraqi President Talibani said in August of 2006 that Iraqi forces would ''take over security in all Iraqi provinces by the end of 2006.'' That pledge surely has not been kept.

Prime Minister Maliki said last June he would disband the militias and illegal armed groups as part of his national reconciliation plan, and in October he set the timetable for disbanding the militias as the end of 2006. That commitment has not been kept.

The Iraqi Constitutional Review Commission was to present its recommendations for changes in the constitution to the Council of Representatives within 4 months of the formation of the Iraqi Government last May. Well, the commission has yet to formulate any recommendations.

Prime Minister Maliki put forward a series of reconciliation milestones to be completed by the end of 2006 or early 2007, including approval of the provincial election law, approval of a new debaathification law, and approval of a new militia law. Not one of those laws has been enacted.

On January 30, Secretary Rice wrote to me about these benchmarks. She said the Iraqi Government had adopted a lot of benchmarks, and she attached those benchmarks to her letter called ''Notional Political Timeline.''

Here is what she said about the benchmarks attached to her letter:

. . . Iraq's Policy Committee on National Security agreed upon a set of political, security, and economic benchmarks and an associated timeline in September 2006.

Then she said:

These were reaffirmed by the Presidency Council on October 16, 2006, and referenced by the Iraq Study Group; the relevant document (enclosed) was posted at that time on the President of Iraq's website.

The posted document shows one benchmark after another, starting in September 2006, going through March of 2007, and I am going to read them off.

By September 2006:

Form a Constitutional Review Committee;
Approve the law and procedures to form regions;
Agree on political timetable;
Approve the law for Independent High Electoral Commission (IHEC);
Approve the Investment Law.

By October 2006:

Approve provincial elections law and set date for provincial elections;
Approve a hydrocarbon law.

By November 2006:

Approve a de-Ba'athification law;
Approve provincial council authorities law;
Approve a flag, emblem and national anthem law.

By December 2006:

Approve Coalition Provisional Authority . . . concerning armed forces and militias;
Council of Representatives to address amnesty, militias and other armed formations;
Approve amnesty, militias and other armed formations law.

By January 2007—this was the timeline—

Constitutional Review Committee completes its work.

By February 2007:

Form independent commissions in accordance with the Constitution.

By March:

Constitutional amendments referendum (if required).

Now, there may have been one or two of those guidelines met. If so, I am not sure what they are, but I want to at least allow the possibility that a flag, emblem, and national anthem law was adopted. But of those perhaps 15 milestones—and a timeline for them—to be adopted by the Iraqi Presidency, not more than one—but maybe two—of the 15 have been adopted. And none of the important ones have been adopted.

We are told by Secretary Rice, that was on the Web site of the President of Iraq. Then suddenly and mysteriously it disappeared from that Web site a few months ago.

When I asked Secretary Rice—I wrote her a letter asking: You said, Madam Secretary, this was on the Web site, but it disappeared from the Web site. Can you find out why? We have not heard back from the Secretary of State about that problem.

So much for the promises and commitments and milestones of the Iraqi leadership. They post them on a Web site month by month what these promises and commitments and milestones and benchmarks are, and then—poof—they disappear from the Web site, just as though they were not made. That is the problem with milestones, benchmarks which have no consequences when they are not met.

The President talks about benchmarks, and yet he has not outlined any consequences for the Iraqis if they fail to meet these new benchmarks. I have little hope they will meet benchmarks they lay out unless they see no alternative. It is time to go beyond the toothless benchmarks and to make clear to the Iraqi leaders their dawdling must end and that their nation is in their hands, and we cannot decide for them how to build a nation, whether to build a nation, or whether they prefer to have a civil war.

The administration says our debate on this bill would embolden the enemy. But what that shows is a serious lack of understanding of the situation we face. Congressional debate over Iraq policy does not embolden the enemy. The enemy is already emboldened. The enemy is emboldened by an open-ended presence of western troops in a Muslim country's capital, which serves as a magnet for extremists and gives a propaganda club to our enemies.

The enemy is emboldened by an invasion of Iraq without the support of the international community, and with no plan for a violent aftermath. The enemy is emboldened by a million and a half Iraqi refugees, with thousands more being added each day. The enemy is emboldened by a surge of American troops into a civil war that postpones the day when Iraqi leaders will take responsibility for their own future.

And now our responsibility as a Congress. What is our responsibility? What this resolution does is implement our responsibility by working to make the day when Iraqi leaders take responsibility for their own nation come sooner rather than later. The most recent intelligence estimate says ''the current security and political trends in Iraq are moving in a negative direction.''

Our resolution is the best way to stop the Iraqi leaders from continuing to fiddle while Baghdad burns. It would seek to pressure the Iraqi leaders to achieve a political solution by requiring our President to promptly transition the mission of American forces in Iraq to protecting United States and coalition personnel and infrastructure, to training and equipping Iraqi forces, and to conducting targeted counterterrorism operations.

Our resolution would require the President to begin the phased redeployment of United States forces from Iraq not later than 120 days after enactment, with the goal—I emphasize ''goal''—of redeploying all United States combat forces by March 31, 2008, except for—except for—those that are needed to carry out the three missions which are described in the resolution, and which I have just outlined. That goal and the three limited missions are the same as the goal and the limited missions recommended by the Iraq Study Group.

Passing this resolution would deliver a cold dose of reality to the Iraqi leaders and would tell them we are not going to be their security blanket without end. When they finally understand our military presence in Iraq is neither permanent nor unconditional, then—and only then—are they likely to take the political steps necessary to deal with sectarian violence and to defeat the insurgency.

By shifting responsibility to the Iraqis for their own future and their own country, this resolution does what is needed the most—it puts pressure on the Iraqis to reach a political settlement.

As we consider the future of our involvement in Iraq, we must always be mindful of the price our military and their families are paying as a result of multiple deployments of units and people to Iraq. We must be mindful that the lack of attention to Afghanistan and Pakistan has allowed al-Qaida and the Taliban to regroup and strengthen. We must also be mindful that our nondeployed forces lack the equipment and other resources needed to maintain an acceptable level of readiness, and, as a result, the risk our Nation faces has substantially increased.

We must be tragically mindful, always, that the pledge to take care of those courageous soldiers and marines, who have sustained serious physical and mental injuries in combat, has been broken by this administration.

In recent days, there have been statements suggesting a debate in Congress on the war in Iraq is undermining the troops. Just last Monday, Vice President CHENEY said, among other things, that:

> When Members of Congress pursue an antiwar strategy . . . they are not supporting the troops, they are undermining them.

Contrast the Vice President's statement with statements Secretary of Defense Gates and Chairman of the Joint Chiefs of Staff General Pace made recently on February 7 before the House Armed Services Committee.

Here is what Secretary Gates said:

> I would tell you that I think that our troops do understand that everybody involved in this debate is looking to do the right thing for our country and for our troops, and that everybody is looking for the best way to avoid an outcome that leaves Iraq in chaos. And I think our troops are sophisticated enough to understand that that's what the debate's really about. It's about the path forward in Iraq.

Here is what General Pace said, and contrast this to what Vice President CHENEY said—how worthy Secretary Gates' statement is—and listen to how worthy General Pace's statement is compared to the stale and unworthy comments of the Vice President of the United States about what this debate signifies.

General Pace:

> There is no doubt in my mind that the dialogue here in Washington strengthens our democracy. Period.

And then he added:

> From the standpoint of the troops, I believe that they understand how our legislature works and they understand that there is going to be this kind of debate.

When I listened to the Vice President and his unworthy remarks, it reminded me of not only how worthy our troops are and how they are professional enough to understand what their duty is, but also that they are loyal Americans to know and understand that it is our duty to debate this war. For those of us who think it is leading in the wrong direction and going nowhere, it is on a road to failure, it is our duty to try to change that course.

Contrast our troops and their honor and their loyalty to the principles upon which this Nation was founded, reflected, interestingly enough, in a poll taken of our military by the Military Times. This poll was printed in the Army Times a few months ago. The question that was asked of our troops was whether they approve of the President's handling of the war in Iraq. Forty-two percent of our troops disapproved of the President's handling of the war in Iraq. Thirty-five percent of our troops approved of the handling of the war by their Commander in Chief. They are divided as Americans are divided. We should not only respect their bravery, we should respect their intelligence and their commitment to this debate in the Congress. That is what they are fighting for: that we can debate a mission and we can debate how to best secure this country so that we can debate how to best succeed in Iraq.

That is what our troops believe in. That is what they are fighting for. It is insulting to them. It is insulting to them to say, as the Vice President of the United States said, that a debate in the United States Congress as to how best to succeed in Iraq, how best to change the course in Iraq, somehow or other undermines the troops.

So we have before us an opportunity, an opportunity which can only be achieved if this debate can advance beyond the motion to proceed. We will be voting on that motion later on today or tomorrow. I hope that Senators, regardless of our views on this war, will allow this Senate to once again debate the direction in Iraq. The last real vote we had was one that denied us this opportunity to proceed. I hope there will be enough of our colleagues on the other side of the aisle who will recognize the importance of this debate to this future—the future of this country, to the future of this world, perhaps; to the lives of so many of our gallant, brave troops and their families, and perhaps, indeed, to the future well-being of this institution because this institution surely should be about debating issues as transcendently important as our future in Iraq.

Mr. President, I ask unanimous consent that some correspondence between myself and Secretary Rice, and Senator MCCAIN and myself with Secretary Rice be printed in the RECORD.

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

THE SECRETARY OF STATE,
Washington, DC.

Hon. CARL LEVIN,
Chairman, Committee on Armed Services, United States Senate.

DEAR MR. CHAIRMAN: Thank you for your recent letters regarding the way forward in Iraq and the role of benchmarks for political issues Iraq must solve. The President has also asked that I reply on his behalf to your December 12, 2006, letter to him concerning the importance of announcing a deadline for beginning a phased redeployment from Iraq.

I share your view that the Iraqi Government must meet the goal it has set for itself—establishing a democratic, unified, and secure Iraq. We believe the Iraqi Government understands very well the consequences of failing to make the tough decisions necessary to allow all Iraqis to live in peace and security. President Bush has been clear with Prime Minister Maliki on this score, as have I and other senior officials in discussions with our counterparts. We expect the Prime Minister to follow through on his pledges to the President that he would take difficult decisions.

In his January 10 address, the President stated that after careful consideration he had decided that announcing a phased withdrawal of our combat forces at this time would open the door to a collapse of the Iraqi Government and the country being torn apart. The New Way Forward in Iraq that the President announced on January 10 is designed to help the Government of Iraq to succeed. This strategy has the strong support of General Petraeus and his commanders, and we must give the strategy time to succeed.

On your point about a political solution being critical to long-term success, I also agree. However, with violence in the capital at the levels we have seen since the Samarra attack on February 22, 2006, extremists and terrorists have been able to hold the political process hostage. The President's strategy is designed to dampen the present level of violence in Baghdad and ensure that Iraq's political center has the security and stability it needs to negotiate lasting political accommodations through Iraq's new democratic institutions.

At the same time, the President has made clear to the Prime Minister and other Iraqi leaders that America's commitment is not open-ended. It is essential that the Government of Iraq—with our help, but its lead—set out measurable, achievable goals and objectives on each of three critical, strategic tracks: political, security, and economic. In this regard, Iraq's Policy Committee on National Security agreed upon a set of political, security, and economic benchmarks and an associated timeline in September 2006. These were reaffirmed by the Presidency Council on October 16, 2006, and referenced by the Iraq Study Group; the relevant document (enclosed) was posted at that time on the President of Iraq's website.

Beyond that, as the President said, Prime Minister Maliki made a number of additional commitments including:

Non-interference in operations of the Iraqi Security Forces;

Prosecution of all who violate the law, regardless of sect or religion;

Deployment of three additional Iraqi army brigades to Baghdad; and

Use of $10 billion for reconstruction.

We will continually assess Iraq's progress in meeting these commitments as well as other initiatives critical to Iraq's development.

Sincerely,

CONDOLEEZZA RICE.

UNOFFICIAL TRANSLATION

NATIONAL POLITICAL TIMELINE

September 2006

Form Constitutional Review Committee
Approve law on procedures to form regions
Agree on political timetable
Approve the law for Independent High Electoral Commission (IHEC)
Approve the Investment Law

October 2006

Approve provincial elections law and set date for provincial elections
Approve a hydrocarbon law

November 2006

Approve de-Ba'athification law
Approve provincial council authorities law
Approve a flag, emblem and national anthem law

December 2006

Approve Coalition Provisional Authority Order 91 concerning armed forces and militias
Council of Representatives to address amnesty, militias and other armed formations
Approve amnesty, militias and other armed formations law

January 2007

Constitutional Review Committee completes its work

February 2007

Form independent commissions in accordance with the Constitution

March 2007

Constitutional amendments referendum (if required)

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC, January 25, 2007.

Hon. CONDOLEEZZA RICE,
Secretary of State, Department of State, Washington, DC.

DEAR MADAM SECRETARY: On November 14, 2006 Senator Levin sent you a letter (attached) asking that you provide the agreed timeline and benchmarks (or the U.S. proposal for such) of political issues to be resolved by the Iraqi Government in the coming months. At that time he also requested the same from Secretary Rumsfeld. On December 4, he heard from Under Secretary of Defense Edelman that the State Department had received his letter and had agreed to respond on behalf of the Administration. Having not heard from the State Department for two months, Senator Levin again wrote to you (attached) on January 16, 2007 reiterating his request and noting his expectation that you would be courteous enough to respond by the end of last week. Unfortunately, you have not done so, which necessitates yet another request.

In his January 10 address to the nation on his new strategy for Iraq, President Bush said that "America will hold the Iraqi government to the benchmarks it has announced." It is essential that Congress have the information on those benchmarks to comprehensively consider as it addresses the way ahead in Iraq. It is both baffling and disturbing that the Administration will not provide the timeline and benchmarks, and it is our joint expectation that you will do so promptly, and by the end of this week at the latest. If the benchmarks to which the President referred include additional commitments beyond those initially agreed to by the Iraqi government, then our expectation is that you will make that clear in your response, and will clearly indicate which are new commitments.

Sincerely,

JOHN MCCAIN,
Ranking Member.
CARL LEVIN,
Chairman.

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC, January 16, 2007.

Hon. CONDOLEEZZA RICE,
U.S. Department of State, Washington, DC.

DEAR MADAM SECRETARY: On November 14, 2006 I sent you a letter (attached) asking that you provide the agreed timeline and benchmarks (or the U.s. proposal for such) of political issues to be resolved by the Iraqi Government in the coming months. At that time I requested the same from Secretary Rumsfeld. On December 4, I heard from Under Secretary of Defense Edelman that the State Department had received my letter and had agreed to respond on behalf of the Administration. I have yet to hear from the State Department in this regard.

As I stated in my first letter, this information will be essential to the Congress' consideration of a way ahead on Iraq. Now that the President has announced his new strategy for Iraq, this information is even more vital. I am very disappointed that two months have gone by and you have not responded to my initial request. In view of the passage of time and the importance of this issue, I expect to receive the timeline and benchmarks by the end of this week.

Sincerely,

CARL LEVIN,
Chairman.

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC, November 14, 2006.

Hon. CONDOLEEZZA RICE,
U.S. Department of State, Washington, DC.

DEAR MADAM SECRETARY: The top priority for the coming months must be finding a way forward to change course in Iraq. U.S. policy must include urging the Iraqis to make the necessary political compromises, which only they can make, to preserve Iraq as a nation. Our military commanders have made clear there is no military solution; only a political solution can restore security in Iraq.

The Administration announced last month that Iraqi leaders had agreed to a timeline and benchmarks for a political process over the coming months. On October 25, 2006, President Bush stated that the Administration and the Iraqi Government were developing benchmarks for determining whether the "hard decisions necessary to achieve peace" were being made. Earlier, on October 24, 2006, Ambassador Zalmay Khalilzad stated that Iraqi leaders had agreed to a timeline for making the hard decisions on outstanding issues and that President Talibani had made those commitments public. According to Ambassador Khalilzad and General Casey, these included enactment of an oil law for sharing resources; a constitutional amendment on powersharing that would guarantee democratic rights and equality to all Iraqis; reforming the de-Ba'athification Commission; and increasing the credibility and capability of Iraqi forces. However, on October 25, 2006, Iraqi Prime Minister Maliki stated publicly that no timetable has been set.

Please provide the agreed timeline and benchmarks (or the U.S. proposal for such) of political issues to be resolved by the Iraqi Government in the coming months. This information will be essential to the Congress' consideration of a way ahead on Iraq.

Thank you for your assistance.

Sincerely,

CARL LEVIN,
Ranking Member.

Mr. LEVIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. REED. I thank the Chair.

Mr. DORGAN. Would the Senator from Rhode Island yield?

Mr. REED. I yield for the purpose of a question, yes.

Mr. DORGAN. I was wondering if we could determine the timing for debate, and I was wondering who is arranging debate on this side of the aisle.

Mr. LEVIN. Mr. President, I wonder if the Senator from Rhode Island would yield.

Mr. REED. I will yield for a question.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. There is no order that has been established, No. 1. I would like very much to establish an order for the convenience of all Senators, but I would have to know more about the other side in terms of what their wishes are. I know Senator SCHUMER wanted to begin at about 1:45, and then I know Senator DORGAN was in the queue—it is an informal queue. I believe, if my memory is correct, although I don't have the sheet of paper in front of me, Senator DORGAN wanted to come out between 3:00 and 4:00.

We will do everything we can to accommodate Senators, and if Senators could let me know, for those who want to speak in favor of the motion to proceed, when they would like to be here and about how long they need, I would be most appreciative, and I will try to put together an order.

Can we put in an order now that Senator REED has the floor, and we would be happy to alternate if a Republican shows up. Let me ask Senator DORGAN. I did tell Senator SCHUMER that we would try to fit him in at 1:45. Can we put Senator SPECTER in immediately after Senator SCHUMER? Could we put the Senator from Pennsylvania in immediately after Senator SCHUMER because I have not specified with him the amount of time he needs. But I would prevail upon him to see if he could end close to 1:55. Let me raise that with Senator SCHUMER.

Could I ask the Senator from Rhode Island about how much time he needs?

Mr. REED. Apparently, approximately 10 minutes or until Senator SCHUMER arrives.

Mr. LEVIN. As always, he is most accommodating. The Presiding Officer apparently also wishes to have time. Could we put the Senator from New Jersey in after the Senator from Pennsylvania? Why don't we set up the next three Senators on this side to be Senator REED, Senator SCHUMER, and then Senator SPECTER, and then Senator MENENDEZ.

Mr. DORGAN. Mr. President, if I could be added following the last Democratic speaker who was mentioned, I would appreciate it.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The Senator from Rhode Island is recognized.

Mr. REED. Mr. President, we are engaged in a debate that will be critical to the future of this country. We have now for many years been engaged in Iraq. We have seen substantial casualties of our military men and women, not only those who have given the ultimate sacrifice but those who have been seriously wounded. We have seen our position in the world, particularly in that region, seriously eroded. We have a situation where, unwittingly perhaps but actually, Iran has become a more powerful agent in that area of the world because of the policy of this administration. I think we have the opportunity at this juncture to change this flawed strategy; also, to improve the operational skill of this administration because not only was the strategy flawed, but the implementation was absolutely horrid.

The Iraq Study Group made many useful suggestions, and key to those suggestions was to begin a phased redeployment of our forces. This was similar to language Senator LEVIN and I proposed last June, which talked about a phased redeployment of our combat forces, leaving residual missions for other forces, and also talked about an ambitious diplomatic effort to try to adjust politically the various forces and the various tensions in the country of Iraq and in the region. It was interesting to note that many months after the Levin-Reed proposal, the administration finally participated in a regional conference last week involving both Iran and Syria and the other neighboring countries. That is a step forward—a timid step but, indeed, a step forward.

The President, however—after the Iraq Study Group recommendations and after our debates last year—in January, when he was able to present and willing to present his new strategy, he made another mistake in several respects. First, the surging or escalating of forces is, I think at best, a temporary stopgap. The real solution to the dilemmas and the details that engulf Iraq are political in nature. That has been vouched for by every military commander and most commentators.

Rather than embracing the Iraq Study Group's recommendations, he distanced himself from them. Rather than talking about a phased redeployment, he talked about an indefinite escalation. In doing so, he jeopardized one of the fundamental foundations of any national policy, and that is public support. I believe the American people were listening closely, waiting for a sign that the President finally got it and that he was going to begin to conduct an orderly phased withdrawal and concentrate on the other critical missions of training Iraqi forces and going after terrorists who are much more important to our long-term security. They did not hear that in his speech. It is no surprise to me that their continuing lack of confidence in the administration has been translated into a lack of confidence in our prospects in Iraq.

I think the American people are looking for a policy they can support, one they can sustain, and one we can sustain. In my view, that policy is laid out very explicitly in the proposal that we are debating today authored by Senator Harry REID. It focuses on defining critical missions so that our soldiers know precisely why they are in that country and that we can give them all the resources necessary for those missions to go after terrorists who have infiltrated the country.

The existence of terrorists before the invasion was one of highly speculative debate, and it turned out there was more speculation than fact. But the reality is terrorists have infiltrated Iraq in the intervening several years, and we have to go after them just as we did in Somalia, just as we are doing in Afghanistan, and just as we hope the Pakistanis are doing in Pakistan. After all, that is where bin Laden and Zawahiri are residing, reorganizing, and contemplating attempts to attack us again.

That effort of preemption of terrorists has to go on, and we have to maintain a presence in Iraq to do that. We also have to train the Iraqi security forces because, frankly, they are ultimately the decisive point in terms of security for Iraq. It is not American soldiers. We don't have the cultural affinity, as best we try; we don't have the vested interests. We are trying to help, but it is not our country, it is their country, and to prevail, they must carry the burden of war. We have to help them, we understand that. We have to continue to train them. Of course, we have to protect our forces.

There was some discussion today about how these missions are going to cause our soldiers, as they go through Iraq, to say: Well, I can't go after that fellow because he might be a sectarian militiaman and not a terrorist.

If those forces pose a threat to American troops in the field, they are fair game. That is what this resolution says. But it is made, these missions are, in the context of a policy of redeployment, of getting our combat forces out of Iraq. We hope we can do that within a year, but much depends upon what happens in other arenas: political mentoring and economic support. Frankly, this administration has done a dreadful job of that.

I have been to Iraq a number of times, as my colleagues have. You arrive there and they proudly announce they are going to have provisional reconstruction teams all over the country. Suddenly you discover months later that their goal of 20 was really 10, and now they have just about 10 but not fully staffed and not fully functional.

They are still trying to get it right. Again, any military officer will tell you that military forces in a counterinsurgency buys time. The decisive action is by political and economic progress, to give the citizens, the people of Iraq, tangible proof that their future lies with a legitimate government and not those who seek to undermine.

Yet, repeatedly, when you strip away the President's proposal, it is just more troops, without the real enablers, the real decisive factors of economic, political, reconstruction and reconciliation.

So, again, I think this is exactly the right course to pursue. It is a course that we must pursue. I have a great deal more to say about this issue. I notice my colleague from New York has arrived. Under the arrangement worked out with Senator LEVIN, I will yield the floor so he may speak in the order established. There is much more to be said, and I hope I have the opportunity to do so.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. SCHUMER. Mr. President, first, I thank my colleagues from Rhode Island and Michigan for yielding me some time. I appreciate it. Their expertise in this area has been invaluable not only to the Senate but to all Americans. I could not think of two people who have shown light more on this issue than the Senator from Michigan and the Senator from Rhode Island.

Where are we now, Mr. President? Somehow—and there will be many debates as to how—what we are doing in Iraq has largely evolved into fighting a civil war, into patrolling a civil war, into policing a civil war, and, yes, into fighting it at times. The age-old enmity between the Sunnis and Shiites, of course, has exploded. Once Saddam Hussein was gone, it was perhaps inevitable that it would occur, particularly without any real authority in large parts of the country.

Most of what our soldiers are doing, and most of those who come back from making the ultimate sacrifice, dying or making a large sacrifice by being wounded, are doing is not fighting terrorism but, rather, policing, patrolling, and even fighting in a civil war. That is not what the American people bargained for. That is not what President Bush stated when we began going into Iraq. In fact, he has never stated that.

Now they say we need to bring order to allow their government to work, but that is a fallacious argument for two reasons. First, we may bring temporary order to Iraq but, make no mistake about it—you don't have to be a Ph.D. in middle eastern studies to realize that the minute our troops leave, whether it is 3 months or 3 years, the fighting between the Sunnis and the Shiites will continue. We will have lost lives, and men and women will have lost limbs, but not much will have changed—even in the medium term.

Second, the absurdity of what we are doing is shown by this: We are sending more troops to create a temporary peace to bolster a government that we don't trust, like, or believe in. Prime Minister Maliki is almost universally regarded poorly, not just at this end of Pennsylvania Avenue but at the other end as well. Their government seems incompetent. The government seems unable to accomplish the most basic things. The government, of course, created a terrible drama, almost, when they could not complete the execution of Saddam Hussein in a way that would have conformed to how it should have been done. So their government is incompetent. It is also controlled, in large part, by someone we do not like, Sadr. The Sadr party is the Prime Minister's base. He cannot do anything, even should he want to, in terms of actually bringing peace and creating a government that is friendly to America.

So here we are with this escalation, a surge to bolster a government we don't like or trust. Here we are, instead of fighting terrorism, policing a civil war. The American people know that. We have seen all of the data and all of the polls. The overwhelming majority does not support the President in Iraq. So we need a change in strategy. Substance dictates it, people see it, and our job in the Senate is to do that. That is what we are attempting to do in this debate.

The proposal that most of us on this side of the aisle are behind is a very simple one. We require the President to change strategy. Instead of policing a civil war, fighting a civil war, our troops should have the far more limited mission of protecting us in America from terrorism. That means that if al-Qaida sets up a base anywhere in Iraq, we should take it out—do what it takes to take it out. But it doesn't mean that our soldiers should be patrolling the streets of Baghdad simply because the Sunnis and Shiites are fighting with each other. That will require a change in mission and will require fewer troops, and those troops need not be in harm's way. It makes eminent sense.

We set a deadline of a little more than a year from now, during which time the mission will have changed. The number of troops will be greatly reduced. We don't set a number. That is up to the President. It is our job in the Congress to debate missions and the broad context of foreign policy and then, should we pass a law, have the President carry out the details.

Now, some on the other side have said that any debate means you are not supporting the troops. Well, I have talked to the troops—to generals and enlisted men and women. They want debate, Mr. President. The more demagogic the other side is, saying if there is a debate, you are not supporting the troops—frankly, that is not the American way. Of course, we debate issues. In fact, their view is that basically the only way to support the troops is to rubberstamp the President's policy. We don't agree with that. We are supporting the troops. We are supporting the troops when they are in the field by trying to get them the body armor and humvees and blood-clotting bandages they have not had. We are supporting them when they come home by trying to fully fund the Veterans' Administration. Don't talk to us about supporting the troops. We are walking the walk and putting our money where our mouth is.

So, sadly, our colleagues on the other side, instead of joining us in this debate, often seek to thwart it, as they did last time. I hope they will not do that again because America is demanding debate. We hope they will come together with us, as we did last year in the Levin-Reid resolution, in a bipartisan change of mission. That is what the people are asking for.

I know my colleagues on the other side are in an uncomfortable position. They are torn between the policy of our President, their party leader, and what their constituencies want. By the way, the constituencies across America want this. I have seen the polling data. It is not just in places such as Rhode Island, New York, and Pennsylvania where the people are asking for a real change in strategy; it is also in places such as Kentucky, North Carolina, and Mississippi. It is throughout America. They are not doing it because they don't support the troops or for some nefarious reason. They are doing it for a reason that is as plain as the noses on our faces: what we are doing now is not working—whether it be with 140,000 or 150,000, 160,000, or 200,000 troops.

So we are here in the hallowed tradition of our Constitution to debate what we are doing in foreign policy and war policy and whether it is right. We will stand together on this side of the aisle and state that, as patriots who support our troops, we desperately need a change in strategy and in mission. We will bring up this issue on the floor of the Senate again and again and again, until our colleagues on the other side join us, until our colleagues on the other side understand that the wishes of their constituencies are for a change in strategy, until our colleagues on the other side have the courage to tell the President that on this issue he simply is wrong. That is part of the hallowed tradition of this country. We are proud to do what we are doing.

Mr. President, I hope and pray that our colleagues on the other side of the aisle will allow this debate to go forward, that they will put forward their ideas, and we will put forward ours. Debate it we will and debate it we must. I hope and pray that debate starts to yield the change in strategy that our troops in Iraq, our people in America, the Iraqi people, and the people of the world so desperately need.

With that, I thank my colleague from Rhode Island for the time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, the Senate has now commenced the debate on an issue of great importance, really of historic importance, which challenges us on the issue of what course of action we should take in Iraq, in a very complex factual situation, and challenges us on what our authority is under the Constitution, contrasted

with the President's authority as Commander in Chief.

On the factual issue, when we look at the resolution, which calls for the phased redeployment of the U.S. forces from Iraq not later than 120 days after enactment of this joint resolution, with the goal of deploying by March 31, 2008, all U.S. combat forces, except for three purposes: one, to protect the U.S. and coalition personnel and infrastructure; second, training and equipping Iraqi forces; third, conducting targeted counterterrorism operations.

We are setting a deadline and our opponents simply have to wait us out. They know if they can hold on until March 31, 2008, a little more than a year from now, we will be leaving, except for those stated limited purposes. That is not a very desirable course of conduct.

It is equally undesirable, however, to view the current situation in Iraq, which looks like an endless tunnel—a tunnel without a light at the end. You cannot see the end of the tunnel and, certainly, there is no light at the end of the tunnel in terms of what we can do.

Last month, the House of Representatives passed a nonbinding resolution expressing displeasure, objecting to the President's course of action in Iraq. Last November, in the election, the American people spoke in a resounding manner, in a way that could only rationally be interpreted as rejecting the conduct of the war in Iraq. We are faced with very considerable discomfort in this body. How it will resolve itself remains to be seen. I think it is very important that we debate this matter, that we exchange our views, that we stimulate discussions that will go beyond this Chamber and will resound throughout the country, resound throughout the editorial pages and the television and radio talk shows, and by our colleagues in the corridors and in the cloakroom so that we can try to work our way through an extraordinarily difficult situation where, as I see it, there is no good answer between the two intractable alternatives to set a timetable where our opponents simply have to wait us out or to keep proceeding down a tunnel which, at least at this juncture, appears to be endless and has no light. We don't know where the end is, let alone to have a light at the end of the tunnel.

What I am trying to do at the moment is to get from the administration, from the Department of Defense, and the Department of State an evaluation of what has happened since General Petraeus briefed us on what he intended to do before he returned to Iraq several weeks ago. There have been some preliminary reports that the strategy employed by General Petraeus is producing results. There have been some commentaries.

The Washington Post last Sunday in an op-ed suggested things are improving. Reports by NBC's Brian Williams suggest that matters are improving, not sufficiently definitive to come to any conclusion, but if there was a sign on the military side that we could see improvement and see a path to victory, that would have a material bearing on what this body would do or at least on the thinking of this Senator.

The resolution calls for a comprehensive strategy, and it defines it as ''diplomatic, political, and economic strategy that includes sustained engagement with Iraq's neighbors and the international community for the purpose of working collectively to bring stability to Iraq.''

I was pleased to hear the testimony of Secretary of State Condoleezza Rice, when she appeared before the Appropriations Committee on which I sit on February 27, 2007, announcing the initiative of an international conference to be held in Baghdad and announcing for the first time that there would be negotiations by the United States in a conference which included Iran and Syria, which I think is a very important and sensible change in the foreign policy of the United States.

We saw the results in North Korea where we faced a very difficult situation with North Korea possessing nuclear weapons and the various tests they had undertaken. We saw the multilateral discussions and then, more importantly, saw bilateral talks between the United States and North Korea, which Secretary of State Rice obtained the authority of the President to engage in those direct bilateral talks so when she was traveling overseas, she did not go through the normal vetting and analytical processes in Washington which might well have stopped that direct bilateral discussion. It did occur, and it appears to have been instrumental in working out what may well be a diplomatic answer. It appears that way at the present time, although no one can ever be sure in dealing with North Korea.

I would like to have an up-to-date evaluation—and I am seeking one—from the Department of State as to what is happening with those negotiations. Candidly, it is pretty hard when we have one of our sessions in room 407 upstairs, which is the secret room where we are briefed. We very seldom get much information there. I think it would be very useful if we could find information to bring us up to date as to what progress, if any, the administration is making. I know, to repeat, it would be very influential on my thinking as to what course I will take when the roll is called on these resolutions.

Beyond the evaluation of the factual situation, there are very complex legal questions involved in what is the authority of Congress. The resolution does not call upon the congressional constitutional authority on appropriations or the so-called power of the purse. We know there is authority in the Congress to cut off funding. I think there is unanimous agreement that we should not even broach the issue cutting off funding if in any way it would jeopardize the troops who are serving in Iraq.

The President's powers as Commander in Chief have been the subject of judicial interpretation. In the case of Fleming v. Page—it goes back a long way to 1850—but the Supreme Court said:

> As commander-in-chief, he is authorized to direct the movements of the naval and military forces placed by law at his command, and to employ them in the manner he may deem most effectual to harass and conquer and subdue the enemy.

On the face of that statement by the Nation's highest Court, there is a real question as to whether Congress has the constitutional authority to order the ''phased redeployment of the United States forces from Iraq.''

The Supreme Court dealt with the issue on the power of the purse in the case of United States v. Lovett in 1946, holding that Congress cannot use its appropriations power indirectly to accomplish an unconstitutional objective.

So that brings into play squarely what is the constitutional authority of the President as Commander in Chief.

I think it is most unwise for Congress to even broach the subject of micromanagement of the war. When Congressman MURTHA suggested some time ago that funding be conditioned on a whole series of requirements, it bore all the earmarks of micromanagement of the war.

The resolution at hand calling for a redeployment may well cross that line of micromanagement of the war. It is unclear. But there remains the very deep concern in the country, expressed by the electorate last November, expressed by citizens across the country that reflected in the resolution passed by the House of Representatives last month objecting to the administration's conduct of the war and considerable sentiment in this body so that we are searching for a way to approach this issue rationally.

We have to face up to the consequence that if we acknowledge defeat in Iraq, there are very disastrous consequences which will flow from that, disastrous consequences in the region, the issue of whether the terrorists will come at least in part from the Mideast to threaten us on the homeland. But, at the same time, we have to recognize that when the President laid down two markers in his State of the Union speech earlier this year, that the Iraqis accomplish two objectives: One, to stabilize Baghdad, and, two, to end sectarian violence. The Iraqis have not shown either the capacity or the will to accomplish those two prerequisites which the President set down as minimal markers.

My thinking is we ought to deliberate on this subject. We ought to hear each other out, and we ought to seek updated information from the administration to see whether there are any signs, in the several weeks since General Petraeus has undertaken the new

strategy, whether there are any indications of what may lie ahead on the negotiations, now that there have been contacts by the United States with Iranian officials and presumably also with Syrian officials.

I would like to see this Chamber filled with Senators when we undertake this debate. I recollect the debate we had back in 1991, which was classified as historic, when we decided to pass a resolution authorizing the use of force. I know we are all very busy. I am about to go to a hearing of a subcommittee on Labor, Health, Human Services, and Education. This issue warrants the close attention of the Senate. We have been called the world's greatest deliberative body, and this issue now will give us a chance to see if we are entitled to that lofty title.

Mr. President, I ask unanimous consent that a letter I sent to the chairman of the Judiciary Committee, outlining underlying legal issues in the debate we are now undertaking, be printed in the RECORD.

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

U.S. SENATE
Washington, DC, February 20, 2007.

Chairman PATRICK LEAHY,
Senate Judiciary Committee,
Washington, DC.

DEAR PAT: I write to ask you to hold additional hearings into the constitutional authority of the Congress to place restrictions on the President's power as Commander-in-Chief to prosecute the war in Iraq. Since there is considerable public discussion on the scope of Congress's constitutional authority to limit the President's conduct in the war in Iraq, and the Attorney General has not responded to our joint letter of January 30, asking for the Administration's legal authority for the President's actions in Iraq, I write to request early additional Judiciary Committee hearings on these issues. Time is of the essence because these matters are coming to a head and there may soon be floor action on legislation, especially in the House.

As you will note, this letter goes into some detail on legislative precedents, judicial decisions and commentaries by constitutional experts to put into public discourse some background on these complex matters in advance of the purposed hearings. Many people have called upon the Congress to set time tables for bringing the troops home or to cut funding for the anned forces as a means of preventing the President from deploying an additional 21,500 troops in Iraq. Last Friday the House of Representatives recently adopted a non-binding resolution indicating that body's disapproval of the President's military strategy in Iraq. Others have pressed for more direct action, proposing legislation to reduce military appropriations until the President agrees to change course.

Representative John Murtha outlined a plan to halt the so-called surge by proposing to insert conditions in the forthcoming supplemental appropriations bill to prevent the President from (1) deploying troops, until they have meet certain readiness standards; (2) redeploying troops, until they have been at home for at least one year; and (3) extending tours beyond one year. (Movecongress.org, Feb. 15, 2007, http://www.movecongress.org/content/index.php). While these proposals may differ in substance, they represent Congressional proposals for the President to change course.

A difficulty the Congress faces is understanding precisely the contours of our power to limit the President's constitutional authority as Commander-in-Chief. As we know, the Congress' war powers are articulated in Article I, 10–16. Chief among those powers is the Congress' exclusive authority to declare war. James Madison wrote: ''In no part of the constitution more wisdom to be found, than in the clause which confides the question of war or peace to the legislature, and not to the executive department.'' Alexander Hamilton & James Madison, Letters of Pacificus and Helvidius on the Proclamation of Neutrality of 1793, at 89 (James Madison) (Washington, D.C., J. Gideon & G.S. Gideon 1845). Originally, the Constitution's Framers proposed that Congress enjoy the power to ''make'' war. The word ''make'' was changed to ''declare,'' however, because it was argued that the term ''make'' might be understood to mean ''conduct,'' and a war's conduct was determined to be an exclusively executive function. While the declaration and funding of war was consigned to the Congress, the actual conduct of the war on the battlefield was left to the President, acting as Commander-in-Chief.

The Congress is not necessarily sidelined once a war begins, however. The Congress can also exercise control over military ventures through its power of the purse, captured in Article I, §8, cl. 1 and Article I, §9, cl. 7, and in its exercise of the Necessary and Proper clause. The Constitutional provisions outlining Congress' and the President's war powers reflect a structural system of checks and balances.

Nevertheless, there is considerable division over the extent the Congress can exercise control over the President's war powers authority. Some prominent academics argue that there are a number of war powers conferred on Congress that allow ongoing regulatory authority with respect to the conduct of war. This view advocates that Congress' authority to control military policy is plenary, extending to the deployment of troops, the battlefields to choose, and the training and regulation of soldiers.

Other commentators, however, believe that the only congressional control over wartime policy is the appropriations power and that it remains constitutional to use the appropriations power to limit the breadth and scope of military deployment so long as such limitation does not impede constitutional presidential war powers. Any effort to tell the President how many troops to send to Iraq or how to fight the war, they would argue, amounts to an unconstitutional usurpation of the President's authority.

The question remains as to where the President's authority to conduct an already engaged war ends, and Congress' supervisory authority begins. It is asserted that the Framers intended, by vesting the Commander-in-Chief power in the President, to give him the sole authority to conduct war. Conducting war arguably includes the power to direct the movement of troops and to employ them as he determines necessary to conduct war. Chief Justice Taney in Fleming v. Page stated ''As commander-in-chief, he is authorized to direct the movements of the naval and military forces placed by law at his command, and to employ them in the manner he may deem most effectual to harass and conquer and subdue the enemy.'' (50 U.S. 603, (1850)). I question whether, absent use of the appropriations power, the only choice for the Congress is a total repeal of the authorization to use military force in Iraq.

If Congress acts to repeal the authorization to use force in Iraq, the question may arise whether the President may veto that action requiring a two-thirds override. It may be relevant that the President does not have to approve a Congressional Declaration of war.

History demonstrates that the Congress has previously acted to restrain the President through threats to cut funding or proposed budgetary requirements. In Federalist No. 58, James Madison explained that the power of the purse represents the ''most complete and effectual weapon with which any constitution can arm the immediate representative of the people, for obtaining a redress of every grievance, and for carrying into effect every just and salutary measure.'' Madison explained that the Congress would ''hold the purse—that powerful instrument by which we behold, in the history of the British Constitution, an infant and humble representation of the people gradually enlarging the sphere of its activities and importance, and finally reducing, as far as it seems to have wished, all the overgrown prerogatives of the other branches of government.''

As early as Teddy Roosevelt's administration, ''Congress conditioned appropriations on a minimum of eight percent of detachments aboard naval vessels being marines.'' Charles Tiefer, Can Appropriation Riders Speed Our Exit From Iraq?, 42 Stan. J. Int'l L. 291, 302 (2006). This represents a specific action by the Congress to control a quite specific aspect of warfare; namely, the composition of the troop on a naval vessel.

Perhaps the most compelling precedent to illustrate Congress' authority to place legislative conditions and withdraw funds to effectuate the end of a war are the actions taken by the Congress during the later half of the Vietnam War. The Congress successfully exercised its spending power to restrict action in Vietnam on at least three separate other occasions. The Special Foreign Assistance Act of 1971, P.L. 91–652, prohibited the use of funds authorized or appropriated by it or any other Act ''to finance the introduction of United States ground combat troops into Cambodia or to provide U.S. advisors to or for Cambodian military forces in Cambodia.'' The second Supplemental Appropriations Act for fiscal year 1973, P.L. 93–50 cut off funding for combat activities in Indochina after August 15, 1973. The Continuing Appropriations Resolution for fiscal year 1974, P.L. 93–52, specifically disallowed the use of appropriated funds to finance U.S. combat activities in or from North Vietnam, South Vietnam, Laos, or Cambodia.

Finally, the Foreign Assistance Act of 1974 all but eliminated the U.S. personnel presence at the close of the Vietnam War. Section 38(f)(1) set a ceiling for the total number of U.S. personnel in Vietnam, ordering a drop to 4,000 within six months and 3,000 within a year. Although President Ford expressed his reservations in a December 30, 1974 signing statement, he nevertheless signed the Act into law.

More recently, the Department of Defense Appropriations Act for fiscal year 1994, P.L. 103–139, approved the use of U.S. troops to protect U.N. units in Somalia, but specifically cut off funding after March 31, 1994. Similarly, the Defense Appropriations Act for fiscal year 1995, P.L. 103–335, provided that, with a narrow exception ''None of the funds appropriated by this Act may be used for the continuous presence in Somalia. . . after September 30, 1994.''

Nevertheless, I understand that congressional power of the purse is not unlimited and the Congress cannot exercise its authority in contravention of the Constitution. What remains unclear, however, is what types of conditions the Congress may impose are unconstitutional. In United States v. Lovett, 328 U.S. 303 (1946), for example, the Supreme Court held that Congress cannot

use its appropriations power indirectly to accomplish an unconstitutional objective. It remains unclear as to how far Congress can go in controlling the President through its exercise of the power of purse. One scholar stated during her testimony before the Senate Judiciary Committee that ''[r]eliance on the power of the purse alone as a check on executive war power. . . can be an overly blunt and sometimes ineffective tool for expressing the will of Congress. Limiting or cutting off funds after forces have already been committed is problematic because it undercuts both troops in the field and America's credibility with her allies.''(Testimony by Ms. Jane Stromseth, Professor of Law, Georgetown University, before the Senate Judiciary Subcommittee on Constitutional, Federalism, and Property, titled ''Application of War Powers Act to War on Terrorism'', April 17, 2002).

As a consequence, Congress may turn to other means to regulate the conduct of war. Article I, Section 8 of the Constitution grants Congress the authority to raise and to regulate armies and navies. Although this has traditionally been understood as the power to create rules governing the armed forces, Alexander Hamilton suggests in Federalist 69 that the Congress may possess the authority to dispatch those forces. Essentially, the President is ''raising'' an additional twenty thousand troops to go to Iraq. Arguably, Congress could pass a law, pursuant to its authority to raise and to regulate the services, that would forbid the President from ''raising'' those forces and dispatching them overseas.

For example, at the end of the 18th Century, Congress passed a number of statutes authorizing limited military engagement with France in the so-called ''Quasi War.'' See Louis Fisher, Presidential War Power 24 (2d ed. 2004). In 1798, the Congress authorized the President ''to instruct and direct the commanders of the armed vessels belonging to the United States'' to seize French vessels that were disrupting United States commerce. 1 Stat. 561 (May 28, 1798). The Congress limited both the kind of force the President could use (the navy only) and the areas where he could use it (our coastal waters, at first, and then the high seas).'' The Constitution Project, Deciding to Use Force Abroad: War Powers in a System of Checks and Balances 15 (2005). In fact, the Supreme Court found that Congress had only authorized seizure of vessels traveling to French ports, not from French ports. Little v. Barreme, 6 U.S. (2 Cranch) 170, 179 (1804).

Similarly, during the reconstruction following the Civil War, Congress attached a rider on an 1867 military appropriations bill providing that the ''orders of the president and secretary of war to the army should only be given through the general of the army (Gen. Grant); [and] that the latter should not be relieved, removed or transferred from Washington without the previous approval of the senate.'' Alexander Johnston, Riders (in U.S. History), in III Cyclopedia of Political Science, Political Economy, and of the Political History of the United States By the Best American and European Authors, 147.7 (John J. Lalor ed., 1899), available at http://oll.libertyfund.org/ToC/0216–03.php. And, in 1878, Congress passed the Posse Comitatus Act, ch. 263, §15, 20 Stat 145, 152 (codified at 18 U.S.C. §1385), which restricted the President's ability to use the military for police actions in the United States by imposing criminal penalties on the troops themselves.

Even with respect to the present conflict, the Congress placed restrictions on the President's use of force in Iraq, requiring him to certify that diplomatic means are insufficient and that the use of force will not impede the war on terrorism, and limiting the use of force ''to. . . (1) defend the national security of the United States against the continuing threat posed by Iraq; and (2) enforce all relevant United Nations Security Council resolutions regarding Iraq.'' Authorization for Use of Military Force Against Iraq, Pub. L. 107–243, §3(a), 116 Stat. 1498 (Oct. 16, 2002).

The debate over the Congress' wartime authority runs deep. Walter Dellinger, former Assistant Attorney General for the Justice Department's Office of Legal Counsel offered a legal opinion to the President explaining: ''[t]rue, Congress has the power to lay down general rules creating and regulating ''the framework of the Military Establishment; but such framework rules may not unduly constrain or inhibit the President's authority to make and to implement the decisions that he deems necessary or advisable for the successful conduct of military missions in the field, including the choice of particular persons to perform specific command functions in those missions.'' (Citations omitted).

The memorandum was written in response to questions on whether Congress could bar President Clinton from putting American forces under foreign (specifically the United Nations) command and ban appropriated funds for such purposes. Dellinger determined that this was an infringement on the Commander-in-Chief clause. He wrote, ''The proposed [House] amendment unconstitutionally constrains the President's exercise of his constitutional authority as Commander-in-Chief. Further, it undermines his constitutional role as the United States' representative in foreign relations. While '[t]he constitutional power of Congress to raise and support armies and to make all laws necessary and proper to that end is broad and sweeping,'' Congress may not deploy that power so as to exercise functions constitutionally committed to the Executive alone, for that would ''pose a 'danger of congressional usurpation of Executive Branch functions.' ''

Nor may Congress legislate in a manner that '' 'impermissibly undermine[s]' the powers of the Executive Branch, or 'disrupts the proper balance between the coordinate branches [by] prevent[ing] the Executive Branch from accomplishing its constitutionally assigned functions.'. Even though there are areas in which both Congress and the President have a constitutional voice, and in which Congress, therefore, may rely on its own constitutional authority to seek to guide and constrain presidential choices, it may not impose constraints in the areas that the Constitution commits exclusively to the President.'' (Citations omitted).

More recently, Professor Dellinger joined a letter signed by 23 law professors to the Congress distinguishing the arguments made in his earlier memorandum with his position today that Congress is well within its constitutional powers to limit the scope and duration of the war in Iraq. He wrote: ''Congress may by legislation determine the objective for which military force may be used, define the geographic scope of the military conflict and determine whether to end the authorization to use military force . . . I believe that the President has extensive inherent powers to protect and defend the United States. In the absence of any congressional legislation on point, I would often presume that the President can act of his own authority and pursuant to his own judgment in matters of national security. Once Congress has acted, however, the issue is fundamentally different. The question then becomes whether the Act of Congress is itself unconstitutional.''

The debate over the Iraq war is the most important issue confronting the American people today. The Congress cannot be pushed to the sidelines as the President commits more troops and ever increasing funds to an engagement that commands uncertain support. We have an obligation to determine how, within appropriate constitutional constraints, we may engage the President and ensure that the will of the American people regarding this conflict is heard. To this end, it would be in the public interest for the Judiciary Committee to conduct a series of hearings to determine the constitutional authority of the Congress to limit conduct of the war.

At the same time, we must be unwavering in our support of the men and women in the field who are so honorably seeking to carry the torch of freedom throughout the world. Even as some may doubt the efficacy of the President's conduct of the war, no one doubts the professionalism, integrity, and dedication of our troops in the field.

Sincerely,

ARLEN SPECTER.

Mr. SPECTER. I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey is recognized.

Mr. MENENDEZ. Mr. President, I rise today to support the resolution on which I hope we will have an opportunity to vote. As we hear this debate, it is a good debate that should move forward. I hope we will actually get to vote on the resolution.

I am amazed at some of our colleagues who would suggest that this debate shouldn't even take place. The Senate, the greatest marketplace of ideas, the clash of ideas, should be the place in which one of the most momentous issues facing the Nation should have the opportunity for those 100 Senators, elected by their constituencies across the country, to come and not only debate but cast a vote so that the American people know which way the Senate intends to lead on this question of changing the course in Iraq.

What we seek to do is put forward a new direction and a clear plan for Iraq—a clear plan that is very different than the President's current plans to escalate the war in Iraq. We have a plan that, if effectuated, would end the war in Iraq.

Our plan is relatively straightforward and says: One, our troops should leave Iraq by March 31, 2008, with a small number remaining to help with security and counterterrorism.

Those who say we shouldn't have any date because the enemy will outwait us, we see that Sadr's militias have already retracted, that they are already willing to spend the time to wait until it is propitious to strike.

Two, we should start the process of leaving within 120 days.

Three, our troops' mission should immediately change to the priority of training—priority of training—Iraqi security forces, focusing on counterterrorism.

I heard some of our colleagues talk about that element of al-Qaida in Anbar Province. Well, that is 5,000 or so. We have roughly 140,000 troops, and 140,000 U.S. troops could certainly take

care of 5,000 elements of al-Qaida in Iraq and protecting U.S. personnel in Iraq. Or we should take all these steps as part of a comprehensive diplomatic plan, working with Iraq's neighbors and our allies to bring stability to Iraq.

I support this plan. I would like to see it be much more than a goal. I would like to see it move more along the lines of a mandate. I support the plan because it matches the goals of the Iraq Study Group, a bipartisan group that met unanimously, agreed upon all of its recommendations, and who said that U.S. combat forces should leave Iraq by the end of March 2008.

I know some of my colleagues have mentioned comments made by Democrats in previous statements. Well, I would point out that this was a bipartisan group and it had prominent Republicans on it, such as former Secretary of State James Baker, Lawrence Eagleburger, Ed Meese, Sandra Day O'Connor, and Alan Simpson. They all came to the conclusion, as we have in this resolution, that, in fact, our goal should be to have our troops out by March of 2008.

I support the plan because it transitions the mission for our troops, instead of keeping them fighting in the middle of a civil war. I support the plan because it sets a clear timeframe for our troops to leave Iraq. In my mind, unlike the way in which our opponents in this regard pass a negative light on a timeframe, I think a timeframe is the most powerful element to achieve success in Iraq. It is only by setting a clear timeframe for our troops to leave that Iraqis will have to take the responsibility for security in their country and to work out their political power struggles.

Some of these hearings that I have been part of in the Senate Committee on Foreign Relations, you hear how so much of the struggle among Iraqis is about political power. Is it the mission of the U.S. troops, the sons and daughters of America, to sit in the crossfire as people are pursuing political power? I think not.

Unless we have the Iraqis understand this is not an open-ended commitment, they will never make the hard choices, compromises, and negotiations necessary for a government of national unity, if that is possible. They will never get there so long as they believe we will shed the blood and our national treasure in an unlimited fashion. It is only by setting a clear timeframe for our troops to leave that Iraq's neighbors will start to take responsibility for ending the chaos inside of Iraq.

Right now, that violence hasn't reached the tipping point for them to get Iraq's neighbors involved. Ultimately, it is not in their national security interest to have the conflict spill across their borders and have Iraq disintegrate, but they do not yet feel the pressure to do this. By setting a date certain to leave, we create a new incentive for Iraq's neighbors to help quell the violence.

It is only by setting a clear timeframe for our troops to leave that the international community will take its responsible and necessary role in Iraq. Right now, the international community sees this as America's war. Once we make it clear we will not be there permanently or indefinitely, they, too, will have an incentive in getting involved to help preserve security in a region that is incredibly important to them, much closer to Europe than the United States. By setting a clear timeframe for our troops to leave, we actually motivate Iraq's neighbors and the international community to take the steps necessary to stabilize Iraq.

Let me be clear, for my friends who are saying we shouldn't vote for this resolution. They say we shouldn't try to micromanage the war. No one is trying to micromanage a war. There is a constitutional responsibility by Members of the Senate to act as a legislative body. I say the era of blank checks, both in lives and national treasure, is over. They say don't micromanage the war. Well, you have had a blank check under this administration. You have rubberstamped everything they have wanted, with virtually no oversight, until this new Congress started. That is not the responsible exercise of the Senate. They say slow bleed. How about the endless bleeding going on now?

Let me take a moment to talk about the President's plan to escalate the war and stay there without any timeframes that bind. First, let's be frank. I simply don't believe the recent escalation of troops in Iraq is a temporary surge. I believe it is a long-term escalation. Even General Petraeus has said we are in it for the long haul, and that, to me, is undefined.

I wish this administration would be honest with the American people and the Congress about the total cost of the escalation and the total number of troops needed for the escalation. I sit as a member of the Budget Committee, and we had the Deputy Secretary of the Department of Defense, Mr. England, testifying in a hearing. I said to him: If the chairman would put you under oath, would you say that the $5.6 billion that you want in addition for the escalation of the war would be the total amount; the total cost? He told me: Yes, even if I was under oath it would be roughly that amount. Of course, depending on the needs of the commanders. And then that weekend—that weekend, after the hearing—the administration said they needed another $2 billion. They needed $2 billion more over a weekend? That is not a small amount of money that he didn't know about. We are also told the administration will need more troops, and there may be additional billions added to the supplemental. Each time we ask, we get a different answer. I, for one, would like a clear and honest answer for the total number of troops and the total cost of the troop escalation.

Staying indefinitely in Iraq isn't in the national interest or the national security interest of the United States. Our troops are caught in the middle of a civil war they can't solve. Adding more troops will only put them more directly in the middle of an Iraqi fight. Keeping our troops there or adding more troops is trying to solve a political problem with a military solution.

I have heard General Pace and others in the past say: You know, we have to get the Iraqis to love their children more than they hate their neighbors. That is a powerful truism. We have to get the Iraqis to love their children more than they hate their neighbors. That, however, cannot be accomplished by military might. That is accomplished by reconciliation measures. That is accomplished by confidence-building measures. That is accomplished by revenue sharing. That is accomplished by power sharing. It cannot be accomplished at the point of a gun. It cannot be accomplished at the point of a gun.

Staying there would only continue to empower and embolden Iran, a country that has turned out to be, by many experts who have testified before the Senate Committee on Foreign Relations, one of the biggest winners in our war with Iraq. Staying in Iraq actually keeps the Iraqis from making the hard choices, compromises, and negotiations necessary to achieve a government of national unity.

Frankly, what we hear from the other side doesn't make sense to me. They talk about victory. What is the definition of victory? Is it when the President landed on the aircraft carrier, fully decked out, and said, ''Mission accomplished''? Is it the many times we have heard the administration say, victory is right around the corner? How many lives, how much national treasure, what victory are we talking about? They talk about benchmarks for the Iraqis, but they set no consequences. Benchmarks without consequences are simply aspirations, nothing more.

Victory. How many lives must we lose? How much more money must we spend? How long will we be in this war under a plan without end of the President? I believe it is long past time to change the course in Iraq. That is why this vote to allow us to move forward, to allow us to have a final vote on changing the course in Iraq and laying out a plan that can create the best possibility for victory in Iraq is essential, and that is what I hope we will do between today and tomorrow.

Finally, in the time it takes me to finish my remarks this afternoon, the United States will have spent over $2 million on the Iraq war today. Our Nation spends over $8 billion a month in Iraq. We spend $2 billion a week in Iraq. We spend $280 million every day. And the loss in money pales, pales in comparison to our Nation's loss of our best and our brightest, with almost 3,200 lives lost in the conflict and over 24,000 who have been wounded.

I visited them again this past weekend in New Jersey at the Veterans Hospital at Fort Dix. I listen to the stories they tell me, especially now as they face challenges in this part of their life. I know that may be another subject matter, but it is something for which we have to be responsible. A grateful Nation does not just say they are grateful, a grateful Nation takes care of those who serve their country, in how we treat them in their health care, how we treat them in their disability, and how we treat their families, for those who commit the ultimate sacrifice on behalf of the Nation. The stories I heard from those soldiers do not indicate a grateful Nation.

I didn't vote for the Iraq war when I was in the House of Representatives. I believe that was one of the most important votes I ever cast. I don't support the President's escalation of the war. I was in the minority when I voted against the war in 2002, and there were those who said voting against the war would be political suicide. Even with that knowledge, I put my seat in the Congress on the line because my conscience told me this was simply not the right thing to do.

In a speech about the war, the President said the following:

> In speaking of the consequences of a precipitous withdrawal, I mentioned that our allies would lose confidence in America. Far more dangerous, we would lose confidence in ourselves. Oh, the immediate reaction would be a sense of relief that our men were coming home. But as we saw the consequences of what we had done, inevitable remorse and divisive recrimination would scar our spirit as a people.

The President added:

> I recognize that some of my fellow citizens disagree with the plan for peace I have chosen. Honest and patriotic Americans have reached different conclusions as to how peace should be achieved. I share your concern for peace. I want peace as much as you do. I have chosen a plan for peace. I believe it will succeed.

That plan did not succeed. The man speaking wasn't President Bush but President Richard Nixon, and the war he spoke of was not the war in Iraq but the war in Vietnam. It is painful to hear the similarities between what was said by the President of the United States in that conflict and the one in which our Nation is currently ensnared. It is even more painful to see an administration and a President similarly disconnected from the American people.

In soaring speeches, President Bush, the Vice President, and Republican allies invoke the ''will and courage'' of the American people. They say, if the American people would have the ''will and the courage'' to persevere in Iraq, then we can succeed militarily. This administration fails to understand this war is not just about will and courage, it is also about wisdom and clarity of judgment, traits that have been sorely lacking in this administration.

No one should doubt the will of the American people. In fact, they expressed their will last November, a point that seems to elude many Members of this Chamber. The American people have the will, they have the nerve. What they no longer have is patience with this administration and the continued failed policy in Iraq, and they are losing patience with Members of this body.

It is time for the Senate to take a stand against the President's failed plan in Iraq and to vote for a new plan, a new plan and a new course to end the war in Iraq.

I urge my colleagues to support the ability to move ahead, to have a final vote, and then I urge them to support the resolution that would lead us out of the war in Iraq, that could give us the greatest opportunity for victory, that would give the greatest opportunity for the Iraqis to make the hard choices, compromises, negotiations for a government of national unity, and in doing so would honor those who have served their country with courage, with valor, and with distinction.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, I ask unanimous consent that Senator BILL NELSON be recognized next and Senator GRAHAM be recognized after Senator NELSON, and then we return to Senator DORGAN.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, I say to my colleagues in the Senate that I support this motion to proceed and want us to get on to the resolution so we can have a full and thorough debate on this issue of what to do in Iraq. Without a doubt, this issue is the No. 1 issue, foremost in the minds of the American people. My State of Florida, being a microcosm of the entire country, is certainly reflective of that. People are unsettled over the course of the war. They are unsettled over the fact that none of our leadership will indicate we are winning this war and, indeed, at the same time they recognize the stakes are so very high in that part of the world if we are unsuccessful. Therefore, because this issue naturally is at the forefront of Americans' minds now, and what to do about it, we need to get it out here and get it thoroughly discussed and debated.

It seems to me one of the fundamental mistakes at first of going into Iraq was not to understand the world of Islam and the schism that has been there for 1,327 years, ever since the battle of Karbala, in 680 A.D., when the grandson of the Prophet Mohammed was killed in the battle. That led to a division of those new worshipers who had followed the Prophet Mohammed into the primary sect, Sunnis, and those who were rebelling, the Shiites.

That schism has lasted ever since. We see attempts at bringing those two groups together, but we always see—just in the demonstrations in the religious holidays recently reenacting that battle, establishing the Shiite sect as one that is separated from the Sunnis—they have been at it ever since. So, when you have a country that has those two sects, they have been at each other's throats and you find that order has been maintained, in the case of Iraq, by a brutal dictator who favored one sect over the other. Now that that dictator has been overthrown and is no more, in an attempt to bring about democracy, you see the majority in that country of Iraq, the Shiites, suddenly feeling they have control and maybe it is not quite so bad that they let out—in their mind, they say it is not so bad—to let out their frustrations on the ones who had kept them down for years and years, their rivals, the Sunnis. In the process, you get this sectarian warfare which is, by anybody's definition, very close to civil war.

How do we stabilize Iraq? For us just going in and thinking it is going to be a democracy and that the Shiites are going to play the democratic game and the Sunnis are—and not even to speak of the branch of the Sunnis, the Baathists, who had been the ruling party—to think they are all going to play the game of democracy and majority rules, you have seen, now, after going on 4 years, what has happened.

So what do we do? We have a suggestion by a unanimous decision by a bipartisan group of extremely well thought of people called the Iraq Study Commission, led by former Secretary of State, former Chief of Staff of the White House, Jim Baker, and led by Congressman Lee Hamilton, former Member of the House, former head of the International Relations Committee in the House of Representatives. Unanimously, 10 people—5 Democrats and 5 Republicans—came up with a plan. How do you stabilize Iraq, given the conditions we find ourselves in there today? They said, clearly, what you have to do is stop having the mentality of an American occupying force. Let the Iraqis start to work it out for themselves. Realize there is probably going to have to be a separation of the sects until they can get them stabilized, and in the meantime do a very aggressive, diplomatic effort throughout the region to get all of the countries in the region to buy into what is ultimately the political solution.

This Senator thinks, given all of this chaos and tumult and sectarian warfare, that political solution is going to have to be some kind of division. Clearly Kurds in the north basically have their own autonomous government. Shiites are concentrated in the south. Sunnis are concentrated in the center. They made an important first step recently in the establishment of a new law distributing the oil production—which is not distributed geographically throughout the country but is concentrated in the north and in the south.

So if all the elements are there to make this possible for local control, of Kurds in the north, Sunnis in the middle, Shiites in the south, distributing the oil wealth proportionally according to the population, having a national government for the common defense, let's see if that political situation will work.

People say you can't do that because you have all these neighborhoods where Sunnis and Shiites are all living together. But the fact is the separation is already occurring because of the sectarian violence and the killing that is going on. You are seeing that separation.

If that is a likely political outcome that has the best chance to stabilize Iraq, then what should be the position of the United States and its forces, and what should be the policy of the United States to bring that about? Go back to the Iraq Study Commission. People say there is not a plan. There is. There is a plan. It is printed. It has about 75 recommendations. What it says is the American force should withdraw from the midst of that sectarian warfare, withdraw more to the perimeter, start lessening the forces and therefore the casualties to our American men and women, and use that force to train the Iraqi Army—to continue to train them—to provide force protection and very likely border control, since the neighbors in the region have not been exactly good on that—that is something we ought to be diplomatically insisting on, with the neighbors in the region—and to continue to prosecute the war against the terrorists by going after the terrorists there, particularly al-Qaida, who are trying to undermine the whole process.

What I have outlined, which came from the basics of the Iraq Study Commission Report and Recommendations, is the essence of the Reid resolution that is before the Senate. That is why I think we ought to get it out here, get it debated and, barring some unforeseen turn, it is this Senator's intention that he will support the Reid resolution. This does not say withdraw. It says redeployment. It doesn't say get out of Iraq, it says get out of the cities in the middle of the crossfire of a civil war. It says utilize the American forces for training, going after al-Qaida, and for the purpose of force protection. That makes common sense in the overlay of a very complicated part of the world.

As I close, I say that the United States, back in the 1980s, thought by the introduction of troops we could suddenly help bring about peace in another very troubled part of the Middle East, the country of Lebanon. Suddenly, it was as if scales fell from our eyes, that we saw it was an either/or. But it was multiple choice of all the factions that were there, each with a stake in the outcome. It became very difficult, particularly when the Americans became perceived to be supporting one particular part of those factions. Watch out for that happening today in Iraq. Let us understand something from the mistakes that were made in the past in places such as Lebanon as to how you ultimately stabilize an area and what is in the interests of the United States.

I think part of that wisdom is what came to bear by those 10 people unanimously agreeing, in the Iraq Study Commission, whose work product boiled down is, in essence, the resolution before us here in the Senate.

I thank the Chair for this opportunity to share these thoughts with the Senate.

The PRESIDING OFFICER (Mr. SANDERS). The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I appreciate the opportunity to share some thoughts on what is probably the most important decision the Senate will make in the war on terror for decades to come, not just for the next election. I have a framework in my mind about what is going on in Iraq and how it fits into a global struggle. Quite frankly, I think it is unshakeable. I am not pursuadable on this issue. I will put my bias right up front. The outcome of what happens in Iraq is part of an overall global struggle called the war on terror. That is not just my view; it is the view of the al-Qaida members who have gone to Iraq to destabilize this infant democracy.

It is being billed all over the Mideast as the struggle between moderation and extremism. We have Sunni extremists trying to get back in power. They reigned during the Saddam era, and some of them do not want to give up power. They want to destroy this democracy so they can rule again as a minority within Iraq because they had a taste of it before—that power—and they do not want to give that up. The Shia extremists, who are a minority of the Shia community, have a hope to create a theocracy in Iraq, not be the dominant political party in a democracy. They have a religious agenda for Iraq very similar to Iran. Then you have foreign fighters, including al-Qaida, who see a democracy in Iraq as the biggest threat to their overall agenda.

What we are talking about is withdrawing from a central battlefront in the war on terror. What would be the consequences of redeploying—whatever word you would like to use—in the overall effort called the war on terrorism?

I think it would be the worst signal you could possibly send to the insurgents, to the extremists, and to al-Qaida members who are involved in this fight, who are watching this fight. Redeployment means surrender. If you think we are in the middle of a civil war that is a hopeless endeavor, cut off funding and get the hell out.

This idea of trying to go somewhere where it is safe for Americans is folly. If you are in uniform in Iraq, there is no safe place for you. Wherever we move to, they are coming after us. We have this illusion that there is a place we can go inside of Iraq or some other country in the Mideast that will provide safety. I can assure you our enemy is intent on proving to us there is no safe place for us in the Mideast. When I say ''us,'' I mean those men and women wearing the uniform.

The goal of the extremists in Iraq—some are limited to the country of Iraq. Other extremist groups within Iraq have a wider goal. Their goal is to drive American forces out of the Mideast. So there is no place, in my opinion, you can redeploy within Iraq that would not be a signal to the people we are fighting that we are surrendering and retreating.

This war is about not killing terrorists from an American point of view alone, it is about empowering moderates. The Bush administration has made plenty of mistakes. The biggest mistake we made after the fall of Baghdad was not appreciating how much Saddam Hussein had raped his own country, how hard it would be to build a democracy out of ashes of a dictatorship, doing this on the cheap, assuming the best, never planning for the worst, and not having enough troops on the ground to provide security, which is essential to democracy.

It is so easy to beat on the Iraqi political leadership. They deserve to be pushed, and they deserve to be challenged. But one thing I can tell my colleagues, they represent a better Mideast than the groups trying to literally kill them. Our goal is not to just destroy terrorist organizations; it is to empower moderates.

The Democratic Congress is about to trump any mistake Bush has made by a factor of many. If they, as a Democratic Congress, set in motion a resolution that would undercut General Petraeus's ability to reinforce Iraq in a way that makes sense, then they have made a much bigger mistake than President Bush has ever made. If my colleagues are trying to pass a resolution that would make it impossible for moderates to reach political consensus because security is no longer certain, then my colleagues have made a much greater mistake than President Bush.

Now why not cut off funding? I guess the only reason we are not cutting off funds is because the American people, through polling, say that is a bad idea. But I know there are many on the other side who want to cut funding. To be honest, I respect them immensely; I just disagree with this idea of taking a middle position that has as its basis that there is a safe way to redeploy and not affect the outcome of Iraq. That, to me, is just folly. It is unconstitutionally sound. It destroys the ability of the commander on the ground, General Petraeus, to do the job we sent him over there to do. It will be a sign of weakness to those we are fighting. Moderates will start hedging their bets. My belief is that the stronger we are in Iraq, the bolder the moderates

will be. The weaker we become, the more uncertain they will be.

It took us from 1776 to 1789 to write our own Constitution. When the product was written, women could not vote, and African Americans had no standing in the law. So I know there are religious problems in Iraq of a longstanding nature. I know this: Before al-Qaida bombed the Samarra mosque, the third most holy Shia holy site in Samarra, there had been generations of Iraqis, Sunnis and Shias, living together, intermarrying. I do not believe Sunnis and Shias are born to kill each other.

I do believe, like other places in history, other times in history, and other places on the planet, people are divided—sometimes by race, sometimes by religion—and our country needs to come to the aid of those who want to live together and reject religious bigotry.

The idea of dividing the country based on race, not many people in this body would say: Yes, that is a good idea, that will bring about peace, because it is giving in to bigotry. The idea of trying to give in to religious differences is insurmountable, is giving in to religious prejudice. I do believe the Iraqis can overcome their differences because it is in their best interest. But I do believe, if we do not reinforce this infant democracy at a critical time in its formation, we are going to lose in Iraq and the war just begins, it does not end. If you think withdrawing or redeploying ends this war, then I think you are going to be proven wrong in history.

I know what awaits those who are involved in the surge: more risk, more blood, and more treasure. On the other end of this surge, my hope is that we will provide enough security—holding areas previously cleared—and the Iraqi Government will step to the plate and start sharing the oil, doing the things politically they need to do to reconcile their country.

No one believes 21,500 troops are going to solve the problems of Iraq. Military power has its limitations, but we need to reinforce Iraq politically, economically, and militarily. The general we have sent to do the job has told us what he needs. He has a plan to accomplish his mission. The Congress is undercutting him at every turn.

This is the 17th resolution. I do not know what the magic number is to find the resolution that fits the political moment, but I can tell you this: The resolution in Iraq is not about the political moment; it is about decades to come in the Mideast if we can empower the moderates who are fighting and dying for their own freedom.

I say firmly and boldly to these Iraqis who have joined the military, who have joined the police, who are wanting to be judges, to those political leaders trying to find common ground between the three factions: You have my admiration and support because I know what it is like to be challenged in politics, when special interest groups try to take your job away from you because you will not do what they tell you. I cannot imagine what it is like to make political decisions knowing they are trying to kill your family.

I do believe the outcome in Iraq is part of a global struggle and that we need to reinforce Iraq on all fronts to have a chance, our last best chance to get this country up and running under democratic principles.

Talking to the neighbors is a wonderful thing. Somebody needs to be talking to Iran about their nuclear program and deal with this nut who is the President of Iran, who goes into the United Nations and says openly: I would like to wipe Israel off the face of the Earth, and who is challenging the world openly today that he will not give up his nuclear ambitions. It is clear to me, and I think anyone else who has looked at Iran, they are trying to develop a nuclear weapon to change the balance of power in the Mideast, and they are involved deeply in Iraq because their biggest nightmare, from the Iranian point of view, is a stable, functioning democracy. The theocracy in Iran does not have a shared interest with the United States or the Iraqi people when it comes to forming a democracy. If we can get them involved to help us provide security, let's give it a whirl. Let's give it a try. I do not believe they really have that as their goal.

Syria is trying to undercut this infant democracy called Lebanon. They are playing hard in Iraq because they are a police state.

I believe that the neighbors, Syria and Iran, are part of a global challenge to freedom-loving people. They are not the solution; they are the problem.

Where we find moderates in the Mideast, we need to stand boldly with them and give them the ability, the best we can, to change the course of the Mideast. This effort to withdraw and redeploy is the worst possible signal you could send to moderates or extremists. This is a war which has religious components to it.

There is one group who has proven they can live together in Iraq in peace, willing to live with us in peace. There are plenty of moderate forces throughout the Mideast who want to live on the planet with the rest of us and have a desire to do so. There is a minority who have hijacked a great religion, who have no place for us—moderate Muslims, Jews, or anybody else who is different. They want to destroy Israel eventually. They are not kidding.

I wish we could go back in time—not just to Lebanon, but I wish we could go back into the 1930s and take Hitler for what he was. I wish we would understand who our enemy is and take them for what they are. They are barbarians who kill without conscience. They have an agenda in writing. They are hell-bent on achieving that agenda. That agenda goes like this: Destroy anything or anybody that embraces a concept called democracy or is sympathetic to the West, to moderate governments where they exist in the Mideast; turn your attention toward America, drive us out of the Mideast; establish a religious-dominated Mideast with a view of religion that is harsh to everything and everybody; and destroy Israel. I am not making this up. This is not my theory of what they want to do; this is what they said they will do.

Iraq is the chance to turn it around. Iraq is a great opportunity for us, the Iraqi people, and the world at large to stand up to the extremists and beat them politically, militarily, and economically.

This resolution we are about to consider or may consider sends the worst possible signal at the most important time in the war on terrorism. Whatever mistakes President Bush has made in his administration—I think they are well documented—the biggest mistake is yet to come, and that would be passing this resolution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I would ask unanimous consent that Senator CARDIN be recognized for 5 minutes and then Senator KENNEDY be recognized immediately after the remarks by the Senator from Maryland.

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

The Senator from Maryland.

Mr. CARDIN. Mr. President, I urge us to move forward and consider the Iraq resolution so that every Member of this body can speak on this issue, we can debate it, and we can cast our votes on what we believe the policy should be for the United States in Iraq.

I would like to take us back to October of 2002. I was in the other body in October 2002. I voted against the resolution that gave the President the right to use force in Iraq. Let's remember the basis on which that resolution was passed. We were told that Iraq was in violation of U.N. resolutions concerning weapons of mass destruction and we needed to have the option to use military force in order to enforce that resolution and get rid of weapons of mass destruction.

The United States was also concerned about the war against terror, and there were statements made about the war on terror. I might tell you, there was no evidence that Iraq was involved in the attacks on our country on September 11. And, yes, there was a desire by many to get rid of the regime of Saddam Hussein.

What has happened since then? Our American troops have been in Iraq. We found no weapons of mass destruction. There are serious questions as to the intelligence information we had and how that was relayed to all of us. Saddam Hussein is gone. He has been removed. The Iraqi Government is now in place. A constitution was adopted. A government was elected. The Maliki government is now responsible for the affairs of Iraq. Times have changed.

But the most significant change that has occurred in Iraq during the last year has been the increased sectarian violence—a civil war. That is what is taking place in Iraq today. It is clear the presence of the U.S. military will not end the civil war. Iraqis need to end the civil war through diplomacy and negotiations and the confidence of the people in Iraq.

Something else has changed in the last year. We had national elections in our country, midterm elections. The people asked for change. Now there is a change in the Congress, and during the first few months of this Congress, we have held over 40 oversight hearings on what is happening in Iraq. I do not recall these hearings taking place in the last Congress.

Those hearings have pointed out—with expert after expert; military expert, foreign policy expert—we are not going to end the sectarian violence in Iraq by increasing American troops. We cannot win it on the battlefield. We have to deal with it and negotiate a settlement in Iraq.

We have before us the Reid resolution. We also have before us the President's current policies in Iraq. Do we want more of the same—an escalation of troops, a continuation of U.S. military presence in Iraq in the midst of a civil war—or do we want a change in direction? The Reid resolution represents a change in direction. It is a change in direction as it relates to U.S. troop levels.

We have lost almost 3,200 American troops, 68 from my own State of Maryland. There is a civil war in which American troops are not adding to ending that civil war. We need to look at whether we want to increase our troops, as the President wants, or to start redeploying our troops so the Iraqis can stand up and defend their own country so we can look for a political solution to what is happening in Iraq. We can remove the big target on Americans. Public opinion in Iraq says it is OK to kill Americans. We have to remove the American presence so we can move forward.

The Reid resolution gives us a well-defined mission which we can achieve, which is in the interest of the United States, that the Iraqis would take responsibility for their own country, would have well-trained security forces.

The resolution speaks to what we need to do as far as a surge in diplomacy, to urge more countries to get involved so the Sunnis and Shiites can live together and have confidence in their own government that represents a change, that represents a direction that is in the interest of the United States.

I urge us to be willing to debate this resolution and to vote on this resolution. That is our responsibility. It is our responsibility as Members of this body. It is our responsibility to our men and women who are serving our Nation, our Armed Forces. It is a responsibility we owe to our Nation. I urge my colleagues to move forward so we can go on record and change the direction of America's participation in Iraq so we can achieve the objectives that are in the interests of our Nation.

Mr. President, I yield back the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, is there a time allocation or are we without a time allocation?

The PRESIDING OFFICER. The Senator does not have a time limit.

Mr. KENNEDY. I thank the Chair. I do not intend to be long, and I am glad to yield at any time to the chairman of the Armed Services Committee.

Mr. President, this is a defining moment for our country. The American people are watching. The world is watching. The issue is clear. Will we stand with our soldiers by changing their mission and beginning to bring them home, or will we stand with the President and keep our soldiers trapped in Iraq's civil war?

History will judge us. We can either continue down the President's perilous path or insist on a new direction. If we do not change course, we know what lies ahead—more American casualties, more wounded, more destruction.

A new strategy that makes Iraqis less reliant on our military is the best way forward.

More of the same misguided policy will result in more of the same tragedy for our military. Let's try a new course and let's try it now because Iraq is the overarching issue of our time and because we need to protect our national security.

We are told we need to be patient. We are told we have to give the latest escalation a chance to succeed. But we have heard all of that before.

We have heard for years that this administration has a plan for success. We have heard for years that progress is just a few months away. We have heard for years that we have turned the corner.

But the plans for success keep getting tossed aside for new plans. The administration has benchmarks to measure success, but there are no consequences when the benchmarks are not met.

The timelines for progress keep getting extended. We have turned so many corners that we have ended up back where we started—trying to control Baghdad. It is time for a new direction.

Mr. President, I reference this document. It is: ''Measuring Stability and Security in Iraq.'' It is a report to Congress by the Department of Defense, embargoed until 3 o'clock this afternoon. It is now after that hour. Here is what this document, which has just been released by the Department of Defense, has to say on stability and security in Iraq:

> The last two months of 2006, however, saw little progress on the reconciliation front. The first two of four planned reconciliation conferences were described in the last report (November 2006). These conferences laid solid groundwork for subsequent conferences, but there has been little progress since then and the conferences had no effect on quelling violence. On December 16–17, 2006, the Political Parties Conference was held in Baghdad. Speeches given by the Prime Minister and other Iraqi officials focused on political participation and national unity, and welcomed former Ba'athists into the political process, so long as they showed loyalty to the new national government. The Sadrist bloc, top Ba'athists, and many Sunni factions did not participate. A fourth conference of religious leaders has not yet been scheduled due to lack of financial support and attendance challenges.

Mr. President, too many parents have had to bury their sons and daughters. Too many children have been left without their father or their mother. Too many soldiers are missing arms or legs. Nearly 3,200 of our forces have been killed. More than 24,000 have been wounded. The casualties keep mounting. The violence in Iraq continues to spiral as well. Our troops are in the impossible position of trying to stabilize a country at war with itself.

The recent National Intelligence Estimate confirms the nightmare scenario unfolding for our troops. Iraq is sliding deeper into the abyss of civil war, and our brave men and women are caught in the middle of it. Prospects for halting the sectarian violence are bleak. Greater chaos and anarchy are looming ahead. Needless additional U.S. casualties are inevitable.

The intelligence community has finally determined what everyone but the Bush administration has been willing to admit for some time. As the Intelligence Estimate stated:

> [T]he term ''civil war'' accurately describes key elements of the Iraqi conflict, including the hardening of ethno-sectarian identities, a sea change in the character of the violence, ethno-sectarian mobilization, and population displacements.

Those are the words of the intelligence community. Secretary Powell agrees. Former U.N. Secretary General Kofi Annan agrees. Only President Bush continues to stubbornly deny that our troops are policing a civil war.

The facts speak for themselves. According to the United Nations, nearly 35,000 civilians were violently killed in Iraq last year. In November and December of last year, more than 6,000 civilians were killed. Most were killed in Baghdad, where ''unidentified bodies killed execution-style are found in large numbers daily.'' More than 2 million refugees have fled the violence in Iraq, and another 1.8 million have been displaced internally.

Our military should not be caught in the middle of this quagmire. Only a political solution can solve Iraq's problems.

General Casey, in his June 2005 testimony to the Senate Armed Services Committee, called out for a political solution. He said:

If you look back historically at how insurgencies have been defeated, they have been defeated when the insurgents saw their options as better protected in the political process and their prospects for economic advancement can be better protected by the political process than fighting for them. And that's the essential element here.

Last August, General Abizaid spoke about the need for a political solution. He said:

Our troops are the best equipped, the best trained, the best led in the world. And I am enormously proud of them, and I have the utmost confidence in their ability to handle any mission. Yet, sectarian violence is worse than ever in Baghdad in particular. And I wonder about the validity of a strategy that says that less capable troops that are not as well equipped, trained or led as the best troops in the world can handle the security of this country if the upswing in violence has occurred despite the presence of the best troops in the world. It doesn't give me a lot of confidence in our underlying strategy. And it suggests to me—

This is General Abizaid—

it suggests to me that what we need is a political rather than a military solution.

Last week, General Petraeus, the new commander of our forces in Iraq, stated that there is ''no military solution'' in Iraq. But no one in the administration has been able to clearly articulate a political solution or how it can take hold in the midst of this chaos. Instead of giving the Iraqis a necessary incentive to get their political house in order by beginning an orderly redeployment of our troops out of Iraq, the President stubbornly insists on sending more and more troops into Iraq's civil war. Escalation didn't work in Vietnam and it will not work in Iraq either.

The President's latest proposal—to increase the number of our troops in Iraq—makes no sense at all. Sending more troops into the cauldron of Iraq's civil war is not the solution.

In addition to the fact that we know a military solution is not the answer, the administration still has not leveled with us on the number of troops the President plans to send to Iraq for the surge.

On January 10, the President announced he had committed more than 20,000 additional troops to Iraq. Within a few days, this number had been revised to 21,500.

The CBO estimated that it would be far higher—as much as 35,000 to 48,000 troops when support troops are included.

On February 6, I asked General Pace and Secretary Gates for the best military estimates of the actual size of the escalation, and their answer was an additional 10 to 15 percent. General Pace said:

You're going to need no more than another 2,000, 2,500 troops on the ground.

By February 15, the number had more than doubled. General Schoomaker told the Armed Services Committee his estimate was somewhere between 5,000 and 6,000 troops when you included imbedded trainers.

Then, on March 6, Deputy Secretary of Defense Gordon England told a House committee: ''About 4,000, maybe as many as 7,000.''

Last week, at the request of General Petraeus, Secretary Gates authorized an additional 2,200 military police troops.

We still don't have an accurate total for the size of this escalation. The administration refuses to speak with clarity and candor. Since the current surge began, Shiite militias in Baghdad may be lying low, but violence has increased elsewhere in Iraq. In Diyala Province, in 3 months, American casualties have exceeded the number for the entire year of 2006. In January this year, 83 American soldiers were killed, compared to 62 in the same month a year ago. Eighty more Americans were killed in February of this year. In the same month last year, we lost 55 soldiers. Already, in 2 weeks this March, we have lost more than 31 soldiers, the same number killed in the entire month of March of 2006.

This is what today's report from the Defense Department points out on page 18, under the section ''Attack Trends and Violence'':

The total number of attacks on and casualties suffered by coalition forces, the ISF, and Iraqi civilians for the October-December reporting period were the highest of any 3-month period since 2003.

It continues:

Coalition forces continued to attract the majority of attacks, while ISF and Iraqi civilians continued to suffer the majority of the casualties.

That is today's report.

Continuing our open-ended commitment to stay in Iraq will not bring victory, it will not stop the violence, and it will not protect our national security.

The administration has outlined military, economic, and political benchmarks to measure success, but it has not given any timeline to achieve them, and it has not stated any consequences if the benchmarks are not met. This same administration supported timelines for every Iraqi election and for drafting the Constitution. Yet it remains emphatically opposed for any timeline for the redeployment of our military.

The American people have been patient. But America now has been in Iraq longer than it took us to win World War II. Instead of progress, we continue to see unacceptably high levels of violence, death, and destruction. We are putting too much strain on our Army, especially the Army National Guard. The Army is overextended. Many soldiers are now on their third rotation. To deal with the recruitment shortages, we have eased the standards and increased the bonuses. The Department of Defense is formalizing a policy to redeploy reservists more often and for longer. But in the long run, we can't protect our Army if we don't end the war.

Our troops have done their part. They have served with great courage. We are proud of their service, and we are ready to welcome them home.

It is time to change course. It is time to ask the Iraqis to step to the plate and take the responsibility for their own future, and it is time to begin to redeploy our troops out of Iraq. It is time to put the Iraqis on notice that our military will no longer be a permanent crutch for them to lean on. As General Abizaid told the Armed Services Committee last November:

I believe that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future.

It is time for American combat troops to begin to come home.

Those of us who opposed the war are used to the administration's attacks when we disagree with their wrong-headed policy. We have come to expect that. They have questioned our patriotism and call us defeatists. When we challenged the President's misguided policy, he accused us of having political motives and being partisan.

Before the war, Vice President CHENEY said we hadn't seen all the intelligence he had seen. But after the war, when things were going badly, the President said more than 100 times that we had seen the same intelligence.

More than 2 years ago, I called on the administration to focus on the training of the Iraqi security forces and to begin to redeploy our troops out of Iraq. I said the Iraqis need to take responsibility and that we should set a goal of about a year for the redeployment of most of our forces out of Iraq. Rather than debating the merits of the policy, the Republican spin machine went into overdrive. A year ago, on the third anniversary of the war, Vice President CHENEY went on national television and said:

I would not look to Ted Kennedy for guidance and leadership in how we ought to manage national security.

Well, the American people certainly know we cannot look to the Vice President and this administration for national security. The administration has been consistently wrong about the war in Iraq. Year after year, they insist on a dangerously incompetent strategy. They were wrong about the link between al-Qaida and Saddam Hussein. They were wrong about Saddam Hussein's weapons of mass destruction. They were wrong about America being greeted as liberators. They were wrong about the insurgency being in its last throes, and they are wrong to deny that Iraq is a civil war.

The American people are far ahead of the administration. For all of us who oppose this misguided war, our goals have always been clear: protect the lives of our soldiers and protect our national security.

We have an obligation to stand up for our troops and stand up to the President when he stubbornly refuses to

change course in Iraq. Our legislation will do that. It will change the mission of our military away from combat and require the President to begin to redeploy American combat troops out of Iraq in 4 months. The target date for the completion of the redeployment is March 2008—1 year from now. A limited number of troops would remain in Iraq after that to train and equip the Iraqi security forces, to conduct counterterrorism, and to guarantee the safety of our soldiers.

Our proposal is consistent with the bipartisan Iraq Study Group's finding. It recommended that:

> The primary mission of U.S. forces in Iraq should evolve to one of supporting the Iraqi Army, which would take over primary responsibility for combat operations. By the first quarter of 2008, subject to unexpected developments in the security situation on the ground, all combat brigades not necessary for force protection could be out of Iraq.

Those are the words of the Iraq Study Group.

Legislation is clearly necessary to give the Iraq Government enough of an incentive to step up to the plate, work out its political differences, and take responsibility for Iraq's future. It is also consistent with the wishes of the American people, who want most of our troops home within a year. How much clearer does it have to be before Republicans in Congress and the President finally respond to the voices of the American people?

We are meeting our responsibilities by changing the mission of our military. We are not micromanaging the war. Many of us oppose the war, but all of us support our troops. We don't want to keep sending more and more of them into the middle of a civil war. Under no circumstances do we want them to go to war without proper armor and equipment. Our troops deserve better. Their families and loved ones deserve better.

For the good of our men and women in uniform and the American people, it is time for us to take a stand. We need to adopt a new strategy. We need to make clear to the Iraqi Government that the mission of our troops must change and that we have a clear timeframe for their departure from Iraq.

The recent hearings on Walter Reed should inform our debate as well. They tell us how little faith we can put in this administration. The very people who hide behind the troops when we question their policies have failed to keep faith with our wounded soldiers. As importantly, the hearings on Walter Reed remind all of us of the human costs of the war. This administration has done all it can to conceal them from us. They have forbidden photographs of the coffins flown back from Iraq. The President has avoided attending the funerals of the fallen. The tours of Walter Reed never included Building 18.

But the hearings on Walter Reed swept away all the spin and camouflage. They put our wounded soldiers back where they belong: at the heart of our debates about the war.

At the end of those hearings, everyone agreed that the administration failed these brave soldiers, but we failed them long before they arrived at Walter Reed. The administration failed them when it trumped up the intelligence in order to make the case for war. It failed them when it sent too few troops with too little armor into battle. We in the Senate will fail them today unless we vote to change course and begin to bring our soldiers home. At the end of this debate, the American people will know where each of us stands. On our side of the aisle, we stand with the American people. The voters told us in November to change course and to begin to bring our troops home, and that is what we are going to do.

We stand for our Constitution, in which the Congress speaks for the people in matters of war and peace and can require the President to listen.

We stand with our troops. We, and we alone, are the ones insisting on a policy worthy of their courage and sacrifice.

We stand for protecting America's national security. The war in Iraq has been a disaster from the start. It has made America more hated in the world. It has made it harder to win the war against terrorism. It has made it harder to work with other nations on every issue.

Peace and progress in Iraq must be earned by Iraqis and their neighbors. We must no longer send our brave soldiers to an uncertain fate on the streets of Baghdad. We must begin to bring them home to the hero's welcome they have surely earned.

I yield the floor.

Mr. LEVIN. Mr. President, I ask unanimous consent that after the Senator from Utah is finished with his remarks, on this side, the order then be Senator DODD, Senator BROWN, and Senator DORGAN.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Utah is recognized.

Mr. HATCH. Mr. President, one thing I can say for the distinguished Senator from Massachusetts is that he has been against this war from the beginning. He has taken what he considers to be a principled position, that we should never have gone into Iraq to begin with. However, much of what he said does not resolve the problems that we are confronting in the War on Terrorism. We hear lots of comments about pulling out of Iraq but not very much in the way of how to defeat the terrorists who are dedicated to destroying almost everything we hold dear and sacred.

The fact of the matter is this resolution is an illustration of wishful thinking. No matter what you call it: pulling our troops out, a phased withdrawal, or redeployment, those who support this seem to think everything is going to be hunky-dory and by taking this course we can resolve all our difficulties. Of course, they provide the usual language of diplomacy and some of the other things.

Look at what this resolution says. It says: Whereas, U.S. troops should not be policing a civil war; and the current conflict in Iraq requires principally a political solution.

The fact of the matter is we have three distinct areas in Iraq: The Kurds in the north, the Sunnis in the center, and the Shias everywhere else, including in the center.

There is a long history of animosity between these groups. But look at the progress that has been made: women now have the right to vote; young girls are able to go to school.

Eighty percent of the people voted for the representative form of government that they enjoy today. Remember, it took us 10 years to implement our Constitution.

What I have not heard from those who oppose the war is, how do we solve the problem of terrorism?

Let's be honest. Terrorism is something we have confronted sporadically throughout the years, though not at the same level of intensity as the last couple of years. When the Bader-Meinhof gang paralyzed Europe, a lot of people felt we should back away. But we supported our allies and, today, you don't hear about them. Similar things can be said about the fate of the Red Brigade. However, I fully recognize that these groups were minor compared to the terrorists in the Islamic world.

The fact is we are in a different war than we have ever been in before. We are fighting terrorists who don't wear uniforms, who don't represent a country; they represent an ideology. They are Salafi jihadists who, going back to the seventh century, when the Islamic people controlled much of the Mediterranean world, used force freely to achieve their objectives and, if you disagreed with them, they killed you.

We lost 3,000 people in 1 day in this country. As the author of the 1996–1997 Antiterrorism Effective Death Penalty Act, I recognized that we did not give law enforcement the tools to be able to prevent terrorism in this country. One reason was we naively thought that we would never suffer from the type of terrorism that occurred on 9/11/2001. The PATRIOT Act brought the antiterrorism laws that were deficient up to the level of the anti-Mafia laws.

Can you imagine what will happen if we don't take these people on and do what we can to stop them. What happens if one of them—and they are dedicated to doing this—gets a weapon of mass destruction and comes to New York, Washington, DC, Boston, Los Angeles, Chicago, Miami, or any number of other cities, and blows up the city and causes the deaths of hundreds of thousands of people?

They are dedicated to this. They don't value human life as we do. They believe they are going to be blessed for having killed the infidels.

The fact of the matter is that is what we are faced with—radical extremists who would harm our country if they could. The reason they cannot is because we have been taking it to them in Afghanistan and Iraq. It is not pleasant, there is no question. There are sacrifices being made—our soldiers are being deployed and redeployed. There is no question there are mistakes that have been made—everything from throwing the Baathists out of the military, many of whom were not Saddam Hussein loyalists, to thinking this operation would initially be treated by the Iraqi as a liberation.

There were lots of mistakes, but there are a lot of things that are good too.

The fact of the matter is, there are hospitals up and running, girls are going to school, women have some rights in Iraq—more than ever before—and upward of 80 percent of the people voted for a representative form of government. We should never lose track of that. None of this would have happened had it not been for our soldiers and others in the coalition who were willing to fight, the fact is that When we get into documents such as this, basically what we are doing is making it very difficult for our young men and women serving in combat. Many of whom are risking their lives for us that they might be able to prevent terrorism from taking over the world and especially the USA.

We know there are terrorist supporters in our country. If we didn't have a PATRIOT Act, we would not be able to monitor them.

This resolution says:

The President shall promptly transition the mission of the United States forces in Iraq to the limited purposes set forth in subsection (b).

(B) Commencement of Phased Redeployment From Iraq—The President shall commence the phased redeployment of United States forces from Iraq not later than 120 days after the date of the enactment of this joint resolution, with the goal of redeploying, by March 31, 2008, all United States combat forces from Iraq except for a limited number that are essential for the following purposes:

I like that word ''essential.''

(1) Protecting United States and coalition personnel and infrastructure.

My gosh, can you imagine if we pull out? The terrorists will come in and try to capture that oil wealth to use against the rest of the world, especially us.

(2) Training and equipping Iraqi forces.

How are we going to do that if we redeploy our forces out? We know that by training and equipping them, we may be able to help them bolster their representative form of government. Keep in mind, I made the point earlier, it took us 10 years to develop our Constitution and their's is functioning after 2 years. It took us years to solidify the strength of our country so we have this great representative form of government that we have in America today.

If we leave who is going to train and equip those Iraqi forces? Are we going to leave a small contingent of our people there to be murdered or are we going to be able to protect them and train and equip the Iraqi forces? Will anyone have any confidence in us if we leave?

It is interesting to me that as we have started this so-called surge, al-Sadr and others have left their bases. True, they are probably going away and hoping to come back; but if we can establish—and General Petraeus says we can—ourselves and the Iraqi Government in Baghdad so that they know they can take care of it themselves, it is going to be much more difficult for al-Sadr and the other brigades to come back and cause the havoc they have been causing.

Who is going to train and equip these forces? Oddly enough, it is interesting to me that this body voted 100 to 0 to back General Petraeus, and ever since we have done that, some here have done nothing but undermine the very thing he said we have to do. It should also be noted that this new strategy appears to be working.

We ought to give General Petraeus the opportunity to do it. He has said he will shoot straight with us. If he finds that the strategy is not working, he said he will let us know. He has been a straight shooter from the beginning. He was been a breath of fresh air. He understands counterinsurgency warfare. He has written the Army's Manual on this subject. We ought to give him a chance to do what he says he can do.

(3) Conducting targeted counterterrorism operations.

How does this small, ''limited number,'' to use the terms of this particular S.J. Res. 9, target counterterrorism operations? I guess we will have to do it through intelligence gathering. I happen to be on the Intelligence Committee, and I know all too well it is very difficult to establish human intelligence networks.

Think about that. Bring them all out, redeploy them by March 31, 2008—all U.S. combat forces from Iraq, except for a limited number that are, again, essential for the following purposes:

(1) Protecting United States and coalition personnel and infrastructure.

How does that small contingency do that?

(2) Training and equipping Iraqi forces.

(3) Conducting targeted counterterrorism operations.

My gosh, every one of them would be murdered on the spot if we didn't have enough people there to provide security.

This is ridiculous.

(C) Comprehensive Strategy.

This is to make it look good, like they are trying to do something good. Here is what it says:

Subsection (b) shall be implemented as part of a comprehensive diplomatic, political, and economic strategy . . .

In other words, pulling out all our people except for this ''limited number,'' to use their language—

Subsection (b) shall be implemented as part of a comprehensive diplomatic, political, and economic strategy.

Diplomatic? I know one thing. If you want to make sure diplomacy works, make sure it is backed up by force. We are not backing it up by pulling all of our troops out, except for that ''limited number.''

OK. How is that diplomacy going to work if they don't realize we are there to accomplish our mission? OK. Again, it says:

Subsection (b) shall be implemented as part of a comprehensive diplomatic, political . . .

What do you think we are trying to do? Maliki, is pulling out the stops to help us.

. . . as part of a comprehensive diplomatic, political, and economic strategy . . .

What happens if we pull our troops out of there and, all of a sudden, we have a renewed effort by terrorists to assault us on our mainland because we are not keeping them at bay over there? Can you imagine the cost to our society? Can you imagine if we pull out of there and there is widespread civil war and genocide that will occur, just like in Southeast Asia when we pulled out there? Millions of people died. I am not so sure we should have been in Southeast Asia, but I feel confident we should be here. It says:

. . . that includes sustained engagement with Iraq's neighbors and the international community for the purpose of working collectively to bring stability to Iraq.

Those are nice, high-flying words. If our diplomacy is not backed up by our willingness to take these people on, I suspect we are going to have more than a 9/11, 3,000-person loss in this country. When we have many more people killed as a result of terrorism in our country because they will be emboldened by this type of resolution, then it seems to me that we are going to pay a price that will be much higher than what we are paying now. We have to take these people on. We cannot walk away. There are too many people who have relied on us.

Admittedly, we at least need to give General Petraeus and the current forces there a chance to make this work. He says he believes he can do it. But he also is a straight shooter and has said: If we cannot do it, I will tell you we cannot. That may be the time when we will have to say there is not much more we can do there. I know one thing. The moderate Arabs are very concerned about what is going on over there. They know that if the United States doesn't have its full influence in the Middle East, there is going to be chaos. They know that these Wahhabi, Salafi jihadists will make mincemeat of the Middle East, and they will be emboldened if we walk out of there and act like we can work diplomatically on some of these problems. I think diplomacy is very important. But it needs

to be backed up by a strong military plan, so they know we are not going to put up with a lot of foolery.

Look, I think there are sincere people on both sides of this debate. But I challenge the other side, who believes in this type of a resolution, to show us how you prevent the terrorists from coming here. Show us how you are going to win this war against terrorism. Show us how you are going to make a difference in the lives of all those who have lost loved ones thus far, not only on 9/11 but those who have given their lives for us over in Iraq.

Show us how pulling the troops out is going to defeat the terrorists. Tell us what happens after this resolution becomes law. Their plan offers only one option: making the United States look like it lost to the terrorists in the Middle East. That would be one of the worst things that could happen to our Nation and one of the worst messages we could send to the world.

I don't find fault with anybody who sincerely believes in a resolution such as this, but I question whether they have thought it through. Have they looked at the intelligence? Have they listened to our Armed Forces, who know they are fighting for something worthwhile, who know they are fighting for freedom, and who know they are fighting for the Iraqi people. Our military fully realizes they are not only fighting, as they had to, to overturn a vicious, cruel dictator, but to create stability in a place that needs stability almost more than anything else. Our servicemembers also know that we have moderate Arab friends who are pulling for us. Allies, in the region, who hope we will succeed because they know they will be next. And if we fail, we will pay a price like nothing we have paid before.

As I said, everyone in this body is a friend of mine. However, I strongly disagree with those who think this is a good resolution. I do not question their integrity or their desire to try and find some solution. But this certainly is no solution. This is a walk away that will cause us greater problems in the future. If that happens, we are all going to reap the whirlwind.

I have no doubt, as a member of the Intelligence Committee, that there are terrorists who would love to destroy our country. There are some, who if set free, would do everything in their power to destroy our nation.

Frankly, we cannot walk away until we give General Petraeus and our servicemembers an opportunity to win this war.

We have never fought a war such as this. I do not blame anybody who is concerned that we are paying too high a price. But I ask people to think about the higher price we will pay if we don't win this war. I ask my fellow citizens to understand that we are fighting people who are dedicated to destroying those who disagree with them and there will be a heavy price to be paid if we walk away from our responsibilities.

There is a good reason why we have not had a major terrorist incident since 9/11/2001. We have shown the will to take these people on, and to disrupt their plans. We have captured or killed a large number of these terrorists, including members of al-Qaida leadership. We have bottled up Osama bin Laden and Zawahiri.

If we walk away because of this resolution, it seems to me we will pay a much heavier price later, and I am very concerned about that.

My family lost my only living brother in World War II. He flew on one of the air raids that helped destroy Hitler's oilfields. It was a price our family paid. I am very proud of my brother Jesse. He was fighting for freedom, and he did not walk away from the threat Hitler posed. Today, we once again live in dangerous times, possibly even more dangerous. We cannot leave Iraq until we give General Petraeus and our troops the opportunity to accomplish their mission. We should not undermine their efforts with this resolution.

Though I respect my colleagues differing opinions I believe this resolution undermines their efforts—the efforts of those young men and women who are sacrificing for us overseas.

We should not decide these matters based on polls. Unfortunately, I think we have far too many people who are paying attention to the polls. I look at some of the candidates for President today, how they have changed their positions gradually because they think the polls require it. We are not here to respond to polls. We are here to do what we believe is in the best interest of our country. Some sincerely disagree with me and I understand that. But I believe it is their solemn duty to explain what we are going to do if we pull out of Iraq. Will we not create a myriad of other problems? Will not the entire Middle East become a war zone? Under such conditions, Israel itself will be threatened as well as moderate Arab countries. We cannot walk away, and we cannot allow the whole Middle East to descend into the Salafis jihadist arms.

I hope our colleagues will think these matters through. I certainly hope they will vote against this joint resolution.

Many of my colleagues voted to bring forth this debate. I understand their reasoning. However, I could not vote for this debate because the resolution is faulty on its face.

I don't know anybody who worries more about our young men and women who are sacrificing over there than I do because our family has lived through it. Not only did we lose a brother in the Second World War, but we lost a brother-in-law in Vietnam. Just a few years ago, my family buried another brother-in-law who served with the Marines in Vietnam and rose to the rank of First Sergeant. I feel deeply about these matters, but if we don't stand up and do what is right, we will reap the whirlwind. It will cost us more than it is costing us right now, and today's cost is significant.

Mr. President, I wanted to say these few words. I hope we will defeat this resolution. I think it will be in the best interest of the country and in the best interest of the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, after Senator DODD is recognized, we had previously indicated that Senator BROWN and then Senator DORGAN would be recognized. We are trying to see whether it might be possible to substitute Senator KERRY for Senator BROWN, leaving Senator DORGAN in the same position. We are trying to determine that right now. For the time being, it will be Senator DODD, then Senator BROWN or Senator KERRY, and then Senator DORGAN.

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

The Senator from Connecticut.

Mr. DODD. Mr. President, first, I thank my colleague from Michigan. I commend him, along with Senator BIDEN, my chairman of the Senate Foreign Relations Committee, and our majority leader, Senator REID, and others for the tremendous effort they have put into these matters over the last number of weeks. I haven't always agreed with my leaders in the majority on the course of action, but I have respect for their efforts to try and build consensus. I admire that. I always doubted whether consensus is something we ought to try and get on an issue such as this. Clarity, accountability, real proposals that require up-or-down votes that result in action I think in the long term may be necessary here. I respect immensely the efforts they have made to bring as many people as is possible under the same umbrella in dealing with this issue.

Once again, we find ourselves debating the same basic issue with respect to United States policy in Iraq, namely, when is the President going to admit his policy is a failure? From how many different places do you have to hear that—from the Baker-Hamilton report, to the analysis by military leaders. Over and over, the conclusion has been the same. This is not a conclusion I have arrived at myself, it is one that has been arrived at by almost every group of people or individuals who know anything about this matter. This policy must be fundamentally changed. The course must be changed to empower the Iraqis to take responsibility for their collective future. If they do that, there is a chance that stability and a better future for them can emerge. If they don't, there is not a treasury deep enough or an army big enough to do that for them.

How many debates, how many reports, how many more of our young men and women are going to be killed or wounded until the President and his advisers acknowledge the President's policy has been a failure, unfortunately, from almost the outset?

How long will it be before the administration begins a true diplomatic offensive to help the Iraqis and their neighbors secure a political solution that everyone has concluded is the only possible way this matter can have an outcome that offers some hope to the people of that country?

How many times can the administration and some of our colleagues here claim that any debate, any dissent, any action that departs one iota from the President's policy is somehow unpatriotic, words we have heard too often in this Chamber and elsewhere to describe those who have a different point of view—I emphasize ''a point of view''—that has been embraced by people without any adherence to a political party or ideology who have reached the same conclusion that this policy is not working at all.

Jingoism and facile claims about ''support the troops,'' about ''good versus evil,'' about ''victory versus defeat'' can no longer, I think, be tolerated—in fact, they should never have been tolerated in the first place.

Let's stop invoking the inverted logic, as our colleague from Virginia, Senator WEBB, so aptly described it, of claiming that because there are troops are in harm's way, we, therefore, have to stay the course.

We all know we have troops in the field. We all honor the sacrifices they have made. They are a remarkable group of people. Like many of my colleagues, I have been there on several occasions over the past couple of years. Regardless of one's view on policy, the admiration for the job these individuals are doing ought to be very high. In my case, it is. It is rather remarkable the service they are providing. It is the policy that needs changing.

No one is suggesting our troops don't deserve all the support they can get, but supporting our troops and opposing a policy ought not to require the kind of gymnastics that some of our colleagues who oppose any changes suggest.

Having troops deployed overseas should not prevent us from debating critically important issues relating to the wisdom of staying the failed course the President has charted. In fact, we do a grave disservice to our troops by not having a public debate to shed light on the many questions and concerns that arise from our current involvement in Iraq.

I have publicly stated many times over recent months that this body should urgently take strong, binding action to force the President to change his Iraq policy. While this resolution before us does not represent as forceful an approach to accomplishing that goal as I would propose, it does take the United States one step closer to ending U.S. combat involvement in Iraq, and for that reason I am going to support it as a first step in what I think is the right direction.

This resolution goes beyond simply expressing disagreement with the President, which is the problem I had with earlier resolutions. It puts this Congress on record as authorizing a ''prompt commencement of phased redeployment of United States forces from Iraq.'' It spells out the transition of the mission for the limited forces that would remain after the phased redeployment of combat forces have been completed.

This resolution unequivocally states that the United States should begin a phased redeployment of U.S. combat forces from Iraq. It states that the American forces remaining in Iraq should have a very different and more restricted mission: training, equipping Iraqi security forces, force protection, and targeted counterterrorism operations.

Crucially, this resolution also states that the redeployment of U.S. forces shall be part of a comprehensive, diplomatic, political, and economic strategy, and it requires the President to develop such a strategy, a strategy that has been seemingly nonexistent and that is critical to the stabilization of Iraq.

I am concerned, however, that the resolution allows for as many as 120 days from the date of enactment to pass before the President must commence the redeployment of U.S. combat forces. I firmly believe this redeployment can and must begin far sooner, and that we should set a hard target date for the completion of this phased redeployment rather than a soft goal of the end of March 2008, as stated in the resolution.

We face a region-wide crisis of credibility, a crisis that was caused by very bad policy choices rather than fate, as some would suggest. While the United States may still remain an enormous military power, and we are, our power to influence has been greatly diminished, unfortunately. It is this power to influence that is critical, I think, to America's interest in the region and to the future of Iraq and its neighbors.

It is my strong hope that the passage of this resolution will bring the United States one step closer to ending our intervention in Iraq's civil war and one step closer to developing and employing critical, comprehensive, diplomatic, political, and economic strategies in Iraq and in the wider region.

Based on past experience, however, I have no confidence whatsoever that this President will pay any attention to this resolution or this congressional debate. That has been the history of the administration over the past many months. So I say to my colleagues, if you are truly sincere in your support, as I believe you are, for the policies expressed in this legislation, then I think we must be prepared to do far more in the coming days, I hope in the short days, to bring an end to this destructive and futile policy, including the exercise of the congressional powers of the purse. We need to stop financing the administration's reckless strategy and put critical resources into rebuilding our military. Our troops deserve no less from this Congress.

Mr. President, I yield the floor.

Mr. MARTINEZ. Mr. President, we have been discussing this topic now for some time, and it seems that there are a succession of ways in which to fail.

The Democratic leadership in the Senate is looking to persuade the American people that our national security would improve if we immediately withdrew U.S. forces from Iraq and provided our enemies with a timetable and roadmap for our withdrawal. This is exactly what S. Res. 9 would do. It would require the beginning of the withdrawal of U.S. troops from Iraq within 120 days.

The distinguished Senator from Connecticut said he didn't even think that was acceptable; that it should be even less than 120 days. So the underlying goal is to remove all U.S. combat forces by March 31, 2008. There will be exceptions for those who will stay to protect personnel and to do the training of Iraqi forces, but the overall premise is to diminish the U.S. presence in Iraq. To that end, I ask: What is the goal, just withdrawal or success? If all we are about is withdrawing, there are many ways to do that. This timetable might be appropriate, if that were the only goal. But if the goal is success, if the goal is the opportunity for Iraq to succeed in its effort at democracy, a different plan must be followed.

Setting artificial, arbitrary timelines for withdrawal has been opposed by Republicans, Democrats, our military leaders, and the Iraq Study Group. In the words of the Democratic leader on January 31, 2005:

> As far as setting a timeline, as we learned in the Balkans, that is not a wise decision, because it only empowers those who don't want us there, and it doesn't work well to do that.

In the words of the current chairman of the Foreign Relations Committee, in June of 2005:

> A deadline for pulling out will only encourage our enemies to wait us out.

Let me repeat that: It will only encourage our enemies to wait us out if we give a deadline.

Democrats are trying to bring before us the 17th version of how we would manage the war in Iraq. Seventeen plans in less than 2 months and none lead to victory. Can you imagine if the commanders on the ground actually had to take orders from the Senate? Thankfully, in our scheme of Government and the way our Government was set up, we only have one Commander in Chief, one person giving the orders to our armed services so that they might succeed at our endeavors.

This attempt to micromanage the war at every level by Senate resolutions is not what our Government should do at a time of war. The President put together a new plan and a new team. General Petraeus is on the ground as the Iraq allied commander, and Admiral Fallon with the Central

Command. Both of these distinguished military leaders testified they supported the current plan, and this Senate confirmed General Petraeus by a vote of 81 to 0.

So now what is our message? We send you to war but we don't want you to execute your plan?

We are so fond of this whole atmosphere of anti-Bush and the President that we forget that this is a plan that General Petraeus, our military leader on the ground in Iraq, has said he believed was a plan that had a reasonable chance for success. So I say give General Petraeus and his plan a chance for success on the field.

Our forces have not suffered a single military defeat in this entire episode. Obviously, we have had some losses, and a high cost in lives and injuries and treasure, but we have not had a single military defeat. The sacrifice of our troops, their sacrifice, must be for a purpose: a state of Iraq that is not a failed state.

In hearing after hearing in the Armed Services Committee, I have listened to our military leaders, as well as intelligence experts, give us the same message, and their message is clear: A precipitous withdrawal from Iraq would almost surely result in a failed state, and a failed Iraqi state would be a disaster for the Middle East and our own national security.

I would suggest a rapid exit from Iraq is not in America's best national interest. I urge my Democratic colleagues to articulate how exiting Iraq, allowing chaos to reign, allowing thugs to rule the streets, and fear to rule the hearts of the Iraqi people will make America safer.

For years, my Democratic colleagues have been calling for a change of course. Well, President Bush provided one, a way forward politically, economically, and militarily. The new team, a new commander, and our commanders in the field, have said we need more troops, and the President provided them.

By the way, early indications are that things are a little encouraging. American and Iraqi forces, side by side, are walking in the streets of Sadr City as we speak. It is too soon to tell, but so far, I, for one, am encouraged. This may just work. Why not give it a chance?

The Democrats have provided 17 plans. None will give Iraq a chance to succeed. I have a plan. Let's support our troops by providing them the funding they need and allowing those responsible for executing the war to do their job. Let the generals on the field run the war.

My colleagues on the other side of the aisle try every day to equate this global war on terror to Vietnam. I do not believe there are many similarities, but I believe there is one. That war, Vietnam, was lost in Washington, and this one can be, too. Let's not do that.

The distinguished junior Senator from New York said it best on September of 2005:

> I don't believe it is smart to set a date for withdrawal. I don't think you should ever telegraph your intentions to the enemy so they can await you.

That statement was true then, and I believe it to be true today.

During this debate, I want to hear how nonbinding resolutions, dragged out over several weeks, Saturdays included, resolutions with the sole purpose to undermine our Commander in Chief, will do anything but confuse our troops, embolden our enemy, and complicate our efforts to combat terrorism and support this young democracy in the heart of the Middle East.

I oppose S. Res. 9. It is wrong for Iraq, it is wrong for the Iraqi people, it is wrong for the stability of the Middle East, and it is wrong for the national security of the United States.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. MCCASKILL). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BROWN. Madam President, 4 years ago the President of the United States told the Nation that Iraq had weapons of mass destruction. The President told us that Saddam Hussein was aiding and abetting al-Qaida. Now he is telling us that sending more troops into Iraq will lead to some kind of victory in a country torn by civil war and rife with insurgents. The President did not make a credible case in 2002. He has failed to do so again.

Before the President sent our troops into battle in 2003, I asked him a series of questions in a letter to the President and in a House resolution, questions about strategy, about reconstruction, and about troop safety. He did not answer those questions then. He still has not answered them. We do not know his definition of victory. We do not know his plan for an exit strategy. We still do not have an answer as to when our troops will have all the body armor they need. We are supposed to take it on trust that sending more of our troops into this chaos will somehow produce stability. Trust needs to be earned.

In November, voters in my State of Ohio and voters in Missouri and across the country spoke loudly and clearly that they do not support more of the same when the same simply has not worked. Clearly, the President has not listened to them. It is up to Congress to work together and up to Congress to work on a new direction for Iraq. We are well served to remember that we stand in this room today at the will of the American people. We have a duty to stand up to the President now as we failed to do in sufficient numbers 4 years ago.

The same people who chose to start this war, who recklessly started this war without the necessary resources, without the necessary planning, without the necessary body armor—those people who ignored the sage advice of military experts are the same people, with their same tired advice, who want to escalate this war today. If we choose to ignore history, we will be repeating a grave mistake.

This resolution does four important things.

First, this resolution reaffirms our continuous support of our men and women in uniform. Any official in our Government who says anything other than that is playing to the crowd, is disingenuous at best. Our troops have done everything we have asked of them in Iraq. They have acted heroically. They have done their job. Some have said that if we do not support the President's plans, we are unpatriotic. They say we don't support the troops. Every Member of this body supports the brave men and women fighting in Iraq. Every Member of the Senate who stands up and speaks out in this war is demonstrating patriotism. Patriotism isn't a yes-man; it is love for our country. Fighting against more of the same in Iraq when more of the same is not working is what patriotism looks like.

Second, this resolution answers the demand of the American people to redeploy our troops out of Iraq. The President's original plan for Iraq has not worked, and his most current plan for escalation is neither new nor different. We must have a timetable for redeployment of U.S. forces or, at the very least, a plan for it—something the administration has simply failed to do.

Third, this resolution calls for a comprehensive strategy using diplomacy—something else the administration has failed to do.

Fourth, and perhaps most important, this resolution calls for oversight. The abdication of oversight and accountability in past Congresses is nothing short of shameful. The administration says the current plan for escalation will require 20,000 troops and will cost $5.6 billion. The Congressional Budget Office tells a different story. In the past, the President could put those numbers out there and nobody would call him on that—nobody in this body who had any ability to do oversight. Instead of the 20,000 troops and the $5.6 billion this President claims it costs, the Congressional Budget Office said the requirement will be 48,000 troops and the price tag will be $27 billion. Again, more of the same is not the answer.

We have the duty to heed the call of those who sent us to Congress, and with this resolution we have the opportunity to heed that call. If the President will not listen to the voters, if the President will not listen to his generals, if the President will not listen to the Iraq Study Group, if the President

will not listen to his own National Intelligence estimate, then we must make him listen to us as the people's representatives.

Let us work today toward sending a clear message to the President and to the world that the era of congressional willful ignorance is over. We will hold the President accountable, and we will start today.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Madam President, this has been an interesting debate. I have had the opportunity to watch some of it and listen to more of it. I think we are finally debating a very important subject.

From time to time, there is a tendency to treat the serious too lightly and the light too seriously here on the floor of the Senate. This is a serious matter being treated seriously. Our country is at war. Today, we have young men and women in America's military uniforms walking down alleyways and streets in Baghdad and other dangerous places in Iraq, risking their lives. Some, perhaps today, will give their lives. War is a serious subject, the most serious subject for our country.

I wish to talk a little about the history of how we have gotten to this place and what I think we should do.

I recall Memorial Day, shortly after 9/11. I believe it was the first Memorial Day after 9/11—perhaps the second—when a young man whom I had previously appointed to West Point came back. He was missing an arm, from combat.

We had, of course, gone to Afghanistan, waging a war against the Taliban that had housed and harbored al-Qaida, Osama bin Laden, and then shortly thereafter we went to the country of Iraq.

This young man, who came from a small town in North Dakota and whom I was privileged to send to the West Point Academy, came back missing an arm but enormously proud of having served his country. I recall speaking at the outdoor event at the veterans cemetery. He was there. He spoke. I was enormously proud of him. He was proud of serving his country.

I guess I described a verse I heard some long while ago—I don't even know the author—that:

> When the drums are heard and the lightning is seen and the knives are out,
> The patriots are always there, ready to fight and die for their country if necessary.

We can name many patriots in this country who serve today and who have served this country—in world wars, conflicts—who serve today because our country asks them to serve. It is always the case that old men send young men and women to war. Wars might be different if the ages were reversed, but they are not.

The question for me today is, What are our goals? My guess is every person serving in this Chamber, every man and woman, every Republican and Democrat, every conservative and liberal, wants the same thing for this country. We want our country to succeed. We are on our side, we are on the side of right, we are on the side supporting the greatest country that exists on this Earth.

We made some serious mistakes. We went to Afghanistan. That was the right thing to do. It was, after all, Afghanistan that housed Osama bin Laden, who boasted about committing the terrorist acts of 9/11, murdering thousands of innocent Americans. They boasted about that. They said, ''We did it.'' Al-Qaida, Osama bin Laden, al-Zarqawi—''We did it,'' they said. They were in Afghanistan, so we went to Afghanistan and toppled the Taliban government of Afghanistan, and the leadership of al-Qaida escaped. The leadership of al-Qaida went, apparently, to the hills in northern Pakistan.

Then, with President Bush's direction, went to Iraq.

A great deal of top-secret information was disclosed to those of us in Congress and some to the American people. The Secretary of State made a lengthy presentation with charts and slides to the United Nations, a presentation to the world. It turns out much of the intelligence upon which that was based was fundamentally wrong, some of it embarrassingly inaccurate.

One single source, someone who we now know the Germans thought to have been a drunk and a fabricator, was used by the administration to suggest that Iraq threatened our country because it had mobile chemical weapons labs. This source, called ''Curveball,'' whom we now know to have been a single source and a source who lied, was the basis for substantial allegations to the Congress and the American people about evidence of a weapon of mass destruction program in Iraq. The source for yellow cake from Niger turns out to have been forged papers. Equipment to recreate a nuclear weapons program in the form of aluminum tubes—the Secretary of State and others gave us information about that, information that is now public but was imparted to us in top-secret sessions without disclosing something she was responsible to disclose: There were other parts of the Government that said no, these are not aluminum tubes to reconstitute a nuclear program, they are not that at all. They are thought to be for use in rocketry, and that is exactly what we found out later to be the case. Very substantial mistakes were made but, nonetheless, we cannot turn back the clock. American soldiers were committed.

As a result of that, a number of things have happened in the country of Iraq. While the terrorists fled to Pakistan and Osama bin Laden and al-Zarqawi and the other leadership of the al-Qaida organization hid in northern Pakistan, now some over 2,000 days since they boasted about murdering thousands of Americans—while that was the case, we went to Iraq.

Saddam Hussein was deposed. This man was a butcher. We have unearthed mass graves in Iraq that housed hundreds of thousands of skeletons of people murdered by the Saddam Hussein regime. Is it a worthy thing to have deposed a leader of Iraq with that kind of record? Yes. Saddam Hussein is gone. He was executed. The Iraqi people have now voted for their own Constitution. They wrote it and supported it. The Iraqi people have now elected their own government by their own hand. So there is no dictator, they have a Constitution, and they have a new government.

The problem at the moment is they are not able to provide for their own security. In fact, there is a civil war occurring in the country of Iraq. We have just received the latest National Intelligence Estimate—the latest National Intelligence Estimate, which is a compilation of whatever is said by the best minds that exist in the intelligence community.

This is unclassified:

> Iraq has become a self-sustaining intersectarian struggle.

If you take those words as part of what the National Intelligence Estimate says, this is a civil war. Now we end up with American soldiers right smack dab in the middle of a civil war in Iraq while Osama bin Laden and the al-Qaida leadership exists in northern Pakistan directing al-Qaida's terrorist activities.

Now why does this matter? Let me describe why that is important. On January 11, 2007, Mr. Negroponte who was then the Director of National Intelligence testified before Congress. He said:

> Al Qaeda is the terrorist organization that possesses the greatest threat to U.S. interests, including to our Homeland.

Let me say that again. What is the greatest threat to our country's interests? Al-Qaida. That is not me; that is the head of American intelligence, Mr. Negroponte. This was reaffirmed 3 weeks ago by the current head of U.S. intelligence. The greatest threat to our country, the greatest terrorist threat to our country, is al-Qaida. They pose the greatest threat to our interests and to our homeland.

Now an additional statement by Mr. Negroponte says this:

> [Al Qaeda] continues to plot attacks against our homeland and other targets with the objective of inflicting mass casualties. And they continue to maintain active connections and relationships that radiate outward from their leaders' secure hideout in Pakistan to affiliates throughout the Middle East, northern Africa and Europe.

All of this is a direct quote from the unclassified testimony of the head of intelligence in our country. Al-Qaida is the greatest terrorist threat to our country, No. 1; No. 2, they continue to plot attacks against our homeland from their leaders' secure hideout in Pakistan.

Now let me ask the question: What is the goal here? What is the goal for this country? We were attacked on 9/11. Thousands of Americans were murdered by airplanes full of fuel, used as

guided missiles to fly into office buildings, to the Pentagon. We were attacked on 9/11 by al-Qaida. They boasted about it. They said: We did it. Give us credit. We murdered innocent Americans.

Where are they now, over 2,000 days later? They are, according to our top intelligence experts, in a secure hideout in Pakistan with the objective of inflicting mass casualties by continuing to plot attacks against our homeland.

So what are we doing today? We are in Iraq going house to house, in Baghdad, in the middle of a civil war.

What is the goal? Is our goal to fight terrorism? To take on the terrorists? To eliminate the terrorists? To eliminate the leadership of al-Qaida? Is it our goal to go after those who attacked our country and murdered thousands of innocent Americans?

If that is our goal, let me ask this question: Why are they in a secure hideaway in northern Pakistan and our soldiers are going house to house in a civil war in Iraq, in Baghdad? Why? Maybe it is not our goal to fight the terrorists. Is it not our goal to take them on where they are? Yes, there are some al-Qaida in Anbar Province in Iraq. This resolution, by the way, will allow us to redeploy in Iraq to make an even greater effort against that al-Qaida organization that exists in Anbar Province. But our National Intelligence Estimate is quite clear: What is happening in Iraq, in the main, outside of Anbar Province has very little to do with al-Qaida and with terrorism. It has everything to do with a civil war and sectarian violence.

So the question is: What should be our goal? I very strongly believe we should redeploy our troops and understand that our obligation is to take on those interests that want to attack us in our homeland, those interests that attacked us previously, those interests that represent the greatest threat to our country as described by the head of U.S. intelligence.

Why on Earth on this day, Wednesday—2,010 days, nearly, following 9/11, after Osama bin Laden and al-Qaida boasted about launching attacks in our homeland and murdering the American people, murdering thousands of Americans—why on Earth would we not be in a full-court press to prosecute the war against terrorists? No, this situation in Iraq is not a proxy against the war on terrorism. It is not. It cannot be described that way.

The National Intelligence Estimate tells us it is sectarian violence, by and large. The head of national intelligence tells us where the head of the greatest threat to our country is in northern Pakistan, the leadership of al-Qaida. We are going door to door in Baghdad in the middle of a civil war, and they are in northern Pakistan promoting continued attacks against our homeland.

Is that a disconnect? It seems to me it is. Anybody in this Chamber who stands up and has a strong passion and opinion about these issues, I respect. The last thing I would ever do is suggest they are not patriotic, they don't love their country, they do not support soldiers. All nonsense. Every man and woman who aspires to come and serve, who is here in this Chamber, I know loves this country, supports our soldiers, and wants our country to succeed. That is a fact. This is not about anybody having bad motives. It is about our country trying to make a decision: Are we on the right path or the wrong path? Do we think the experience we have had in Iraq—now that this has become a civil war, in which we have made very little progress but seen many Americans killed and far more wounded—do we think that kind of situation can and should continue, or should we say to the Iraqi people the following: We want what is best for you as well. We have, with the blood and treasury of American soldiers and the American people, given you the following opportunities: You were able to get rid of Saddam Hussein. He does not exist anymore. He has been executed. You were able to write yourself a new constitution and you were able to cast your votes for a new government.

The question now is this: This is your country, not ours. Do you have the will and the capability to provide for your own security? Iraq belongs to you, not us. If you cannot provide for your own security, the American taxpayer and the American soldiers cannot do that for a long period of time and should not be asked to do that year after year after year.

We ought to redeploy, and that redeployment ought to be so our country can wage war against terrorists. We know where they are. Our National Intelligence Estimate and the head of the national intelligence organizations have told us. They are the greatest threat. We know where they are. Yet my guess is they do not feel terribly threatened today.

What is the goal? What is our goal here? I would hope our goal as a country is to decide to go after and eliminate those terrorists who plot attacks against our country.

Now there are many ways for us to manifest our love of country and our passion about these issues. But I think there is one other issue most of us would agree upon. One of the concerns I have had about what is happening these days with respect to the Iraq war is we have sent soldiers to war, but we have not asked our country to make a similar commitment. Just this morning I asked the Chief of Staff of the Army at a hearing, an Appropriations hearing, about a new personnel carrier we have developed. They say it will reduce deaths from improvised explosive devices by two-thirds in a country such as Iraq—new design, stronger, more capable. I asked: Were we ordering a lot of them? No, not really. At today's pace it will take about 6 years to replace the existing vehicles.

I chaired a democratic policy committee hearing last year, and retired Marine Colonel Hammes came to the hearing. He said: You know, in the Second World War, at the end we were producing 50,000 warplanes a year.

Do you know why? Because our country, by God, decided the whole country was going to make an effort to go to war, to commit and to produce and do everything there was to give our soldiers the opportunity to fight and win. We have not done that.

The Army has ordered 2,500 of those new armored personnel carriers some estimate will save two-thirds of the lives that are now being lost to IEDs. Our country is told we are at war, you go ahead and go to the mall, go shopping. The soldiers will go to war. In fact, we won't ask you to pay for anything either. We have now spent $450 billion, plus or minus. We are on the way to spending over $650 billion in Afghanistan and Iraq and the war on terrorism without asking the taxpayer to pay one cent; add it to the debt. The country has not been asked to go with the soldiers. There is no sacrifice. It is just the soldiers.

We have a resolution on the floor of the Senate. The resolution is S.J. Res. 9. I heard some of the debate a bit earlier. Some have suggested this resolution is about cutting and running. People will think we have left. I think most of the people in this world would take a look at us and say this is the strongest country in the world. It has got the biggest military in the world. We spend more money than any other country, any other series of countries, on defense. We spend more money than the top 30 countries combined on defense. Unbelievable.

We were attacked by the leadership of al-Qaida and their operatives on 9/11/2001. It is now 2007. They are still alive. Our national intelligence chief tells us where they are. They are still the greatest threat to this country. They are still plotting attacks against our country. And we are this behemoth military Nation that has such capability. Why are we not using that capability for the goal I think is preeminent, and that is the goal of protecting our country and eliminating those who are plotting attacks against our country, the leadership of al-Qaida? The way to do that will not be to wait for President Bush to decide he wants to change course. He does not want to change course. He wants to keep doing what we have been doing. But the way to change course is to pass the piece of legislation that says: Let us redeploy our troops.

Speaking only for me, I believe the redeployment ought to be to go after the greatest threat that exists to this country's future, the greatest threat described by our National Intelligence Estimate and the national intelligence chief. It is not a surprise, not a secret. We all understand where that threat is. And yet we reduced our forces in Afghanistan early so we could invade

Iraq. Now we have got problems in Afghanistan. We have got bogged down in Iraq. We are now in the middle of a civil war in Iraq.

The greatest threat to our country's interests is in a secure hideaway in Pakistan; a secure hideaway. That ought never happen. The head of intelligence in this country ought never be telling us there is a secure hideaway for the organization that wants to destroy our country, to launch attacks against innocent Americans. There ought not be a place that is secure on this planet for people who are doing that.

What is the goal? Is not the goal to fight terrorism, to take on the terrorists? If that is the case, then let's heed the words of the head of intelligence, to know where they are, what they are doing, who they are, and find a way to bring them to justice. The sooner the better. After nearly 5½ years, it is past time, long past time for us to set our sights on those who represent the greatest threat to our country. That is the reason I will support this resolution. This is about redeployment. This is about establishing the goals we ought to have as a country.

Finally, let me say this: I have enormous respect for the men and women serving in the military. They are an unbelievable bunch of young men and women. I recall speaking to a helicopter crew in Afghanistan. They were young men and women, average age 19, 20, 21, 22 years of age who were keeping those helicopters in the air.

The officer said these are kids, but they are highly trained kids, highly motivated kids, these young people. You go in the field and watch what they do, and it is unbelievable. They love their country. When their country asks them to serve, they serve. But their country, it seems to me, owes them something too. Their country owes them the responsibility of clear, thoughtful policies, the ability to address what is important to our country.

When we use military force, we ought to use military force not in the middle of a civil war some place, but instead use military force to confront the terrorists who threaten America. That is what military force ought to be used for at this point. We understand terrorism is awful. Most of us have never before understood there are plenty of people out there who are willing to die themselves if they can kill a few innocent people in order to make their point. That is something we have never before understood very well. That is modern terrorism. We have to confront that. We owe it to our soldiers to have a set of goals that represent the best interests of this country.

So my hope, in short, is for us to be able to tell the Iraqis: This is your country, not ours. You need to provide for your own security. We are going to give you a sufficient time to do that, but we cannot keep American soldiers in the middle of a civil war for a great length of time. We intend to turn our attention to where it should have been all along; and that is, to confront the greatest threat that exists to our country, which is al-Qaida, its network around the world, and its plans to try to create terrorist acts in our homeland.

That ought to be our goal. The way to achieve that goal is through the redeployment that would come with this legislation.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DORGAN. Madam President, I ask unanimous consent to speak as in morning business for 5 minutes.

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

Mr. DORGAN. Madam President, I understand Senator FEINSTEIN is on her way. As soon as she arrives, I will yield the floor.

FUEL EFFICIENCY ENERGY ACT

Mr. DORGAN. Mr. President, I wish to comment very briefly on legislation that Senator LARRY CRAIG of Idaho and I are introducing today. It is a bipartisan piece of energy legislation. I wish to describe it briefly.

We are in the process, this year, of trying to put together another Energy bill. I am on the authorizing committee. So with the leadership of Senator BINGAMAN and Senator DOMENICI and others of us on the authorizing committee, we will try to write a new Energy bill. That bill has a lot to do with security—oil security, energy security but the security of our country as well.

If we woke up some morning and terrorists had interrupted the supply of oil to our country, we would be in a desperate condition. On this Earth of ours, this planet, we stick straws in the planet and suck out oil—about 84 million barrels of oil a day. Of the 84 million barrels a day that is taken out of this planet, 21 million barrels is used in the United States. One-fourth of all the oil is used in this little patch of ground called the United States.

Nearly 65 percent comes from outside our country, much of it from very troubled parts of the world—Saudi Arabia, Kuwait, Iraq, Venezuela. We are desperately dependent on oil from other countries—again, in many areas, troubled countries in the world.

We have to find a way to move toward energy independence. Senator CRAIG, a Republican, and I, a Democrat, have worked on a bipartisan basis to introduce legislation that has been put together for nearly 2 years now by an organization of retired business executives, retired military officers, to talk about reducing the oil intensity in this country, especially dealing with transportation.

Nearly 70 percent of all the oil we use is used in transportation. We run it right through our vehicles, by and large, and 70 percent of it is used in the transportation sector; and that line is going up, up—way up. We need to find ways to address this issue of our unbelievable dependence on foreign oil and the substantial increase in oil intensity in the transportation sector.

So we are introducing a piece of legislation that does a lot of things. A, it demands that vehicles be more efficient. And we are not leaving out any vehicles. This includes big trucks. Get a car these days and compare it to a car you would have purchased 10 years ago—identical models—and what you will find, I bet, is there has not been one bit of progress in fuel efficiency in 10 years.

Oh, the car company will say: That is not true. This is much more efficient. It is heavier, but you get the same gas mileage, even though you are actually pulling more weight. That is all baloney. The fact is, in terms of how much oil we use, we are not making any progress on efficiency. As a result of that, I believe, finally, it is long past the time when we ought to demand increases in the efficiency in our vehicle fleet.

Second, we believe we are going to have to find additional oil. I understand that digging and drilling, which I call ''yesterday forever'' as an energy strategy, is not the only strategy, but we do have to find some additional oil. We believe we should open up additional lands in the Gulf of Mexico, where the substantial quantity exists. We would do it by protecting beaches and protecting the viewshed, but there is substantial energy there we ought to be able to get.

Third: a dramatic increase in renewable energy. Yes, cellulosic ethanol, biodiesel, and a whole series of areas of achieving substantial additional renewable energy—all of that is achievable if we decide as a country to establish that as a goal.

We believe doing a number of things, some of which are very controversial, to both increase production and decrease use—that is through conservation and efficiency—can move us to a much less oil-intensive economy.

Now, there is more to do. The larger, comprehensive bill will have to include the issues of electrogeneration and transmission, and all these other issues. We are dealing, in the legislation Senator CRAIG and I are introducing today, with the question of oil intensity in the transportation sector, which is a very substantial part of our oil usage.

Now, we do not believe necessarily that somebody is going to say: Well, do you know what? Let's take this entire bill as it has been written and have a vote tomorrow. We understand that is not the way it works. But we do believe it is important for us to take a hard look at these energy issues from a security standpoint.

We talk about energy in many ways too casually. Our country runs on energy. Especially the issue of oil is a very important issue because so much of it comes from off our shores. So much of it comes in circumstances that we have very little control over.

From an energy standpoint, I was thinking the other day about a visit I had with our former colleague, John Glenn, who described to me, late one night on an airplane as we were flying over the Pacific on our way to Asia—I was pumping him with questions because I was a young boy as I listened on the radio about his space flight. I was asking John about all of this, and I had read about the time when the city of Perth, Australia, I think it was, decided to light every light bulb in the city as a signal to this astronaut flying up there alone circling the Earth.

John Glenn told me, when I asked him the question: As you reached the dark side and looked, did you ever see Perth, Australia, because they lit all the lights of the town to signal you?—and he said he did. He looked down.

The only evidence of life on Earth on the dark side was to see a shining light that was then Perth, Australia. But that light was, of course, a product of energy—energy produced by human beings to make life better on this Earth. So now we come to the year 2007, living in the greatest country on Earth—but an unbelievable, prodigious consumer of energy—in a situation where we do not have a secure energy supply, with 60 to 65 percent of our oil coming from Saudi Arabia, Kuwait, Iraq, Venezuela, and other parts of the world where there is great turbulence.

So the question for this Congress is what to do about that. The answer is, as is the case in all areas of security, we need to be concerned and we need to take action to become less dependent and more independent, to the extent we can, on foreign oil.

So working with a wide group of interests, with an organization that has been working now for several years to put this plan together, Senator CRAIG and I are introducing this legislation today in the Senate. I wish to take a brief moment to comment about what that plan is.

We take—pretty much all of us take—energy for granted. We live a great life. For light, we simply turn on a switch. To move someplace, we turn a key and gasoline flows from the tank, through the carburetor, the fuel injector, and we do not think much about that. But it has given us a pretty unbelievable life. Through it all, we have never had to be very conscious about saving, economizing, efficiency, conservation, and we have not had to be as conscious as we should be now about where oil comes from.

For that reason, we have introduced a piece of legislation that I think has substantial merit. We will work with Senator BINGAMAN and Senator DOMENICI and others on the authorizing committee to incorporate the provisions and the ideas that are represented in this plan as a new approach to energy in our country's future.

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

I withhold the suggestion of an absence of a quorum.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, I would like to particularly commend the leader, Senator REID, and the chairman of the Armed Services Committee, Senator LEVIN, for the work that has been done in putting together a resolution which, as much as possible, can meet some of the objectives of the Democratic majority of this body at the present time. That is not an easy task.

I think Members who participated in this effort took into consideration that in less than a week our Nation will mark 4 years in Iraq. We have spent nearly $400 billion. We have lost more than 3,000 Americans. More than 140,000 of our own brave men and women find themselves trying to salvage a situation that simply cannot be solved through military force.

If I believed there was any chance the military could solve the problem of hundreds of years of hatred between Sunni and Shia by resolving what is effectively a civil war, I would believe this surge and more troops might solve this situation. But I do not.

The only solution rests with the Iraqi Government and the Shia majority. The Iraq of today is embroiled in four different wars—a terribly complex civil conflict that even General Petraeus, our commander in Iraq, says requires a political solution.

Simply put, there is no end in sight. Yet the President insists on escalating our troop presence there. None of this makes sense to me because I deeply believe we must change our course in Iraq. That is why I support the joint resolution before us today.

Where the administration expands our involvement in Iraq, this resolution sets a time limit. Where the administration sees a military solution, this resolution recognizes that the solution must be political. Where the administration calls for more money and more troops, this resolution says: Enough is enough. Where the administration fails to put demands on the Iraqi Government, this resolution tells them: You must take responsibility for your own future.

The Iraqis must realize our commitment is not open-ended and they must stand on their own. How can we ever expect that Iraqis will be able to stand up and make the political choices if we keep such a large, sustained American troop presence in Iraq? We become the buffer, then, that prevents the solution. Only the Iraqis can choose to end this civil war. Only the Iraqis can unify their country if, in fact, the Shia majority want a unified Iraq. Yet this will never happen until we begin to draw down our troop levels. This resolution does exactly that. It is a vehicle for the Congress to show leadership, to tell the President that he has put us on the wrong course and that a political solution is the key to this conflict.

This resolution sets us on that path. It spells out clear deadlines: The phased redeployment of our combat forces must begin within 120 days of the resolution's passage. A goal of March 31, 2008, would be established for the redeployment of our combat forces out of Iraq. This resolution also redefines the mission. A smaller force could remain in Iraq. The mission would be limited to force protection, training and equipping Iraqi troops, and targeted counterterrorism operations.

It is, in a way, similar to the resolution I introduced last month which set an expiration date for the 2002 authorization for the use of military force in Iraq.

This resolution fills a void. It puts a long-term political, diplomatic, and economic strategy for Iraq at the center of our national policy. That is where I believe it should have been a long time ago. It is consistent with the views of the American people, whose opposition to this war and this escalation or surge remains strong and sustained to this very day. But instead of following the will of the American people, this administration is pursuing a surge in forces which appears to be growing. The administration has not set any limits on the number of troops needed or on the duration of the mission or the cost to the American people.

In January, the President said he would send an additional 21,500 troops to Iraq at a projected cost of $5.6 billion. Yet just this week the White House asked the Congress for another $2.5 billion to pay for an additional 4,700 support troops for the surge in Iraq. The costs keep rising.

The Pentagon initially said it would be only a matter of months before we could assess whether the surge was a success. I believe the new Secretary of Defense, Secretary Gates, said we should know within 4 months whether this surge is successful. But the commanders on the ground now suggest we may have to sustain the escalation until well into next year. Yet it is clear our military is under such strain that the only way to maintain those 20 brigades is by extending the deployment of many of our soldiers in Iraq, and by making many more deploy overseas much earlier than planned.

We are breaking our own military in Iraq, even as it becomes increasingly evident that success cannot be achieved militarily.

Just consider these facts. More than 420,000 troops have been deployed at least twice; 420,000 men and women have been deployed twice. More than 50,000 troops have had their tours extended through ''stop-loss'' orders. Troops are being rushed into the field without proper training and without

enough armor. We are leaning more and more heavily on the National Guard. Yet 90 percent of the Guard units in the United States are rated ''not ready.''

I understand why the President may wish to talk about ''encouraging signs'' in Iraq. But the facts show otherwise. Even while the violence in Baghdad has decreased, violence outside the capital has increased. Two hundred Shia pilgrims have been killed in just the past week alone. As insurgents have left Baghdad to avoid the ongoing military crackdown, they have simply melted away into outlying regions, waiting for the pressure to ease.

What makes anybody think this will be any different by the end of this year, the middle of next year, or the end of next year, or any other time? While more American soldiers deploy to Baghdad, the Iraqis have yet to provide all the troops they promised.

There is no end in sight. This joint resolution changes that. It changes course. It redefines the mission. I urge the Senate to vote for it.

I thank you, and I yield the floor.

The PRESIDING OFFICER (Mr. OBAMA). The majority leader is recognized.

Mr. REID. Mr. President, I apologize to everyone, especially those who were planning on going to visit with the President of Mexico with me on Friday. I have had a longstanding appointment with the President to talk about issues important to our country, but we are now in the midst of this debate dealing with Iraq and, following that, the U.S. attorneys. I have told everyone that we weren't going to have votes on Friday, and that was really my intention because I was going to be out of the country with five of my colleagues. I haven't had a chance to speak to any of the five Senators who are traveling with me. But I think it is only fair at this time that I cancel my trip, and that is the reason I am addressing the Senate now. My trip is canceled as of now.

I don't hold any ill will toward anyone. Senator MCCONNELL has worked with me every half hour today trying to work something out, so this is not any finger pointing in any way. I just want the RECORD to reflect that I think we will work something out so we will not have to be in session on Friday, but I don't want anyone thinking that any of my work toward completing everything we need to do here by tomorrow is based upon my trip because that is not it. I want to make sure that everyone is free. I will be talking to my colleagues independently and telling them that we will try to do this some other time. But I think I would be judged very poorly if during the midst of this debate on the most important issue facing the American people—Iraq and then the issue we are also trying to resolve, and that is the U.S. attorneys problem—that my trip got in the way of that at all.

Again, I want the RECORD to reflect that the Republican leader has been a gentleman throughout. It is not his fault in any way. I hold no one to blame. I just want to make sure that as negotiations go forward from this minute, they are based on what is best for the Senate and has nothing to do with my trip. I will continue to work, I tell all my colleagues, both on the majority and the minority side, with the distinguished Republican leader to do everything we can so that we don't have votes on Friday, but we may not be able to do that. I think we can, but we may not be able to. If we can't work something out on a consent to finish this Iraq debate in some positive manner, then we would have to have—I would have to move to cloture tomorrow night some time, at 6 or 7 o'clock. But I will continue to work on this, and I apologize. Even though I had one of my staff a few minutes ago call the Mexican Ambassador to say that we would likely not be able to do that trip, and now we are not going to be able to do the trip, I will call the President of Mexico and tell him there will be other times to do this trip.

Mr. MCCONNELL. Mr. President, will the majority leader yield?

Mr. REID. I yield to the minority leader.

Mr. MCCONNELL. Mr. President, let me just echo the remarks of the majority leader. I see that Senator WARNER is now on the Senate floor. He and I had a conversation at noon about a proposal he hoped to offer. It is my understanding, I would say to my friend, the majority leader, that his proposal has just been handed to us. That was the reason for the delay this afternoon, with all due respect to the Senator from Virginia. I know he was working on drafting it, but that is the reason we have not been able to hopefully get to the point of having an agreement, which the majority leader and I both would like to have.

We are ready for this debate, and now that Senator WARNER is on the Senate floor and has his proposal, we will give a copy to the majority, and I will be able to see it myself, and hopefully, shortly, we will be able to enter into an agreement that will be satisfactory to both sides. Certainly, that is my hope and my expectation.

Mr. REID. I thank the Chair.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, may I say the distinguished Senator from Kentucky is exactly right. I am doing my very best, in consultation with Senator NELSON and other Members, to try to prepare this document. It is now in draft form. I would hope it could be concluded very shortly. So I plead guilty to the facts, and I apologize to the distinguished leader.

Mr. DURBIN. Mr. President, 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.

Mr. MENENDEZ. 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. MENENDEZ. Mr. President, I ask unanimous consent to speak as in morning business.

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

PREDATORY LENDING

Mr. MENENDEZ. Mr. President, I wish to address one of the largest problems plaguing our home buyers today; that is, predatory lending. Over the past few days, the Wall Street Journal has written a number of articles about abuses in the subprime lending industry prompting a much needed crackdown on dishonest practices and deceitful lending. In addition, on Tuesday, the Mortgage Bankers Association reported that the number of new foreclosures reported during the fourth quarter of 2006 reached the highest level in 40 years. Not surprisingly, foreclosure and delinquency rates were highest among subprime lenders.

Mr. President, enough is enough. The recent scandal at the New Century Financial Corporation, one of the largest subprime lenders, is a final straw. As the Wall Street Journal describes in one instance, an elderly woman was struggling to make her $952 monthly mortgage payments when a mortgage broker called and offered her a ''senior citizen's loan'' from New Century Financial. They told her she wouldn't need to make payments for years. Well, she didn't get years. Instead, her monthly payment skyrocketed to $2,200 per month, more than double her income. With the assistance of a lawyer, she escaped foreclosure, but many others are not as fortunate. This is a prime example of the consumer exploitation occurring in subprime lending, and it is simply unacceptable.

Unfortunately, there are many more examples. Unscrupulous predatory lenders prey upon the innocent and unsuspecting. We know these lenders are more likely to target women, racial minorities, and the elderly. In fact, a recent academic study by the University of Denver found that more than 130 million Americans without prime credit scores—the type you need to get a low-cost loan—are disproportionately African American and Hispanic. How can we sit by while these groups are not only being robbed of their savings but robbed of their dream? For many, home ownership is the key to making the American dream a reality.

I have been a longtime advocate for increasing home ownership in underserved and minority communities. More and more Hispanics, for example, are realizing their dream of home ownership, with more than 50 percent of all Hispanics in the country owning homes. But when an average of 63 percent of Hispanic household wealth comes from ownership equity alone—the highest percentage of any group—it becomes clear the power that home ownership has to bring more families out of poverty, increase safety in our

neighborhoods, and help make the American dream a reality for all.

I have worked to create innovative mortgage products to help more people achieve their dream of home ownership, and I strongly believe we should not act in such a way that we dry up access to capital and mortgage options for those who are legitimately prepared to take on the responsibilities of home ownership. There are legitimate lenders who fill that need, and we should continue to work with them to preserve safe and secure loan options for consumers.

Unfortunately, predatory lending is making a mockery of the home-ownership dream for far too many individuals. Ironically, however, deceitful subprime lenders are living the dream. They are making enormous amounts, often making millions in profits. They do that by undermining the very essence of that dream for so many in our country. Last year, subprime loans totaled about $605 billion, which is one-fifth of the total overall market for U.S. home loans. We simply cannot ignore this segment of the market which serves some of the most vulnerable populations, including women, seniors, and minorities.

Many Americans listening probably think they could never be a victim of these predatory lenders. Judging from their financial success and the significant impact their practices are having on the stock market and the economy as a whole, it is clear that far too many Americans are falling victim, in many instances through no fault of their own. In communities across America, people are losing their homes and their investments because of predatory lenders. Let me take a moment to list their tactics.

Deceptive subprime lenders encourage borrowers to lie about their income, expenses, or cash available for downpayments in order to get a loan. They approve loan applications in which the income fields have been left blank. They knowingly lend more money than a borrower could possibly afford to repay. Furthermore, these lenders tell borrowers they have no other chance of getting a loan or owning a home. For many who dream of home ownership, it is hard to ignore. Home buyers are asked to sign sales contracts or loan documents that are blank or that contain information which isn't true. They sign forms where the cost-of-loan terms at closing are not what they agreed to.

The lenders' tactics are deceptive, and their words are convincing. It is no wonder many Americans have fallen into the trap. That is why I believe those who engage in predatory lending practices must be held accountable. We should no longer sit by while our communities are being targeted by these individuals and companies. We must address predatory lending through vigorous enforcement of safety and soundness standards, consumer protection, financial education programs, and credit counseling. Well-informed consumers are less likely to be the victims of predatory lenders and more likely to make better choices. However, at the same time, there are market forces that absolutely, without a doubt, prey upon the innocent and unsuspecting.

I would have preferred to have the industry fix this situation, but I personally am no longer willing to wait. This has been going on far too long. Time has run out, and I believe we need a legislative solution. As a member of the Banking, Housing, and Urban Affairs Committee, I look forward to working with the chairman of the committee, Senator DODD, to address predatory lending and to develop a solution that will protect the Nation's home buyers.

I wish to assure the American people, those who are currently struggling to pay their mortgage and those who are looking to own a home, that I will not rest until they are protected against the claws of predatory lenders. Enough is enough. American consumers deserve safe and secure mortgage options and new protections against predatory lending.

Finally, for those across the country who believe this is an issue which affects just homeowners or minority communities or those who should know better, I say ''think again.'' As today's Wall Street Journal reports, this issue has a chilling rippling effect across our Nation's economy, leading to sharp declines in the stock market and a sense that we are ''kind of back to panic mode,'' according to one economist quoted in the article. So don't be fooled. This is a serious issue which has far-reaching effects across our economy. Without prompt action, we put not only more individuals at risk of deceitful predatory lending practices but we put our financial markets and our economy at risk as well. The time to act is now, and I look forward to working with my colleagues to do just that.

Mr. President, I yield the floor.

Mr. LIEBERMAN. Mr. President, I rise to speak against S.J. Res. 9.

Today, the Senate gathers once again to debate the war in Iraq. This is a debate which has been at the center of our national politics—indeed, of our national consciousness—for 4 years now. As everyone here knows, we are now in the thick of the battle for Baghdad, a critical battle where the outcome hangs in the balance.

A new commander, GEN David Petraeus, has taken command, having been confirmed by the Senate 81 to 0 just a few weeks ago. A new strategy is being put into action, with new troops being deployed into Baghdad. The question we in the Senate now confront is simple: Will Congress give General Petraeus and his troops a chance to succeed?

This joint resolution before us would deny them that chance, forcing our troops to break off the battle of Baghdad in 120 days without regard to how they are doing. Instead of providing General Petraeus with the necessary reinforcements he has requested, the reinforcements he is, indeed, counting on, this resolution would strip troops away from him in the middle of the battle. That makes no sense. It is why Eisenhower famously once said: ''Anyone who sets a deadline in war doesn't understand war.''

We need to be clear with ourselves and with the Nation. The joint resolution we are debating would impose a fixed date for the beginning of a withdrawal from Iraq. In just 120 days after this legislation would be passed, American forces would be required by law to begin redeploying out of Iraq. This would happen regardless of conditions on the ground, regardless of the recommendations of General Petraeus, regardless of the opinions of our allies in Iraq and throughout the region, and regardless of whether security is then improving or deteriorating. It would bind the hands of General Petraeus, substituting the judgment of Congress today for the judgment of our military commanders, our diplomats, and our friends in the region 120 days from now.

Congress has been given many great responsibilities by our Constitution, but the daily micromanagement of war is not one of them. In fact, the proponents of this resolution, as I listen to them, make no attempt to justify why 120 days from now is exactly the right time to commence a withdrawal. Perhaps that is because there is no military or strategic logic at work. This is a deadline which is as arbitrary as it is inflexible. It specifically denies a great American general, David Petraeus, the room for decisive leadership, which history tells us any successful commander must have. Surely we know better than this. Surely we cannot think this is a path to success or security.

I have heard opponents of the current strategy insist that our troops should not be there ''policing a civil war.'' Well, that position, that statement would come as a surprise to the soldiers who have been serving in Bosnia and Kosovo over the past decade, first stopping and now policing a civil war—in fact, two of them. They were correctly, wisely dispatched there by a Democratic President, with the support of Democrats in Congress, the support of many of the same colleagues of mine who are today calling for this withdrawal.

I ask you, my friends, what has changed? Has security worsened in Iraq since the new strategy began? Has the political situation deteriorated? Have you lost confidence in General Petraeus, whom we confirmed just a few weeks ago? I think the answer to all those questions is no.

So I would ask: If we were to stop our legislative debating and maneuvering for a moment and actually look at what is happening in Baghdad right now, what would we see? We would see that sectarian fighting between Sunnis and Shiites is down in districts in Baghdad where American and Iraqi

forces have entered. That is according to General Petraeus' senior counterinsurgency adviser. We would see that Muqtada al-Sadr has disappeared, that many of his top lieutenants have been arrested, and that his mighty army, which terrorized much of Baghdad for the last year, has gone to ground. We would also see signs of political progress, including the passage of the new oil law by the Iraqi Cabinet, renewed talks by Sunni insurgent leaders about reconciliation, and even word of an impending Government shakeup involving the removal of some Ministers in the current Government. Finally, if we stopped and stepped back from the debate here in Washington and looked at what is happening on the ground in Baghdad and in Iraq, in Anbar, right now, we would see that the military surge has made possible a critically important diplomatic surge, as representatives from neighboring countries gathered in Baghdad last weekend in the first of a series of such regional conferences.

I don't know if this progress will lead to ultimate success in Iraq, to victory over extremism and terrorism there, to a victory for democracy and hope for an alternative path in the Arab world to the death and suicide and hatred al-Qaida offers, but I can tell you that what is happening in Iraq today certainly does not look like failure to me. In fact, it looks like some progress is being made as a result of this new strategy in Baghdad and in Anbar—preliminary but encouraging progress.

So why, in the face of these developments, would the Senate possibly adopt a resolution such as this? Why, in the face of these encouraging developments that suggest this new plan might well be working, would this Chamber demand that it end? Why, just weeks after confirming General Petraeus, would this Chamber block him from carrying out the strategy he shaped and is now successfully implementing?

There is only one understandable reason for Congress to impose this kind of deadline to begin a withdrawal, and that is if we were absolutely convinced the Petraeus strategy is doomed to failure. The only way a timetable for withdrawal makes sense is if there is no glimmer of hope that General Petraeus and the troops serving under him can succeed. I submit that is simply not a conclusion justified by the facts on the ground in Iraq today.

We are in a long and difficult war. We know that. The price paid by our heroic soldiers and their families has been heavy. I recognize that it is a war in which we have made mistakes, some of them serious, and in which we have experienced exacerbating, heartbreaking, infuriating setbacks. It is a war that has stirred the anger and frustration of the American people, feelings that are justified. What is not justified, however, is for Congress to let the passions and politics of the moment blind us to what is happening on the ground in Iraq today and what is on the line for our security tomorrow.

Our decisionmaking should be driven by the real-world conditions in Baghdad, not by the political mindset here in Washington. This joint resolution before this Chamber fails that test, and that is why it should fail to pass the Senate. General Petraeus has said he will be able to advise us, the President, the Nation, whether his plan is succeeding by the end of this summer. Until then, let me suggest an alternative course for Congress. Let me suggest we declare a truce in the Washington wars over the war in Iraq. For the next 6 months, let's let our troops and the Iraqi forces fight with our support and without us sending them mixed messages. Let us, instead, across party lines, in this Senate and in the House, come together around a constructive legislative agenda for our security in the world, including in Iraq, authorizing an increase in the size of the Army and Marines; funding the equipment and protection for our troops in Iraq, Afghanistan, and worldwide; monitoring progress on the ground in Iraq with oversight hearings, investigating contract procedures being followed in Iraq and Afghanistan, and guaranteeing Iraq war veterans receive the first-class treatment and care they deserve when they come home.

I ask my colleagues to think hard about what we are doing and what this resolution asks us to do. I ask you to look carefully, not at the public opinion polls in Washington or throughout America, but at the realities on the ground in Iraq and to think about the consequences of a forced withdrawal and failure there. I ask you to step back from this path and to vote against this resolution.

I yield the floor.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Vermont.

Mr. SANDERS. Mr. President, recently in my home State of Vermont, the Vermont State Senate, with a very strong vote, passed a resolution in opposition to the war in Iraq and demanding that our troops come home as soon as possible. It is appropriate our legislature has done that because in Vermont we have paid a very high price for this war. In fact, in terms of per capita loss, the State of Vermont is higher, tragically, than any other State in this country.

In my home State of Vermont, and I believe all across this country, the American people are deeply concerned about the war. They want real debate here in Washington on the issue and, most importantly, they want reaction. That is why I will vote for cloture on S.J. Res. 9 and why I will then proceed, if I am allowed to, if the Republicans allow us to cast that vote, to vote for this resolution.

Let me say a word about the resolution itself, which is very clear and to my mind directly addresses the central concerns of the majority of Americans who, in the elections last November, made it as clear as they could that they want a new course in Iraq. They do not want more of the same, they want a new direction.

The joint resolution we are debating backs our troops, it fully supports our troops, but recognizes that circumstances in Iraq have changed dramatically and most importantly establishes a goal of removing U.S. combat troops by March 2008.

It requires the troop redeployment out of Iraq begin no later than 4 months after the legislation is enacted. The goal it sets of redeploying most of our troops out of Iraq, March 31, 2008, happens to be the very same date proposed by the bipartisan and well-respected Baker-Hamilton Iraq Study Group. So this follows very closely the line of thought of the Baker-Hamilton Iraq Study Group.

It allows troops to remain in Iraq for three purposes: to protect Americans still working on Iraqi reconstruction, to train the Iraqi police and their military, and to engage in counterterrorism operations.

In my view, President Bush's war in Iraq has been an unmitigated disaster. It is a war many of us understood we should never have gotten into in the first place. It is a war this administration was totally unprepared to fight, where some people in the administration were talking about how the Iraqis would be throwing flowers at our troops—not roadside bombs but flowers—and that our troops would be coming home after a ''cakewalk,'' in a couple of months.

That was what they were talking about. It is a war that unfortunately and tragically has cost us terribly in terms of American blood. As of today, we have lost almost 3,200 brave American soldiers, almost 24,000 more have been wounded. Let me tell you very clearly that the evidence is overwhelming that tens of thousands more of these brave soldiers fighting in Iraq are going to be coming home with post-traumatic stress disorder or coming back home with traumatic brain injury. That is the reality of what this war has cost us up to now.

This at a time when we do not have the funding to adequately take care of our veterans, as we have seen at Walter Reed, at a time when middle-class families cannot afford to send their kids to college, at a time when this Nation has the highest rate of childhood poverty in the industrialized world, at a time when hunger in America is substantially increasing. This war, with the President's proposed increase, will cost us some $500 billion and that price tag is going up by $8 billion every month.

This cost is not only going to take money away from the pressing needs of the middle-class and working families of this country, but it is going to add to the $8.5 trillion national debt which this country currently has.

This is a war that has caused unspeakable horror for the people of Iraq—not just for our families who have suffered losses but for the people of Iraq. People who had suffered so long

under the horrendous brutality of the Saddam Hussein dictatorship are suffering even more today. We are looking at a nation in the process of disintegration. That is Iraq today. There are estimates that hundreds of thousands of Iraqis have been killed—some estimates go as high as 500,000—and almost 2 million Iraqis have fled their own country. In fact, anyone in Iraq who has any money at all, anyone who is part of the middle class, is trying to get out of that country as quickly as possible, and about 8 percent of Iraqis have had to flee their own country.

As I speak, President Bush is returning from a trip to Latin America. Wherever he spoke, he encountered massive protests. In country after country he discovered that people in Latin America hold our Nation in extremely low esteem, largely because of his ill-advised decision to invade Iraq and the disastrous way in which the Iraq occupation has been managed. That is certainly true not just in Latin America, it is true all over the world. How are we, as the most powerful military force in the world, going to be able to lead the world in the very important fight against international terrorism and Islamic extremism when in country after country leaders do not want to identify with us because of the policies of the President of the United States.

In the days immediately following 9/11, the world rallied around the United States when we were grievously attacked; not just leaders but the huge majority of people in nations all over the world expressed their support and expressed their concern for the United States. They were on our side, not just for reasons of compassion but understanding that we had to work together as a planet, as a civilized world in addressing the attacks of extremists and fundamentalists and terrorists. We had to work together and the United States was prepared to play a leadership role.

Tragically, that reality is no longer the case. We are now held in lower esteem internationally than ever before in the modern history of America. That is not just a bad thing in the sense of our young people going to Europe and finding out they are not respected or that our country is not respected, it is a bad thing if we are serious about trying to develop an international consensus to fight the very serious problem of international terrorism.

Tragically, the Bush administration has refused to listen to the American people who, in the national election this past November, made it very clear they want a new direction in Iraq and they want this war wound down. They did not vote for an escalation in this war, they voted to wind down the war. This administration has not only not listened to the American people, they have refused to listen to the thoughtful suggestions of the bipartisan Iraq Study Group. This administration has refused to listen to the advice of our military leaders in Iraq who have told us that increasing troops from the United States would make it easier for the Iraqi Government and military to avoid their political and military responsibilities: Why make the hard political decisions? Why make the hard financial decisions? You don't have to do that. Uncle Sam is there to provide you with the troops. The American taxpayer is there to provide you with the money. You don't have to make those choices.

This administration has not only refused to listen to the American people, to our military, to the Iraq Study Group, perhaps most importantly they have refused to listen to the Iraqi people themselves who, according to a number of polls, tell us very strongly they believe that in the midst of all of the chaos, all of the horror that is taking place in their country, they would be more safe, they would be more secure if our troops left their country.

If President Bush will not listen to anybody, including the American people, including former generals, including the Iraq Study Group, including international public opinion, then it is up to Congress to tell him it is time to move in a new direction in Iraq. In the 2006 elections, in my view, the people of Vermont and of this Nation told us they wanted Congress to begin asserting its constitutional authority over this war and that they wanted us to rein in this administration. Most important, they told us they wanted us to begin the process of bringing our troops home as soon as possible. As a Vermont Senator, that is exactly the effort I intend to make. We must bring our troops home instead of leaving them to be embattled referees of a civil war that only the Iraqis—not our brave soldiers—can stop.

Iraq's Government and its military must step up and accept their political and military responsibilities. As the Baker-Hamilton commission said, that will only happen when we insist that the Iraqis and not American troops are responsible for the future of Iraq.

I yield the floor.

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

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

TRIBUTE TO SERGEANT CHARLES ''CC'' JOHNSON

Mr. REID. Mr. President, I rise today to congratulate Charles Curtis Johnson, or ''CC'' as he is known to friends, on his retirement from the U.S. Capitol Police after nearly 32 years of dedicated service.

Sergeant Johnson started his career with the Capitol Police in 1974. For more than 14 years, he performed a variety of law enforcement duties as a member of the Capitol Division. In 1992, Mr. Johnson was named administrative sergeant and started working with the First Responder Unit that protects the Capitol grounds. By 1998, Mr. Johnson was promoted to sergeant and supervised the officers that protect the House and Senate Chambers.

In 2004, Sergeant Johnson earned a post as one of the supervisors of the Horse Mounted Unit. This elite unit is well known for its rigorous training requirements, and Sergeant Johnson passed these tests with ease. After his work on the Horse Mounted Unit, Sergeant Johnson was promoted to the Patrol/Mobile Response Division. He served there until his retirement, marking a long career of dedication to the Capitol Police Force.

Sergeant Johnson is also the devoted husband of a fellow Capitol Police officer, Captain Shirley Jo Johnson. Together, they have raised four children, and are the proud grandparents of four grandchildren. There is no doubt that his family can be proud of his example of professionalism and sense of duty to others.

As Senate majority leader, and a former Capitol Police officer, I have the greatest respect for the fine men and women of the Capitol Police Force. Sergeant Johnson embodies all of the qualities that make the Capitol Police one of the best law enforcement divisions in the Nation. I am pleased to recognize Sergeant Johnson today before the Senate, and I wish him the best as he embarks on this new chapter of his life.

HONORING OUR ARMED FORCES

U.S. ARMY SPECIALIST JUSTIN ALLAN ROLLINS

Mr. GREGG. Mr. President, I rise today to pay special tribute to U.S. Army SPC Justin Allan Rollins, of Newport, NH. Tragically, on March 5, 2007, this courageous 22-year-old soldier, along with five of his soldier comrades, gave their last full measure for our Nation when an improvised explosive device detonated near their unit during combat operations in Samarra, Iraq. At the time of this hostile action, Specialist Rollins, the gunner on his HMMWV, was assigned to the 2nd Battalion, 505th Parachute Infantry Regiment, 3rd Brigade Combat Team, 82nd Airborne Division, Fort Bragg, NC, and was serving in support of Operation Iraqi Freedom. He had recently reenlisted in the Army for an additional 4 years.

Justin, the son of Mitchel ''Skip'' and Rhonda Rollins, was born on November 10, 1984, and had resided in Newport, NH, all of his life. He was a 2003 graduate of Newport High School

where he played center on the football team and threw shot put and discus for the track and field team. Those close to him describe him as a wonderful young man with a nice smile and a hearty laugh, a loyal friend, and a patriot with a strong desire to serve his country. Family and friends say he had a zest for life and loved to hunt and drive fast cars.

Sensing a call to duty, and in response to the September 11 terrorist attack on our Nation, he joined the U.S. Army in 2004. Justin reported to Fort Benning, GA, where he completed basic training, infantry training, and Army Airborne School. Upon completion of his training in August 2004, he was assigned and reported to the 2nd Battalion, 505th Parachute Infantry Regiment at Fort Bragg. In August 2006, he deployed with his unit to Iraq. He said he went to Iraq so that the Iraqi children could have the same opportunities as U.S. children and he was extremely proud of what he was doing. The awards and decorations that Specialist Rollins received over his years of service are a testament to his strong character. They include the Bronze Star with Valor, two Purple Heart medals, Army Good Conduct Medal, National Defense Service Medal, Iraq Campaign Medal, Global War on Terrorism Service Medal, Army Service Ribbon, Army Overseas Service Ribbon, Combat Infantry Badge, and Airborne Wings.

Patriots from the State of New Hampshire have served our Nation with honor and distinction from the first conflict at Fort William and Mary, New Castle, NH, to the current conflict in Samarra, Iraq, and U.S. Army SPC Justin Allan Rollins served and fought in that same fine tradition. During our country's difficult Revolutionary War, Thomas Paine wrote, ''These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of their country; but he that stands it now, deserves the love and thanks of man and woman.'' In these turbulent times Justin stood with the country he loved, served it with distinction and honor, and earned and deserves our love and thanks.

My sympathy, condolences, and prayers go out to Justin's parents Skip and Rhonda, older brother Jonathan, grandparents, longtime girlfriend Brittney Murray, and to his other family members and many friends who have suffered this most grievous loss. Family, friends, and fellow soldiers will no longer be able to enjoy his company. Strangers will never have the opportunity to know his friendship. Yet memories of this young patriot will last forever with those who were fortunate enough to have had the opportunity to know him. Justin had said that there is no higher honor than to be buried in Arlington National Cemetery, and now he joins many of our country's heroes in that sacred place. Because of his devotion and sense of duty, the safety and liberty of each and every American is more secure. In the words of Daniel Webster, may his remembrance be as long lasting as the land he honored. God bless Justin Allan Rollins.

PRIVATE FIRST CLASS JASON D. JOHNS

Mr. BAYH. Mr. President, today I have a heavy heart and deep sense of gratitude to honor the life of a brave young man from Frankton. Jason Johns, 19 years old, died on February 21 while deployed in Afghanistan. With his entire life before him, Jason risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Although Jason moved to Florida when he was young, his valor over the course of his service in Afghanistan makes us proud to count him as a Hoosier, too. According to his father, Jason had known that he had wanted to be a soldier for as long as his friends and family could remember. He fulfilled that dream when he joined the Army in 2005, shortly after receiving his GED. Jason enjoyed the military, and he intended to make it his career, hoping to someday reach the rank of general. His father, along with friends of the family, described him as serious about his career and a selfless man who wanted to serve his country.

Jason died while serving his country in Operation Enduring Freedom. He was a member of the 3rd Battalion, 82nd General Support Aviation Battalion, 82nd Airborne Division out of Fort Bragg, NC. This brave young soldier leaves behind his mother and father, Kim and Jeffrey Johns, and two older brothers, Jack and Jeremiah.

Today, I join Jason's family and friends in mourning his death. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Jason, a memory that will burn brightly during these continuing days of conflict and grief.

Jason was known for his dedication to his family and his love of country. Today and always, Jason will be remembered by family members, friends, and fellow Hoosiers as a true American hero, and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring Jason's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: ''We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.'' This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Jason's actions will live on far longer than any record of these words.

It is my sad duty to enter the name of Jason D. Johns in the official RECORD of the United States Senate for his service to this country and for his profound commitment to freedom, democracy, and peace. When I think about this just cause in which we are engaged, and the unfortunate pain that comes with the loss of our heroes, I hope that families like Jason's can find comfort in the words of the prophet Isaiah who said, ''He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.''

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Jason.

IMPROVING AMERICA'S SECURITY ACT

Mrs. CLINTON. Mr. President, over 5 years ago, on September 11, terrorists murdered nearly 3,000 people in the single deadliest attack on American soil in our history.

What all Americans witnessed and what too many families experienced personally and tragically was the dawn of a new era. We knew it then. National Guard patrolled Federal buildings and airports. The military patrolled the skies over New York and Washington, DC. The United States had been attacked by a new kind of enemy in a new and more dangerous world. We faced tough questions as a nation: How do we defeat this enemy? How do we fight terror abroad and protect America at home?

What was clear that day and remains so today is that the threat posed to us by terrorism requires a great mobilization of American might, muscle, resources, and ingenuity.

Armed with this mandate, many of us fought alongside those who lost loved ones on September 11 to compel an unwilling Bush administration to create the 9/11 Commission. The determination and steadfastness demonstrated by the families hardest hit by the September 11 tragedy made the 9/11 Commission a reality. We applauded when the bipartisan Commission concluded its investigation and released its thorough report detailing recommendations to protect this Nation from another attack, confident that the Congress and the administration would in short order implement their recommendations.

Shamefully, for some in our Federal Government, the sense of urgency and resolve faded in the months and years that followed. Some of the Commission's most commonsense recommendations went ignored. Even in the face of dangerous incompetence in our emergency preparedness and response to Hurricane Katrina, we received tough rhetoric instead of much needed reform. Five years after the 9/11

attacks and 2½ years after the 9/11 Commission released its initial report, much of the work of properly securing our homeland has gone undone. That is why this legislation to implement many of the remaining recommendations of the 9/11 Commission is long overdue.

I have long supported the Commission's recommendation that ''homeland security assistance should be based strictly on an assessment of risks and vulnerabilities.'' With our homeland security resources limited, we need to be smart about how we distribute funding to guard against terrorism. Sadly, all too often, funding decisions have been made based on politics in Washington instead of the reality in our cities and neighborhoods. It is why I introduced the Homeland Security Block Grant Act as well as the Domestic Defense Fund Act, both of which would provide direct and threat-based homeland security funding to our communities and first responders to help them improve our homeland defense. But even funds supposedly distributed based on risk have been administered incompetently.

Last spring, the Department of Homeland Security, DHS, announced its 2006 homeland security grants. Cities and States across the country facing high terrorist threats suffered considerable funding cuts, a decision which can be largely attributed to a series of highly questionable risk assessments. New York City and Washington, DC, both already the targets of attacks, were slated for drastic reductions. Funding under the Urban Area Security Initiative, UASI, alone was slashed in New York City by more than 40 percent and in Washington, DC by 43 percent.

We clearly need to get smarter about how we assess risk. It would surprise most people to learn that until now, the process of assessing risk has been done on an ad hoc basis within DHS, with several different offices tasked with contributing to the analysis. This seemingly haphazard process has led to constantly changing grant guidance and formulas, wide fluctuations in yearly grant awards, and a failure to develop a long-term strategy for risk assessment. What we need is a full-time staff of methodologists whose sole responsibility it is to assess risk. That is why I offered an amendment to bill that would create a Risk Assessment Center within DHS.

While the funding proposal contained within Improving America's Security Act moves us closer toward a threat-based funding model, it still falls shorts of what the 9/11 Commission recommended. Specifically, the State minimum funding requirements contained within the bill are still too high and there is still too much reliance on population-based formulas that bear little relation to risk. My hope is that during conference committee negotiations to reconcile the House and Senate bills, efforts will be made to ensure that our limited homeland security funds are directed toward mitigating our most significant vulnerabilities and that political formulas are abandoned.

As we discuss the importance of homeland security and how critical it is to provide adequate funding for our first responders, we cannot leave the 43,000 transportation security officers, TSOs, in this country out of the conversation. Every day, TSOs are on the national security frontlines, keeping our airports safe and protecting countless citizens as they travel. Despite the significant training, experience, and patience required to execute these duties, TSOs have lacked the basic workers rights and protections for over 5 years, including whistleblower protections and the right to collectively bargain. As a result, the officers we task with protecting our airplanes from another terrorist attack now have the highest injury rate of any Federal agency, a high attrition rate of almost 30 percent, and, according to a recent report, the lowest morale of any agency in the Federal Government.

It is why I supported Senator MCCASKILL's amendment that would guarantee to TSOs collective bargaining and other basic labor rights that other Federal law enforcement officers already enjoy. This amendment would promote our Nation's security by providing a stable workplace structure for the resolution of disputes and the reduction of turnover, as well as allow TSOs to expose threats to aviation security without fear of retaliation. The amendment also includes provisions that make explicit that TSOs would not enjoy the right to strike, the right to bargain for higher pay, or the right to reveal classified information, and that the TSOs must follow all orders during an emergency. This was a smart and carefully tailored amendment that correctly recognizes that we will not be able to effectively safeguard our Nation's security if we do not stand with and support its security workers.

It is also past time to secure our ports and transportation systems. Unscanned cargo containers that pass through our ports pose a substantial risk to our homeland security, threatening not only the gateways to our national economy but also the larger American public. We learned the painful lesson on September 11 that those intent on destroying our American way of life are keenly focused on exposing our vulnerabilities. Because our ports serve as the gateway to our country and its economy, they remain attractive targets susceptible to terrorist attack.

In 2005, more than 84 million tons of cargo with a value greater than $132 billion passed through the Port of New York and New Jersey alone. The sheer scope of commerce at our ports means the threat carries grave consequences—and will take a great deal of hard work and our smartest strategies to meet. And while we took important steps toward addressing these concerns last year with the passage of the SAFE Ports Act, we still need to act with more urgency. It is why I supported efforts to expedite the implementation of new scanning requirements during consideration of the Improving America's Security Act.

I am encouraged that the bill does take steps to secure our rail and mass transit systems. Given the lessons of London, Madrid, and Mumbai, it is unbelievable that not more has been done to secure our mass transit. Passenger rail systems—primarily subway systems—here in the United States carry about 5 times as many passengers each day as do airlines. Instead of forcing an impossible decision, between protecting one form of transportation over another, we should invest in the resources and tools necessary to secure our entire transportation infrastructure—before terrorists strike our rail systems here at home.

Importantly, the bill provides grants through TSA to Amtrak, freight railraods, and others to upgrade security across the entire freight and intercity passenger railroad system. Additionally, the bill provides funding through the Department of Transportation, DOT, to upgrade and to fortify Amtrak railroad tunnels in New York, Washington, and Baltimore.

Furthermore, the legislation requires the Federal Motor Carrier Safety Administration, FMCSA, to provide recommendations to both motor carriers and States on how to coordinate hazardous materials routing. The bill also requires DHS to develop a program to encourage equipping trucks that carry hazardous materials with communications and tracking technology. These steps are in addition to those in the bill that bolster aviation security standards. Importantly, the bill requires the Transportation Security Administration, TSA, to develop and implement a system, within 3 years of the date of enactment, to provide for the screening of all cargo being carried on passenger aircraft, a security measure that is long overdue.

The bill also takes several important steps to address our emergency communications systems before we face another crisis. Chaotic, real-world disasters, whether manmade or natural, do not obey borders. They require close coordination of Federal, State and local agencies, firefighters, police officers and EMTs, and others. Yet often these different entities use different communications devices, frequencies, even languages. On September 11, police officers could not effectively talk to firefighters at Ground Zero; at the Pentagon, first responders from Virginia and Washington, DC faced the same problem. After Katrina, we had responders exchanging business cards at the site of the disaster along the gulf.

That is why the 9/11 Commission recognized our crucial need to have interoperable communications, so that all

of our first responders can communicate with each other at the scene of an emergency. It is why I introduced legislation last year that would give our first responders an interoperable emergency communications system coordinated under Federal leadership. I am pleased that the bill provides funds to improve interoperable emergency communications and gives the National Telecommunications and Information Administration, NTIA, greater direction regarding how to distribute these funds.

This bill also contains a provision offered by Senator STEVENS and me which will provide immediate and critical funding to help upgrade and improve our Nation's 9–1–1 call centers. This funding will help ensure that 9–1–1 call centers can be an effective part of an emergency response plan and will make certain they have the technological upgrades to handle and process all the emergency calls that come into them so that our first responders know where to go and what situation they are walking into.

Nearly 5 years ago, America suffered a brutal terrorist attack that stole nearly 3,000 lives and changed America forever. What was required here in Washington was leadership. Leadership to inspire Americans to meet the threat head on. Leadership to mobilize our resources and respond effectively. Leadership to keep our country safe in a new and more dangerous world.

Sadly, the Bush administration failed to match the urgency and resolve of the American people in this great struggle to secure our homeland. Today, with passage of this important legislation, we will demonstrate the leadership that we have been sorely missing for too long in the fight to safeguard our Nation and its citizens.

VOTE EXPLANATION

Mr. BROWNBACK. Mr. President, I regret that on March 9, I was unable to vote on certain provisions of S. 4, the Improving America's Security Act of 2007. I wish to address these votes so that the people of the great State of Kansas who elected me to serve them as United States Senator may know my position.

Regarding vote No. 68, on the motion to invoke cloture on the Cornyn amendment No. 312, as modified, I would have voted to invoke cloture on this amendment. My vote would not have altered the result of this motion.

Regarding vote No. 69, on the motion to invoke cloture on the Reid amendment No. 275, as amended, I would not have voted to invoke cloture on this amendment. My vote would not have altered the result of this motion.

TESTIMONY OF DR. ROBERT SOCOLOW

Mr. BAUCUS. Mr. President, on Tuesday, February 27, 2007, the Finance Committee held a hearing on energy-tax issues titled: America's Energy Future: Bold Ideas, Practical Solutions. I ask unanimous consent that the following testimony from that hearing be printed in the RECORD.

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

THE CHALLENGE OF MANAGING U.S. COAL IN A CLIMATE-CONSTRAINED WORLD

TESTIMONY BEFORE THE SENATE FINANCE COMMITTEE

(Professor Robert Socolow, Princeton University, Feb. 27, 2007)

Mr. Chairman, Senator Grassley, and members of the Committee: Thank you for inviting me to testify today. I am pleased to be here in my capacity as co-director of Princeton University's Carbon Mitigation Initiative; as a Professor of Mechanical and Aerospace Engineering at Princeton; and as an individual concerned about the future of U.S. and global energy policy. I commend you for these hearings.

In 2004 Stephen Pacala and I published a paper in Science magazine called ''Stabilization Wedges: Solving the Climate Problem for the Next 50 Years with Current Technologies.'' We argued for a portfolio of climate-change mitigation strategies. Among these strategies are the deepening of energy efficiency in buildings, transport, and industry; the deployment of renewable energy, nuclear power and biofuels; and the capture and sequestration of carbon dioxide produced at coal power plants and coal-to-liquids plants.

Today, I will focus my testimony on the strategy that has moved to near the top of the list from the perspective of urgency: carbon capture and sequestration, or CCS for short.

COLLISION AVOIDANCE

Mr. Chairman, this really is a time of Bad News and Good News. The Bad News is that two trains are on a collision course. The Good News is that there is still time to switch one of the trains onto a different track.

Train Number One is the rush to coal power in the U.S., a consequence of changed expectations about the future natural gas price. Train Number Two is the urgency of dealing with climate change. In my view, none too soon, climate change is high on the agenda for U.S. policy.

A collision is imminent because burning coal as we have burned it in the past sends more carbon dioxide into the atmosphere for each unit of useful energy produced than any other energy source. So, the rush to coal makes the already difficult challenge of climate change even more challenging.

The switch is carbon dioxide capture and sequestration, or CCS. Using CCS, when coal is burned its carbon does not end up in the atmosphere.

READINESS

CCS is commercially mature; it uses proven technologies in new combinations. Carbon dioxide has long been captured at natural gas power plants and coal power plants for use by the food industry. A 500-mile carbon dioxide pipeline built 20 years ago has brought carbon dioxide from across New Mexico from southwest Colorado to oil fields in west Texas. There are no technological reasons to delay full-scale deployment of CCS.

The best evidence I know for the readiness of CCS for full-scale deployment is the 500-megawatt CCS project at BP's Carson refinery, near Long Beach, California. This project of BP and Edison Mission Group received investment tax credits under Section 48B of the tax code, per the 2005 Energy Policy Act. The project will gasify 4500 tons per day of petcoke, the bottom of the barrel at a refinery, a negative-cost fuel. Four million tons of carbon dioxide will be sent off-site each year for enhanced oil recovery (EOR).

Carbon dioxide capture and sequestration is likely to become a favorable economic strategy for a coal utility at a price of about $30 per U.S. ton of carbon dioxide. Prices on emissions in the same range should also enable other ''upstream'' carbon-saving strategies, ending flaring at the oil field and bringing new investments at oil refineries. Carbon dioxide policy should reach far upstream, because the low-hanging fruit is upstream.

Efficiency in energy use is where the other low-hanging fruit are to be found. A low-tech air-conditioner cooling a poorly designed and poorly instrumented office building is as out of place in a climate-constrained world as a coal plant without carbon dioxide capture and sequestration.

EOR AND NATIONAL ENERGY SECURITY

Carbon dioxide is the mischief molecule in the atmosphere, but the miracle molecule below ground. Used for enhanced oil recovery (EOR), carbon dioxide injects new life into old oil fields. Quantitatively, a new one-thousand-megawatt coal plant will produce about six million tons per year of carbon dioxide. If captured and used for enhanced oil recovery, this carbon dioxide should increase oil production at mature fields by between 30,000 and 80,000 barrels a day. Any carbon dioxide heading for the sky is domestic oil not produced—and more imported oil.

NO CTL WITHOUT CCS

Your committee is considering subsidizing synthetic fuel from domestic coal. From a climate change perspective, unless synfuels production is accompanied by carbon dioxide capture and sequestration, this is a big step backward. Burning coal-based synthetic fuel in a car engine, instead of burning gasoline made from crude oil, sends approximately twice as much carbon dioxide to the atmosphere when driving the same distance—unless CCS is incorporated into the synfuels production process, in which case CTL fuel is no worse for climate than petroleum fuel.

''No CTL without CCS'' isn't the world's most exciting bumper sticker, but it carries a vitally important message.

CARBON PRICE, PLUS

Mr. Chairman, The sulfur trading you helped launch in the early 1990s has been a spectacular success and the template for every cap-and-trade proposal since then. But the launching of CCS will require ''a carbon dioxide trading system, plus.'' I strongly recommend that your committee restrict the next investment tax credits only to coal power plants and coal synfuels plants that capture and sequester carbon dioxide.

Moreover, I recommend that policies specify only that carbon dioxide must be sequestered, with penalties for failure, but then leave it to the market to choose the specific capture and sequestration strategy for each circumstance.

POLICY MUST DISTINGUISH INDUSTRIAL FROM NATURAL CARBON DIOXIDE

Several federal and state energy policies in the 1980s that subsidized enhanced oil recovery resulted in the extraction of carbon dioxide from large geological formations—carbon dioxide that otherwise would have stayed below ground for millions of years. This adverse impact on climate was inadvertent; but now we know better. All legislation henceforth must distinguish industrial carbon dioxide from natural carbon dioxide.

POLICIES THAT PENALIZE EARLY BAD ACTION

Urgently needed for the current period are policies that give clear and persuasive signals that any new coal plants without CCS

will be penalized, not rewarded, in whatever U.S. climate-change mitigation policy emerges after the current planning period. No one should expect the grandfathering of the newborn.

I was one of many who were delighted by the news this past weekend that eight new coal plants with conventional technology proposed for rapid construction in Texas will not be built. I can't prove it, of course, but it seems likely to me that the op ed in the Dallas News last month from Senators Bingaman and Boxer, warning investors and the TXU leadership that, in effect, there would be no grandfathering of the newborn, was instrumental in derailing the construction of these eight backward-looking plants.

Mr. Chairman and members of the Committee, thank you for your attention.

RETIREMENT OF JIM SOURWINE

Mr. HARKIN. Mr. President, this is a statement I wish I did not have to make. Jim Sourwine, who has almost 40 years of Federal service, including more than 30 on the staff of the Senate Appropriations Committee, will retire this month. He not only served the committee but the entire Senate as a professional staff member. And when I say ''professional,'' I really mean it with Jim. Always courteous, always helpful, he is an appropriator's appropriator. He worked for Republicans and he worked for Democrats, with equal diligence. He treated every Senator with respect, and we respected him as well.

Mr. SPECTER. I don't know if the Senator from Iowa knows this, but Jim Sourwine has served almost 100 different members of the Appropriations Committee during his time in the Senate. Imagine each of the desks in this Chamber filled with U.S. Senators, and you will have a sense of the number of committee members Jim served.

Mr. HARKIN. And we all benefited from that service. He understands the appropriations process better than anyone. New staff could always look to Jim for institutional knowledge, and count on him to be a patient teacher of many on both substantive issues an the appropriations process.

The Senate depended on this expertise. Jim is a master craftsman, the person we relied on to compile all the spending figures and technical language and mould it into an appropriations bill. Whether it was drafting an amendment to the budget resolution; finding a creative offset to meet an important priority; or organizing and staffing a hearing on an important labor issue, such as those that we held on the overtime regulation, Jim Sourwine was the staffer we wanted and needed by our side.

Mr. SPECTER. Jim came to the Senate in 1972 when he was first detailed to the committee from the Department of Labor. He found his place quickly and began responding to what were known as ''Harleygrams''—daily instructions from Harley Dirks, who was Senator Magnuson's clerk of the Labor, HEW and Related Agencies Subcommittee, as it was called then.

After Senator Magnuson, Jim served under Senator Schmitt in the 97th Congress, and then Senator Weicker and Senator Chiles. Since the 101st Congress, the Senator from Iowa and I have exchanged the gavel on several occasions. I never miss a chance to mention that I always prefer to have the gavel in my hand. On this occasion, I should also say that I prefer to have Jim Sourwine's services on staff as well.

Mr. HARKIN. Jim is the undisputed master at identifying creative solutions to funding problems. However, we can never forget that the work he did to support this institution ultimately benefited the American people, through increased educational and job training opportunities, greater protections for the Nation's workers or more affordable and improved health care.

For example, when Jim came to the committee, title I education grants were funded at $1.6 billion; this year's level is $12.8 billion. Think of the millions of disadvantaged students who have benefited over the years from this funding. In 1972, Congress created the basic educational opportunity grant to provide grant aid that would help low-income students earn a postsecondary education. The grant program, now known as Pell grants, provides a maximum award of $4,310 to more than 5 million low- and middle-income students. Millions of students have been able to earn a postsecondary education because of the extra assistance they were provided. Jim should feel proud of the role he has played in each of these programs and so much more.

Mr. SPECTER. I would like to add several other accomplishments of Congress for which Jim should feel a great sense of pride. In 2002, Congress completed a doubling of the NIH budget over a 5-year period. Jim's thorough knowledge of the bill and the budget was instrumental in securing the doubling. If there was a way to write bill language that would save money or change a date to free up some cash, Jim knew how to do it.

When Jim started working at the Department of Labor in 1967, the Job Corps program was in its infancy, just 3 years old. Today, it is a $1.6 billion enterprise widely touted for its performance standards and student outcomes, helping more than 60,000 youths each year. After the Quecreek coal mine accident, I held a hearing in Pennsylvania to look into the mine safety issues related to that situation. We have held two mine safety hearings since the Sago and Alma disasters in early 2006. Jim organized and staffed those hearings. What's more, he helped craft legislation that I introduced last year which contributed to the development of the MINER Act. This act passed last year and is now the law of the land. It is the most significant piece of mine safety legislation passed in more than 30 years and its effective implantation will save lives. Jim should feel very good about the work he did to support that legislation, as well as other worker protection programs.

I believe the Senator from Iowa and I could go on for some time on all that Jim Sourwine has meant to the Senate Appropriations Committee, the Senate and the American people. For me, I want him to remember always what the long hours have done for so many. Jim, best wishes to you on your retirement. You will be missed.

Mr. HARKIN. Jim, I understand that the round-the-clock hours and weekend work have made it difficult to catch up on some projects around the house and get on the golf course. While you might prefer one over the other, I hope you know that your long and distinguished service to the Senate has more than earned for you the right to do just that or nothing at all. I will miss you and your sage counsel. The Senate will miss you. I wish you all the best on your retirement and thank you for your service.

ADDITIONAL STATEMENTS

INDIANA WOMEN'S STATE BASKETBALL CHAMPIONS

• Mr. BAYH. Mr. President, I wish today to pay tribute to the Oregon-Davis Women's High School basketball team for their extraordinary State championship victory. The Bobcats historic 54–46 defeat of Wood Memorial for the Class A State Championship was the first statewide championship for the Bobcats and a proud moment for our State.

In reading of their victory, I was reminded of what people say about teamwork: that at the end of the day we are only as strong as the shoulders we lean on. The talent of the Bobcats was apparent throughout their stellar season, but it was their extraordinary teamwork that brought the championship trophy to the O–D gymnasium for the first time in school history. The young women of the Oregon-Davis basketball team are a testament to what student athletes should be, and they should be commended for winning with class, courage, and character.

Two years ago the team lost a dear friend in a tragic automobile accident. Jessica McMullen was the daughter of Tim McMullen, a coach in Florida and a close friend of Terry Minix, the Bobcats' head coach. Jessica, a hard-nosed basketball player, used to help her dad at camps at O–D and was only 16 years old when she died. The day after their championship win, the team was honored in the Oregon-Davis gym, and each team member wore a T-shirt commemorating Jessica's contribution to the Bobcats. At the ceremony, Aubrey Minix, a lead player on the team, spoke about the championship saying, ''It means even more to us because we did want to do it for Jess; it brought us even closer together.''

While the young women on the O–D team put in countless hours practicing

and developing their skills, the parents and coaching staff dedicated just as much time supporting the team. As a father of two young boys who love to play sports, I know how rewarding it can be to watch my sons' games. I also know how dedicated parents must be to drive their kids to practice every day, make it to the games, and cheer the whole game through. It is this kind of dedication that builds a support network worthy of a State championship.

Once the playoffs started, the Bobcats' true character shined even brighter as they never lost faith in themselves and prevailed as a team. Their conduct this season should be an example for all other student athletes to follow. I congratulate the Oregon-Davis Bobcats on their State championship and commend them for the example they set for all student athletes who I hope are inspired by their example.●

CONGRATULATIONS TO STEPHEN JOEL TRACHTENBERG

● Mr. CONRAD. Mr. President, as an alumnus of the George Washington University, GW, I wish to take a few minutes to pay tribute to president Stephen Joel Trachtenberg, who is retiring in July after 19 years of dedicated service to GW.

President Trachtenberg became the 15th president of GW on August 1, 1988. A native of Brooklyn, NY, President Trachtenberg came to GW from the University of Hartford, CT, where he had been president for 11 years. Before assuming the presidency of Hartford, he served for 8 years at Boston University as vice president for academic services and academic dean of the College of Liberal Arts. Previously, he was a special assistant for 2 years to the U.S. Education Commissioner, Department of Health, Education and Welfare. He was also an attorney with the U.S. Atomic Energy Commission and a legislative aide to former Indiana Congressman John Brademas.

President Trachtenberg has shown a strong commitment to public, civic, and personal service. He worked tirelessly to honor and enhance the relationship between the University and the District of Columbia, supporting and mentoring students, and leading and advocating for reinvention, change and civic engagement.

In 1989, President Trachtenberg created the 21st Century DC Scholars Program—now the Stephen Joel Trachtenberg Scholars—which has granted almost 100 full scholarships to students from the DC Public Schools to attend GW. Under his leadership, GW's Multicultural Student Services Center has become a strong center for cultural awareness and celebrations, student development, and diversity training. His dedication to civic service is reflected throughout the University, its faculty, and its students.

GW has experienced great changes and improvements under President Trachtenberg's leadership. During his tenure, the university has seen the number of undergraduate applications triple. Financial aid to students, research funding, and campus infrastructure investment have also significantly increased.

President Trachtenberg has received numerous accolades from across the Nation and abroad for his service, vision, intellect, wit and compassion. His passion and demonstrated commitment to GW and its students, the city of Washington, DC, and the pursuit of lifelong learning are to be commended. I congratulate him on his record of service and outstanding leadership.●

HONORING SENATOR ANITA BOWSER

● Mr. BAYH. Mr. President, today I pay tribute to the life of a distinguished public servant, community leader, and friend, Senator Anita Bowser, who passed away at the age of 86 on March 4. Senator Bowser's dedication to the State of Indiana kept her involved in public service throughout her life, and I know that she will be greatly missed.

Senator Bowser was a good and decent woman who dedicated her life to serving others. From her work as a constitutional scholar to her role as a State representative, her career was filled with acts of conscientious service on behalf of friends, family members, and Hoosiers across Indiana.

In 1980, Senator Bowser retired from teaching political science at Purdue University, North Central, and started her career in the Indiana House of Representatives. In 1992 she was elected to the state senate representing LaPorte and St. Joseph Counties. Throughout her career as an elected official, Senator Bowser addressed issues such as prescription drug assistance, the protection of Indiana's telephone privacy list, support for agricultural development, assistance for victims of sexual assault, and tax amnesty for small businesses.

As Governor of Indiana, I had the privilege of seeing firsthand the difference Senator Bowser's efforts have made in our State. The contributions she made through her leadership and philanthropy touched countless lives, and her dedication and strong will made her a role model for a generation of Hoosiers.

Senator Bowser's many accomplishments include being the first woman to act as house speaker, deputy speaker pro-tempore, in the history of the State. In addition, she received numerous honors based on her public service, including the Louis Ingelhart Award for Freedom of Expression, the Amnesty International Abolitionist of the Year Award, and the Robert Dale Owen Legislator Award from the Indiana Civil Liberties Union. She was also a founding member and the first woman to be hired to teach at Purdue University, North Central, in Westville. A veteran lawmaker, Senator Bowser was widely respected as the conscience of the Indiana State Senate.

Before she died, Senator Bowser was the ranking Democrat on the Senate Pensions and Labor Committee and was a member of the Judiciary Committee, the Corrections, Criminal and Civil Matters Committee, the Ethics Committee, and Education and Career Development Committee. It is a rare person who can make such an impact on so many people over the course of one life. Hoosiers will miss Senator Bowser as a friend, a community leader, and a committed advocate for our State.

It is my sad duty to enter the name of Senator Anita Bowser in the official RECORD of the United States Senate for her service to the State of Indiana.●

TRIBUTE TO WAYNE TIPPETS

● Mr. CRAPO. Mr. President, on March 2, 2007, the Boise Veterans Administration Medical Center bade farewell to its director of 14 years, Wayne Tippets. After a dedicated career with the VA spanning 37 years, Wayne retired with plans to travel and spend time with his family. I also understand that his retirement will likely include golfing.

Wayne served with the VA across the Nation, in places such as Iowa, Tennessee and California, before coming back to Idaho in 1993. He recognizes the importance of honesty, a strong work ethic, and the critical importance of competent, compassionate staff, and volunteers to the hospital's success. Wayne has handled the almost doubling of hospital patients over the past 14 years with a sense of pragmatism and drive to continue a history of responsible service to Idaho's veterans. Under his leadership, the Boise VAMC rebuilt and modernized the medical/surgical ward; constructed a behavioral health center, outpatient care building, and specialty care clinic; opened a larger and modernized emergency room; opened a new building in Twin Falls; opened a new administration building; opened a community-based outpatient clinic in Caldwell; and established a patient care access point in Salmon, ID, offering social worker and telepsychiatry services.

Wayne was instrumental in these and other improvements and expansion of VA patient services throughout his tenure in Idaho. I wish him well in retirement and thank him for his long years of service to our Nation's veterans.●

MESSAGE FROM THE HOUSE

At 3:48 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 429. An act to designate the United States courthouse located at 225 Cadman Plaza East, Brooklyn, New York, as the ''Hugh L. Carey United States Courthouse''.

H.R. 430. An act to designate the United States bankruptcy courthouse located at 271 Cadman Plaza East in Brooklyn, New York, as the ''Conrad B. Duberstein United States Bankruptcy Courthouse'' .

H.R. 478. An act to designate the Federal building and United States courthouse located at 101 Barr Street in Lexington, Kentucky, as the ''Scott Reed Federal Building and United States Courthouse'' .

H.R. 1003. An act to amend the Foreign Affairs Reform and Restructuring Act of 1998 to reauthorize the United States Advisory Commission on Public Diplomacy.

H.R. 1045. An act to designate the Federal building located at 210 Walnut Street in Des Moines, Iowa, as the ''Neal Smith Federal Building''.

The message also announced that pursuant to 2 U.S.C. 2081, the minority leader appoints the following Member of the House of Representatives to the United States Capitol Preservation Commission: Mr. WAMP of Tennessee.

The message further announced that pursuant to 2 U.S.C. 2081, and the order of the House of January 4, 2007, the Speaker appoints the following Members of the House of Representatives to the United States Capitol Preservation Commission: Mr. OBEY of Wisconsin and Ms. KAPTUR of Ohio.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 429. An act to designate the United States courthouse located at 225 Cadman Plaza East, Brooklyn, New York, as the ''Hugh L. Carey United States Courthouse''; to the Committee on Environment and Public Works.

H.R. 430. To designate the United States bankruptcy courthouse located at 271 Cadman Plaza East in Brooklyn, New York, as the 'Conrad B. Duberstein United States Bankruptcy Courthouse'; to the Committee on Environment and Public Works.

H.R. 478. An act to designate the Federal building and United States courthouse located at 101 Barr Street in Lexington, Kentucky, as the ''Scott Reed Federal Building and United States Courthouse''; to the Committee on Environment and Public Works.

H.R. 1045. An act to designate the Federal building located at 210 Walnut Street in Des Moines, Iowa, as the ''Neal Smith Federal Building''; to the Committee on Environment and Public Works.

The following bill was read, and referred as indicated:

H.R. 399. An act to designate the United States Courthouse to be constructed in Jackson, Mississippi, as the ''R. Jess Brown United States Courthouse''; to the Committee on Environment and Public Works.

MEASURES DISCHARGED

The following measure was discharged from the Committee on the Judiciary, and referred as indicated:

H.R. 399. An act to designate the United States Courthouse to be constructed in Jackson, Mississippi, as the ''R. Jess Brown United States Courthouse''; to the Committee on Environment and Public Works.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 710. To amend the National Organ Transplant Act to provide that criminal penalties do not apply to paired donations of human kidneys, and for other purposes.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–17. A resolution adopted by the Legislature of the State of Florida relative to urging the Senate to fulfill the requests of the 2005 BRAC Commission by restoring federal funds for military construction; to the Committee on Armed Services.

HOUSE RESOLUTION NO. 6008

Whereas, Kansas communities, state officials and the members of the Kansas Congressional Delegation worked hard and the results of the 2005 Base Realignment and Closure (BRAC) Commission recommendations were the best news for Kansas in years; and

Whereas, these recommendations are resulting in significant increases in personnel and the missions assigned to Fort Riley, Fort Leavenworth, Forbes Air Force Base and McConnell Air Force Base in Kansas; and

Whereas, the military commands, the troops and their families coming to work on those missions are facing a situation with much of the funding support originally contained in the Federal Continuing Resolution, and many of the key projects in Kansas, now at risk; and

Whereas, the Federal Continuing Resolution adopted by the United States House of Representatives currently provides less than half of the request for the 2005 BRAC Commission and is more than $3 Billion short of the amount agreed upon in the FY 2007 Defense Authorization Bill; and

Whereas, Kansas Governor Kathleen Sebelius' Military Council voted on February 7, 2007, to support efforts to restore vital federal military construction funding for Fort Riley, Fort Leavenworth, Forbes Air Force Base and McConnell Air Force Base at this time when these military posts are getting new missions; and

Whereas, projects that are potentially at risk at Fort Riley include a Combat Aviation Brigade complex, which would provide additional housing for troops, headquarters and operations buildings and facilities, hanger expansion and a crash rescue fire station ($152 Million); essential Runway Improvements ($17 Million); Division Headquarters and Sustainment Brigade Headquarters buildings and facilities ($87 Million); a state-of-the-art Battle Command Training Center ($27 Million); and a Health and Dental Clinic ($17.5 Million) and a Child Development Center ($5.7 Million) to serve the thousands of troops and their families moving to Fort Riley; and

Whereas, the project for the Joint Regional Corrections Facility ($68–$95 Million) at Fort Leavenworth is also at risk; and

Whereas, the House of Representatives of the State of Kansas considers the federal funding requested for Fort Riley, Fort Leavenworth, Forbes Air Force Base and McConnell Air Force Base, based on the recommendations of the 2005 BRAC Commission, to be crucially important to the United States of America, as well as to the State of Kansas: Now, therefore, be it

Resolved by the House of Representatives of the State of Kansas: That the House of Representatives of the Legislature of the State of Kansas strongly urges the United States Senate to fulfill the requests of the 2005 BRAC Commission and the United States Military by restoring federal funds for military construction in the Federal Continuing Resolution to the funding levels agreed upon in the FY 2007 Defense Authorization Bill: and be it further

Resolved: That the Secretary of State is directed to send enrolled copies of this resolution to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and to each member of the Kansas Congressional Delegation.

POM–18. A resolution adopted by the Legislature of the State of Florida relative to urging Congress to support a National Catastrophe Insurance Program; to the Committee on Finance.

HOUSE MEMORIAL

Whereas, during the 2004 and 2005 hurricane seasons, the State of Florida was devastated by eight hurricanes and four tropical storms, causing approximately $36 billion in estimated gross probable insurance losses, and

Whereas, the hurricanes from the 2004 and 2005 hurricane seasons have produced high winds, coastal storm surges, torrential rainfalls, and flooding resulting in significant damage to Florida and the Gulf Coast states, which has resulted in displacement of policyholders from their dwellings, loss of personal belongings and contents, closing of businesses and financial institutions, and temporary loss of employment and has created numerous health and safety issues within our local communities, and

Whereas, the losses caused by the 2004 and 2005 hurricane seasons have led to dramatic and economically painful increases in property insurance premiums for Florida's citizens and businesses, forcing many to consider relocating outside the state, and

Whereas, in 1992, Hurricane Andrew resulted in approximately $20.8 billion in insured losses and was previously the costliest catastrophe in the United States, but Hurricane Katrina alone left the Gulf Coast states with an estimated loss of approximately $35 billion, and

Whereas, natural disasters continually threaten communities across the United States with extreme weather conditions that pose an immediate danger to the lives, property, and security of the residents of those communities, and

Whereas, the insurance industry, state officials, and consumer groups have been striving to develop solutions to insure mega-catastrophic risks, because hurricanes, earthquakes, tornadoes, typhoons, floods, wildfires, ice storms, and other natural catastrophes continue to affect policyholders across the United States, and

Whereas, on November 16 and 17, 2005, insurance commissioners from Florida, California, Illinois, and New York convened a summit to devise a national catastrophe insurance plan which would more effectively spread Insurance risks and help mitigate the tremendous financial damage survivors contend with following such catastrophes: Now, therefore, be it

Resolved by the Legislature of the State of Florida:

(1) That the Legislature urges the Congress of the United States to support a National Catastrophe Insurance Program. Policyholders require a rational insurance mechanism for responding to the economic losses

resulting from catastrophic events. The risk of catastrophes must be addressed through a public-private partnership involving individuals, private industry, local and state governments, and the Federal Government. A national catastrophe insurance program is necessary to promote personal responsibility among policyholders; support strong building codes, development plans, and other mitigation tools; maximize the risk-bearing capacity of the private markets; and provide quantifiable risk management through the Federal Government. The program should encompass:

(a) Providing consumers with a private market residential insurance program that provides all-perils protection.

(b) Promoting personal responsibility through mitigation; promoting the retrofitting of existing housing stock; providing individuals with the ability to manage their own disaster savings accounts that, similar to health savings accounts, accumulate on a tax-advantaged basis for the purpose of paying for mitigation enhancements and catastrophic losses; and providing personal income tax deductions for mitigation expenses.

(c) Creating tax-deferred insurance company catastrophe reserves to benefit policyholders. These tax-deferred reserves would build up over time and only be eligible to be used to pay for future catastrophic losses.

(d) Enhancing local and state government's role in establishing and maintaining effective building codes, mitigation education, and land use management; promoting state emergency management, preparedness, and response; and creating state or multistate regional catastrophic risk financing mechanisms such as the Florida Hurricane Catastrophe Fund.

(e) Creating a national catastrophe financing mechanism that would provide a quantifiable level of risk management and financing for mega-catastrophes; maximizing the risk-bearing capacity of the private markets; and allowing for aggregate risk pooling of natural disasters funded through sound risk-based premiums paid in correct proportion by all policyholders in the United States.

(2) That the Legislature urges the Congress to participate in a federal/state issues summit in this state to discuss and develop policy positions on current and emerging issues of state importance that are likely to be considered by Congress to build better working relationships in order to mutually accomplish goals of benefit to Floridians.

(3) That the Legislature urges Congress to provide federal tax exemptions for:

(a) Catastrophe premium equalization deductions charged and held by the state in a segregated account for the benefit of insurers for use in the event of a catastrophe.

(b) The Florida Property and Casualty Joint Underwriting Association.

(4) That the Legislature urges Congress to provide a federal income tax deduction for residential property insurance premiums paid by consumers to offset the dramatic cost of property insurance.

(5) That the Legislature urges Congress to support the National Hurricane Research Initiative, which is intended to foster a better understanding of hurricane prediction, intensity, and mitigation on coastal populations, infrastructure, and the natural environment.

Be it further resolved, That copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

POM–19. A resolution adopted by the Miami-Dade County Board of County Commissioners relative to urging the Legislature of the State of Florida, the Florida Office of Insurance Regulation, and the Citizens Property Insurance Corporation to develop and implement rating systems for homeowners insurance; to the Committee on Banking, Housing, and Urban Affairs.

POM–20. A resolution adopted by the Miami-Dade County Board of County Commissioners relative to urging the Legislature of the State of Florida to prohibit the use of cellular telephones while driving in a school zone at times when reduced speeds are in effect; to the Committee on Commerce, Science, and Transportation.

POM–21. A resolution adopted by the Miami-Dade County Board of County Commissioners relative to urging the Legislature of the State of Florida to pass legislation providing a sales tax rebate or similar benefit related to the construction of a public-owned stadium for a Major League Baseball franchise; to the Committee on Finance.

POM–22. A resolution adopted by the Miami-Dade County Board of County Commissioners relative to urging the Legislature of the State of Florida to acknowledge the crisis that now exists related to Florida jails and mentally ill inmates; to the Committee on Health, Education, Labor, and Pensions.

POM–23. A resolution adopted by the Miami-Dade County Board of County Commissioners relative to urging Congress and the Legislature of the State of Florida to add crimes against the homeless to existing hate crimes statutes; to the Committee on the Judiciary.

POM–24. A resolution adopted by the Miami-Dade County Board of County Commissioners relative to urging Congress to reinstate the Federal Assault Weapons Ban; to the Committee on the Judiciary.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. DEMINT (for himself and Mr. MARTINEZ):

S. 869. A bill to reform certain provisions of section 404 of the Sarbanes-Oxley Act of 2002, to make compliance with that section more efficient, with the goal of maintaining United States capital market global competitiveness; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ISAKSON:

S. 870. A bill to amend title XVIII of the Social Security Act to provide for the consolidated coverage of home infusion therapy under part B of the Medicare program; to the Committee on Finance.

By Mr. LIEBERMAN (for himself, Mr. BUNNING, Mrs. LINCOLN, Ms. SNOWE, Mr. KERRY, Ms. COLLINS, and Mr. WARNER):

S. 871. A bill to establish and provide for the treatment of Individual Development Accounts, and for other purposes; to the Committee on Finance.

By Mrs. LINCOLN (for herself and Mr. COLEMAN):

S. 872. A bill to amend the Internal Revenue Code of 1986 to extend the excise tax provisions and income tax credit for biodiesel; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 873. A bill to amend the Internal Revenue Code of 1986 to provide a tax incentive to individuals teaching in elementary and secondary schools located in rural or high unemployment areas and to individuals who achieve certification from the National Board for Professional Teaching Standards, and for other purposes; to the Committee on Finance.

By Mr. BURR:

S. 874. A bill to amend title 38, United States Code, to establish a financial assistance program to facilitate the provision of supportive services for very low-income veteran families in permanent housing, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DORGAN (for himself and Mr. CRAIG):

S. 875. A bill to improve energy security of the United States through a 50 percent reduction in the oil intensity of the economy of the United States by 2030 and the prudent expansion of secure oil supplies, to be achieved by raising the fuel efficiency of the vehicular transportation fleet, increasing the availability of alternative fuel sources, fostering responsible oil exploration and production, and improving international arrangements to secure the global oil supply, and for other purposes; to the Committee on Finance.

By Mr. MARTINEZ:

S. 876. A bill to exclude from admission to the United States aliens who have made investments contributing to the enhancement of the ability of Cuba to develop its petroleum resources, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER:

S. 877. A bill to amend the Controlled Substances Act to add human growth hormone to schedule III, to prohibit the sale of prescriptions for controlled substances for illegitimate purposes, and for other purposes; to the Committee on the Judiciary.

By Mr. KOHL (for himself and Mr. SPECTER):

S. 878. A bill to prevent anti-competitive mergers and acquisitions in the oil and gas industry; to the Committee on the Judiciary.

By Mr. KOHL (for himself, Mr. SPECTER, Mr. LEAHY, Mr. GRASSLEY, Mr. FEINGOLD, Ms. SNOWE, Mr. SCHUMER, Mr. COBURN, Mr. DURBIN, Mrs. BOXER, and Mr. LEVIN):

S. 879. A bill to amend the Sherman Act to make oil-producing and exporting cartels illegal; to the Committee on the Judiciary.

By Mr. STEVENS (for himself, Mr. BYRD and Mr. INOUYE):

S. 880. A bill to amend the Congressional Accountability Act of 1995 to provide for 8 weeks of paid leave for Senate employees giving birth, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. LINCOLN (for herself and Mr. SMITH):

S. 881. A bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit; to the Committee on Finance.

By Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Ms. MIKULSKI, and Mr. CASEY):

S. 882. A bill to require a pilot program on the facilitation of the transition of members of the Armed Forces to receipt of veterans health care benefits upon completion of military service, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. FEINSTEIN (for herself and Mr. VOINOVICH):

S. 883. A bill to amend the Higher Education Act of 1965 to extend loan forgiveness for certain loans to Head Start teachers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself and Mr. COLEMAN):

S. 884. A bill to amend the Public Health Service Act regarding residential treatment

programs for pregnant and parenting women, a program to reduce substance abuse among nonviolent offenders, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ISAKSON:

S. 885. A bill to ensure and foster continued patient safety and quality of care by making the antitrust laws apply to negotiations between groups of independent pharmacies and health plans and health insurance issuers in the same manner as such laws apply to collective bargaining by labor organizations under the National Labor Relations Act; to the Committee on the Judiciary.

By Mr. BINGAMAN (for himself and Mr. LEAHY):

S. 886. A bill to amend chapter 22 of title 44, United States Code, popularly known as the Presidential Records Act, to establish procedures for the consideration of claims of constitutionally based privilege against disclosure of Presidential records; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. FEINSTEIN (for herself and Mr. DURBIN):

S. 887. A bill to restore import and entry agricultural inspection functions to the Department of Agriculture; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BIDEN (for himself, Ms. COLLINS, Mr. KENNEDY, Mr. LAUTENBERG, and Mr. MENENDEZ):

S. Res. 105. A resolution designating September 2007 as ''Campus Fire Safety Month''; to the Committee on the Judiciary.

By Mr. DURBIN (for himself, Mr. ENSIGN, Mr. SCHUMER, Ms. SNOWE, Ms. STABENOW, Mr. COLEMAN, Mrs. BOXER, Mr. SUNUNU, Mr. FEINGOLD, Mr. DODD, Mr. KERRY, Mr. KENNEDY, Mr. LIEBERMAN, Mrs. FEINSTEIN, Ms. MIKULSKI, Mr. REED, Mr. ALLARD, Mrs. DOLE, Mr. LAUTENBERG, Mr. BROWN, Ms. KLOBUCHAR, Mr. WHITEHOUSE, and Mr. MENENDEZ):

S. Res. 106. A resolution calling on the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide; to the Committee on Foreign Relations.

By Mr. GRAHAM (for himself and Mr. BROWNBACK):

S. Con. Res. 19. A concurrent resolution expressing the sense of Congress on the nuclear program of Iran; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 5

At the request of Mr. REID, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 5, a bill to amend the Public Health Service Act to provide for human embryonic stem cell research.

S. 26

At the request of Ms. CANTWELL, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 26, a bill to amend the Internal Revenue Code of 1986 to establish a program demonstrating multiple approaches to Lifelong Learning Accounts, which are portable, worker-owned savings accounts that can be used by workers to help finance education, training, and apprenticeships and which are intended to supplement both public and employer-provided education and training resources, and for other purposes.

S. 80

At the request of Mr. STEVENS, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 80, a bill to amend title 5, United States Code, to provide for 8 weeks of paid leave for Federal employees giving birth and for other purposes.

S. 93

At the request of Mr. STEVENS, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 93, a bill to authorize NTIA to borrow against anticipated receipts of the Digital Television and Public Safety Fund to initiate migration to a national IP-enabled emergency network capable of receiving and responding to all citizen activated emergency communications.

S. 185

At the request of Mr. LEAHY, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 185, a bill to restore habeas corpus for those detained by the United States.

S. 214

At the request of Mr. SALAZAR, his name was added as a cosponsor of S. 214, a bill to amend chapter 35 of title 28, United States Code, to preserve the independence of United States attorneys.

At the request of Mrs. FEINSTEIN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 214, supra.

S. 223

At the request of Mr. FEINGOLD, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 223, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 231

At the request of Mrs. FEINSTEIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 231, a bill to authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012.

S. 294

At the request of Mr. LAUTENBERG, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 294, a bill to reauthorize Amtrak, and for other purposes.

S. 340

At the request of Mrs. FEINSTEIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 340, a bill to improve agricultural job opportunities, benefits, and security for aliens in the United States and for other purposes.

S. 469

At the request of Mr. BAUCUS, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 469, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 487

At the request of Mr. LEVIN, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 487, a bill to amend the National Organ Transplant Act to clarify that kidney paired donations shall not be considered to involve the transfer of a human organ for valuable consideration.

S. 500

At the request of Mr. SALAZAR, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 500, a bill to establish the Commission to Study the Potential Creation of the National Museum of the American Latino to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino in Washington, DC, and for other purposes.

S. 516

At the request of Mr. PRYOR, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 516, a bill to amend the Internal Revenue Code of 1986 to make permanent the option of including combat pay when computing earned income.

S. 545

At the request of Mr. LOTT, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 545, a bill to improve consumer access to passenger vehicle loss data held by insurers.

S. 597

At the request of Mrs. FEINSTEIN, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 597, a bill to extend the special postage stamp for breast cancer research for 2 years.

S. 624

At the request of Ms. MIKULSKI, the names of the Senator from Maine (Ms. COLLINS), the Senator from Indiana (Mr. BAYH), the Senator from Delaware (Mr. BIDEN) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of S. 624, a bill to amend the Public Health Service Act to provide waivers relating to grants for preventive health measures with respect to breast and cervical cancers.

S. 644

At the request of Mrs. LINCOLN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 644, a bill to amend title 38, United States Code, to recodify as part of that title certain educational assistance programs for members of the reserve components of the Armed Forces, to

improve such programs, and for other purposes.

S. 667

At the request of Mrs. CLINTON, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 667, a bill to expand programs of early childhood home visitation that increase school readiness, child abuse and neglect prevention, and early identification of developmental and health delays, including potential mental health concerns, and for other purposes.

S. 682

At the request of Mr. KENNEDY, the names of the Senator from Florida (Mr. MARTINEZ), the Senator from North Carolina (Mrs. DOLE) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 682, a bill to award a congressional gold medal to Edward William Brooke III in recognition of his unprecedented and enduring service to our Nation.

S. 691

At the request of Mr. CONRAD, the names of the Senator from Minnesota (Mr. COLEMAN) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. 691, a bill to amend title XVIII of the Social Security Act to improve the benefits under the Medicare program for beneficiaries with kidney disease, and for other purposes.

S. 713

At the request of Mr. OBAMA, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 713, a bill to ensure dignity in care for members of the Armed Forces recovering from injuries.

S. 731

At the request of Mr. SALAZAR, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 731, a bill to develop a methodology for, and complete, a national assessment of geological storage capacity for carbon dioxide, and for other purposes.

S. 747

At the request of Mr. ISAKSON, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 747, a bill to terminate the Internal Revenue Code of 1986, and for other purposes.

S. 756

At the request of Mr. DODD, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 756, a bill to authorize appropriations for the Department of Defense to address the equipment reset and other equipment needs of the National Guard, and for other purposes.

S. 761

At the request of Mr. REID, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 761, a bill to invest in innovation and education to improve the competitiveness of the United States in the global economy.

S. 803

At the request of Mr. ROCKEFELLER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 803, a bill to repeal a provision enacted to end Federal matching of State spending of child support incentive payments.

S. 844

At the request of Mrs. FEINSTEIN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 844, a bill to provide for the protection of unaccompanied alien children, and for other purposes.

S.J. RES. 9

At the request of Mr. SALAZAR, his name was withdrawn as a cosponsor of S.J. Res. 9, a joint resolution to revise United States policy on Iraq.

S. CON. RES. 14

At the request of Ms. SNOWE, the names of the Senator from Virginia (Mr. WARNER) and the Senator from Colorado (Mr. ALLARD) were added as cosponsors of S. Con. Res. 14, a concurrent resolution commemorating the 85th anniversary of the founding of the American Hellenic Educational Progressive Association, a leading association for the 1,300,000 United States citizens of Greek ancestry and Philhellenes in the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROCKEFELLER:

S. 873. A bill to amend the Internal Revenue Code of 1986 to provide a tax incentive to individuals teaching in elementary and secondary schools located in rural or high employment areas and to to individuals who achieve certification from the National Board for Professional Teaching Standards, and for other purposes; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, one of the key components to success in our classrooms is a qualified teacher. One of the provisions of the No Child Left Behind Act mandates the hiring of qualified teachers by every school in every district.

But what are the incentives to keep qualified teachers in the classroom? I believe we need more targeted incentives to reward teachers willing to stay in the classroom, especially in rural schools and high poverty schools.

Unfortunately, without our help, America's poor and rural schools may not be able to attract the qualified teachers this legislation mandates and our children deserve. Isolated, struggling and competing against higher paying well-funded school districts for scarce classroom talent, such school faces a shortage of qualified teachers. As pressure to hire qualified teachers increases, this shortage will become a crisis, and children already at a disadvantage in relation to their more affluent and less isolated peers will be the ones who suffer most.

Today, I propose a bill that will help bring dedicated and qualified teaching professionals to West Virginia's and America's poor and rural schools, and help give their students the opportunity to learn and flourish that every child deserves. The Incentives To Educate American Children Act—or ''I Teach'' Act—will provide teachers a refundable tax credit every year they practice their profession in the public schools where they are needed most. And it will give every public school teacher—whichever school they choose—a refundable tax credit for earning certification by the National Board for Professional Teaching Standards. Together, these two tax credits will give economically depressed areas a better ability to recruit and retain skilled teachers.

One-fourth of America's children attend public schools in rural areas, and of the 250 poorest counties in the United States, 244 are rural. West Virginia has rural schools scattered through 36 of its 55 counties, and these schools face real challenges in recruiting and retaining teachers, as well as dealing with other issues related to their rural location.

Attracting teachers to these schools is difficult in large part due to the vast gap between what rural districts are able to offer and the salaries paid by more affluent school districts—as wide as $20,000 a year, according to one study. Disadvantaged schools must overcome similar difficulties. It is often a challenge for these schools to attract and keep qualified teachers. Yet according to the 2001 No Child Left Behind Act, every school must have qualified teachers by the end of the 2005–2006 school year.

My ''I Teach'' Act will reward teachers willing to work in rural or high poverty schools with an annual $1,000 refundable tax credit. If a teacher obtains certification by the National Board for Professional Teaching Standards, they will receive an additional annual $1,000 refundable tax credit.

Every teacher willing to work in underserved schools will earn a tax credit. Every teacher who gets certified will earn a tax credit. Teachers who work in rural or disadvantaged schools and get certified will earn both. Schools that desperately need help attracting teachers will get a boost. And children educated in poor and rural schools will benefit most.

In my State of West Virginia, as in over 30 other States, there is already a State fiscal incentive for teachers who earn national board certification. There are over 55,000 teachers with a national board certificate, and 290 are West Virginia teachers. West Virginia offers our national board teachers a $2500 bonus. My legislation builds upon the West Virginia program; together, they add up to a powerful tax incentive for teachers to remain in the classroom and to use their skills where they are most needed.

I have spent a great deal of time in West Virginia classrooms this year,

and it has become obvious to me that our education agenda suffers greatly from inadequate funding on a number of fronts. That is why I Teach is part of my education agenda. I also want to promote school construction bonds to improve our schools and renovate aging classrooms. For a decade, I have fought for the E-Rate program to provide $2.25 billion in discounts to connect our schools and libraries to modern technology.

Education must be among our top national priorities, essential for every family with a child and vital for our economic and national security. I supported the bold goals and higher standards of the 2001 No Child Left Behind Act, but they won't be met unless our schools have the teachers and resources they need. I am committed to working closely with my Senate colleagues this year to secure as much funding as possible for our children's education.

As important as school construction and technology are in the classroom, neither can replace a qualified and motivated teacher; therefore making it easier for underserved schools to attract the teachers they need remains one of my most important objectives. I hope each of my colleagues will join me in supporting this important legislation which takes a great stride toward providing better education for every child in the United States.

By Mr. DORGAN (for himself and Mr. CRAIG):

S. 875. A bill to improve energ security of the United States through a 50 percent reduction in the oil intensity of the economy of the United States by 2030 and the prudent expansion of secure oil supplies, to be achieved by raising the fuel efficiency of the vehicular transportation fleet, increasing the availability of alternative fuel sources, fostering responsible oil exploration and production, and improving international arrangements to secure the global oil supply, and for other purposes; to the Committee on Finance.

Mr. DORGAN. Mr. President, today I am pleased to be joined by Senator CRAIG to introduce legislation called the Security and Fuel Efficiency Act of 2007 or SAFE Energy Act. This legislation is a balanced plan with the overall goal to improve the energy security of the U.S. through a 50 percent reduction in the oil intensity of the economy by 2030.

What that means, plainly, is that if we used more than 4 barrels of oil in 1973 for every one unit of GDP and are using just over 2 barrels of oil per unit of GDP today, then under the provisions of the SAFE Energy Act we are striving to get down to 1 barrel of oil per GDP by 2030. This is important to me because the United States remains dangerously dependent on foreign sources of oil. Today we import over 60 percent of our oil from Iraq, Kuwait, Saudi Arabia, and other unstable regions of the world. This is very troubling to me.

In the United States, we use about 67 percent of our oil to power our vehicles. This is the area where we are least secure and increasingly dependent. I am proposing along with my colleague, Senator CRAIG, a bipartisan, balanced approach to securing our future energy through reducing our dependence on foreign oil.

Our proposal is grounded in four cornerstone principles. The first principle is achievable, stepped increases in fuel efficiency of the transportation fleet. The second principle promotes increased availability of alternative fuel sources and infrastructure. The third principle calls for expanded production and enhanced exploration of domestic and other secure oil and natural gas resources. Finally, the fourth principle improves the management of alliances to better secure global energy supplies.

Senator CRAIG and I came together on this legislation because we believe that bolder energy security measures must be taken now to address our long-term security, economic growth and environmental protection. Producing much of our energy at home will also address other major challenges.

There is no silver bullet to solving our energy dependence. Digging and drilling is a strategy I call yesterday forever. Conservation alone is not the answer. Renewable fuels hold promise, but we need to do much more here. We believe the combination of steps in the SAFE Energy Act sets the right pathway to U.S. energy security.

I ask unanimous consent that the text of the Security and Fuel Efficiency Energy Act of 2007 be printed in the RECORD.

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

S. 875

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Security and Fuel Efficiency Energy Act of 2007'' or the ''SAFE Energy Act of 2007''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—INCREASED FUEL EFFICIENCY OF THE TRANSPORTATION SECTOR

Sec. 101. Definitions.
Sec. 102. Annual increase in average fuel economy standards.
Sec. 103. Tax credits for alternative motor vehicles and fuel-efficient motor vehicles.
Sec. 104. Advanced technology motor vehicles manufacturing credit.
Sec. 105. Increase in maximum allowable gross weight for vehicles using the National System of Interstate and Defense Highways.

TITLE II—INCREASED USE OF ALTERNATIVE FUELS AND INFRASTRUCTURE

Sec. 201. Renewable fuel standard.
Sec. 202. Modification of credit for alternative fuel vehicle refueling property.
Sec. 203. Ethanol-blend fuel infrastructure.
Sec. 204. Requirement to increase percentage of dual fueled automobiles.
Sec. 205. Emerging biofuels.
Sec. 206. Biodiesel.
Sec. 207. Unconventional fossil fuels.
Sec. 208. Study of incentives for renewable fuels.

TITLE III—DEVELOPMENT AND INVENTORY OF CERTAIN OUTER CONTINENTAL SHELF RESOURCES

Sec. 301. Definition.
Sec. 302. Authorization of activities and exports involving hydrocarbon resources by United States persons.
Sec. 303. Travel in connection with authorized hydrocarbon exploration and extraction activities.
Sec. 304. Moratorium of oil and gas leasing in certain areas of the Gulf of Mexico.
Sec. 305. Inventory of outer Continental Shelf oil and natural gas resources off southeastern coast of the United States.
Sec. 306. Enhanced oil recovery.

TITLE IV—MANAGEMENT OF ENERGY RISKS

Sec. 401. Bureau of International Energy Policy.
Sec. 402. Strategic energy infrastructure equipment reserve.

TITLE I—INCREASED FUEL EFFICIENCY OF THE TRANSPORTATION SECTOR

SEC. 101. DEFINITIONS.

(a) DEFINITION OF AUTOMOBILE.—Section 32901(a)(3) of title 49, United States Code, is amended—

(1) by striking ''4-wheeled''; and

(2) by striking '', and rated at—'' and all that follows and inserting a period.

(b) DEFINITION OF PASSENGER AUTOMOBILE.—Section 32901(a)(16) of such title is amended by striking ''decides by regulation—'' and all that follows through the period and inserting ''determines by regulation, to have a significant feature (except 4-wheel drive) designed for off-highway operation.''.

(c) FUEL ECONOMY INFORMATION.—Section 32908(a) of such title is amended—

(1) in the subsection header, by striking ''DEFINITIONS'' and inserting ''DEFINITION''; and

(2) by striking ''section—'' and all that follows through ''(2)'' and inserting ''section, the term''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2010, and shall apply to automobiles manufactured for model year 2012 and for each subsequent model year.

SEC. 102. ANNUAL INCREASE IN AVERAGE FUEL ECONOMY STANDARDS.

(a) FUEL EFFICIENCY STANDARDS.—

(1) IN GENERAL.—Section 32902 of title 49, United States Code, is amended by striking subsections (a) through (c) and inserting the following:

''(a) IN GENERAL.—Not later than 18 months before the beginning of each model year beginning with model year 2012, the Secretary of Transportation, by regulation, shall prescribe average fuel economy standards for automobiles manufactured by a manufacturer for that model year in accordance with subsection (b). The Secretary of Transportation shall prescribe separate average fuel economy standards for different classes of automobiles. The Secretary shall establish average fuel economy standards for medium-duty trucks that are consistent with the projected benefits of hybridization. In this section, the term 'medium-duty truck' means a truck (as defined in section 30127) with a gross vehicle weight between 10,000 and 26,000 pounds.

''(b) ANNUAL INCREASES IN FUEL ECONOMY STANDARDS.—

''(1) FOR MODEL YEAR 2012.—For model year 2012, the average fuel economy standard for each class of automobiles shall be the average combined highway and city miles per gallon performance of all automobiles within that class of automobiles in 2011 (rounded to the nearest 1/10 mile per gallon).

''(2) FOR MODEL YEARS AFTER MODEL YEAR 2012.—For each model year beginning with model year 2013 and ending with model year 2030, the average fuel economy attained by the fleet of automobiles manufactured or sold in the United States shall be at least 4 percent greater than the average fuel economy standard for the fleet in the previous model year (rounded to the nearest 1/10 mile per gallon).

''(c) AMENDING FUEL ECONOMY STANDARDS.—

''(1) IN GENERAL.—Notwithstanding subsections (a) and (b), the Secretary of Transportation may prescribe an average fuel economy standard for a class of automobiles in a model year that is lower than the standard required under subsection (b) if the Secretary of Transportation, in consultation with the National Academy of Sciences, determines that the average fuel economy standard prescribed in accordance with subsections (a) and (b) for that class of automobiles in that model year—

''(A) is technologically not achievable;

''(B) cannot be achieved without materially reducing the overall safety of automobiles manufactured or sold in the United States and no offsetting safety improvements can be practicably implemented for that model year; or

''(C) is shown not to be cost effective.

''(2) MAXIMUM STANDARD.—Any average fuel economy standard prescribed for a class of automobiles in a model year under paragraph (1) shall be the maximum standard that—

''(A) is technologically achievable;

''(B) can be achieved without materially reducing the overall safety of automobiles manufactured or sold in the United States; and

''(C) is cost effective.

''(3) CONSIDERATIONS IN DETERMINATION OF COST EFFECTIVENESS.—In determining cost effectiveness under paragraph (1)(C), the Secretary of Transportation shall take into account the total value to the United States of reduced petroleum use, including the value of reducing external costs of petroleum use, using a value for such costs equal to 50 percent of the value of 1 gallon of gasoline saved or the amount determined in an analysis of the external costs of petroleum use that considers—

''(A) value to consumers;

''(B) economic security;

''(C) national security;

''(D) foreign policy;

''(E) the impact of oil use—

''(i) on sustained cartel rents paid to foreign suppliers;

''(ii) on long-run potential gross domestic product due to higher normal-market oil price levels, including inflationary impacts;

''(iii) on import costs, wealth transfers, and potential gross domestic product due to increased trade imbalances;

''(iv) on import costs and wealth transfers during oil shocks;

''(v) on macroeconomic dislocation and adjustment costs during oil shocks;

''(vi) on the cost of existing energy security policies, including the management of the Strategic Petroleum Reserve;

''(vii) on the timing and severity of the oil peaking problem;

''(viii) on the risk, probability, size, and duration of oil supply disruptions;

''(ix) on the strategic behavior of the Organization of the Petroleum Exporting Countries and long-run oil pricing;

''(x) on the short term elasticity of energy demand and the magnitude of price increases resulting from a supply shock;

''(xi) on oil imports, military costs, and related security costs, including intelligence, homeland security, sea lane security and infrastructure, and other military activities;

''(xii) on oil imports, diplomatic and foreign policy flexibility, and connections to geopolitical strife, terrorism, and international development activities;

''(xiii) all relevant environmental hazards under the jurisdiction of the Environmental Protection Agency; and

''(xiv) on well-to-wheels urban and local air emissions of pollutants and their uninternalized costs;

''(F) the impact of the oil or energy intensity of the United States economy on the sensitivity of the economy to oil price changes, including the magnitude of gross domestic product losses in response to short term price shocks or long term price increases;

''(G) the impact of United States payments for oil imports on political, economic, and military developments in unstable or unfriendly oil-exporting countries;

''(H) the uninternalized costs of pipeline and storage oil seepage, and for risk of oil spills from production, handling, and transport, and related landscape damage; and

''(I) additional relevant factors, as determined by the Secretary.

''(4) MINIMUM VALUATION.—When considering the value to consumers of a gallon of gasoline saved, the Secretary of Transportation may not use a value less than the greatest of—

''(A) the average national cost of a gallon of gasoline sold in the United States during the 12-month period ending on the date on which the new fuel economy standard is proposed;

''(B) the most recent weekly estimate by the Energy Information Administration of the Department of Energy of the average national cost of a gallon of gasoline (all grades) sold in the United States; or

''(C) the gasoline prices projected by the Energy Information Administration for the 20-year period beginning in the year following the year in which the standards are established.''.

(2) CONFORMING AMENDMENTS.—Title 49, United States Code, is amended—

(A) in section 32902—

(i) in subsection (d) by striking ''subsection (b) or (c) of this section'' and inserting ''subsection (a), (b), or (c)'';

(ii) by striking subsection (f);

(iii) in subsection (g)—

(I) by striking ''subsection (a) or (d)'' and inserting ''this section''; and

(II) by striking ''(and submit the amendment to Congress when required under subsection (c)(2) of this section)''; and

(iv) in subsection (h) by striking ''subsections (c), (f), and (g) of this section'' and inserting ''subsections (c) and (g)'';

(B) in section 32903—

(i) by striking ''section 32902(b)–(d) of this title'' each place it occurs and inserting ''subsections (a) through (d) of section 32902''; and

(ii) in subsection (e), by striking ''section 32902(a) of this title'' and inserting ''subsections (a) through (d) of section 32902''; and

(C) in section 32904—

(i) in subsection (a)—

(I) by striking ''subject to—'' and all that follows through ''(B) section 32902(a)–(d) of this title'' and inserting ''subject to subsections (a) through (d) of section 32902''; and

(II) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively;

(ii) by striking subsection (b); and

(iii) by redesignating subsections (c), (d), and (e) as subsections (b), (c), and (d), respectively.

(b) REPEAL OF CREDIT FOR DUAL FUELED AUTOMOBILES.—

(1) IN GENERAL.—Section 32905 of title 49, United States Code, is amended—

(A) by amending subsection (b) to read as follows:

''(b) DUAL FUELED AUTOMOBILES.—The Administrator of the Environmental Protection Agency shall measure the fuel economy for any model of dual fueled automobile manufactured in model year 2012 and any model year thereafter, in accordance with section 32904.''; and

(B) by amending subsection (d) to read as follows:

''(d) GASEOUS FUEL DUAL FUELED AUTOMOBILES.—The Administrator of the Environmental Protection Agency shall measure the fuel economy for any model of gaseous fuel dual fueled automobile manufactured in model year 2012 and any model year thereafter, in accordance with section 32904.''.

(2) CONFORMING AMENDMENTS.—Such section 32905 is further amended—

(A) by repealing subsection (f); and

(B) redesignating subsections (g) and (h) as subsections (f) and (g), respectively.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2010.

SEC. 103. TAX CREDITS FOR ALTERNATIVE MOTOR VEHICLES AND FUEL-EFFICIENT MOTOR VEHICLES.

(a) MODIFICATIONS TO ALTERNATIVE MOTOR VEHICLE CREDIT.—

(1) ELIMINATION OF LIMITATION ON NUMBER OF NEW QUALIFIED HYBRID AND ADVANCED LEAN BURN TECHNOLOGY VEHICLES ELIGIBLE FOR FULL ALTERNATIVE MOTOR VEHICLE TAX CREDIT.—

(A) IN GENERAL.—Section 30B of the Internal Revenue Code of 1986 is amended—

(i) by striking subsection (f); and

(ii) by redesignating subsections (g) through (j), as amended by subsection (a), as subsections (f) through (i), respectively.

(B) CONFORMING AMENDMENTS.—

(i) Paragraphs (4) and (6) of section 30B(g) of such Code, as redesignated by paragraph (1)(B), are each amended by striking ''(determined without regard to subsection (g))'' and inserting ''(determined without regard to subsection (f))''.

(ii) Section 38(b)(25) of such Code is amended by striking ''section 30B(g)(1)'' and inserting ''section 30B(f)(1)''.

(iii) Section 55(c)(2) of such Code is amended by striking ''section 30B(g)(2)'' and inserting ''section 30B(f)(2)''.

(iv) Section 1016(a)(36) of such Code is amended by striking ''section 30B(h)(4)'' and inserting ''section 30B(g)(4)''.

(v) Section 6501(m) of such Code is amended by striking ''section 30B(h)(9)'' and inserting ''section 30B(g)(9)''.

(C) EFFECTIVE DATE.—The amendments made by this subsection shall apply to property placed in service after December 31, 2005, in taxable years ending after such date.

(2) EXTENSION OF NEW QUALIFIED HYBRID MOTOR VEHICLE CREDIT FOR VEHICLES OVER 8,500 POUNDS.—Paragraph (3) of section 30B(i), as redesignated by subsection (a)(1)(B), is amended by striking''2009'' and inserting ''2011''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to vehicles placed in service after the date of the enactment of this Act.

(b) CREDIT FOR NEW QUALIFIED FUEL-EFFICIENT VEHICLES PRODUCED AFTER 2010.—

(1) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1 of the Internal

Revenue Code of 1986 is amended by adding at the end the following new section:

"SEC. 30D. NEW QUALIFIED FUEL-EFFICIENT MOTOR VEHICLE CREDIT.

''(a) IN GENERAL.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the amount determined under subsection (b) with respect to each new qualified fuel-efficient motor vehicle placed in service by the taxpayer during the taxable year.

''(b) CREDIT AMOUNT.—

''(1) FUEL ECONOMY.—

''(A) IN GENERAL.—The credit amount determined under this paragraph shall be determined in accordance with the following table:

In the case of a vehicle which achieves a fuel economy (expressed as a percentage of the 2012 model year average fuel economy standard) of—	The credit amount is—
At least 125 percent but less than 150 percent	$400
At least 150 percent but less than 175 percent	$800
At least 175 percent but less than 200 percent	$1,200
At least 200 percent but less than 225 percent	$1,600
At least 220 percent but less than 250 percent	$2,000
At least 250 percent	$2,400

''(B) 2012 MODEL YEAR AVERAGE FUEL ECONOMY STANDARD.—For purposes of subparagraph (A), the 2012 model year average fuel economy standard with respect to a vehicle shall be the average fuel economy standard (determined on a gasoline gallon equivalent basis) for such model year, as prescribed by the Secretary of Transportation under section 32902 of title 49, United States Code, with respect to the class to which such vehicle belongs.

''(2) CONSERVATION CREDIT.—The amount determined under paragraph (1) with respect to a new qualified fuel-efficient motor vehicle shall be increased by the conservation credit amount determined in accordance with the following table:

In the case of a vehicle which achieves a lifetime fuel savings expressed in gallons of gasoline) of—	The conservation credit amount is—
At least 1,200 but less than 1,800	$250
At least 1,800 but less than 2,400	$500
At least 2,400 but less than 3,000	$750
At least 3,000	$1,000

''(c) NEW QUALIFIED FUEL-EFFICIENT MOTOR VEHICLE.—For purposes of this section, the term 'new qualified fuel-efficient motor vehicle' means a passenger automobile or a light truck—

''(1) described in subsections (c)(3), (d)(3), or (e)(3) of section 30B,

''(2) which has received a certificate of conformity under the Clean Air Act and meets or exceeds the equivalent qualifying California low emission vehicle standard under section 243(e)(2) of the Clean Air Act for that make and model year, and

''(A) in the case of a vehicle having a gross vehicle weight rating of 6,000 pounds or less, the Bin 5 Tier II emission standard established in regulations prescribed by the Administrator of the Environmental Protection Agency under section 202(i) of the Clean Air Act for that make and model year vehicle, and

''(B) in the case of a vehicle having a gross vehicle weight rating of more than 6,000 pounds but not more than 8,500 pounds, the Bin 8 Tier II emission standard which is so established,

''(3) the original use of which commences with the taxpayer after December 31, 2010, and

''(4) which is acquired for use or lease by the taxpayer and not for resale.

''(d) OTHER DEFINITIONS.—For purposes of this section—

''(1) LIFETIME FUEL SAVINGS.—The term 'lifetime fuel savings' means, in the case of any new qualified fuel-efficient motor vehicle, an amount equal to the excess (if any) of—

''(A) 120,000 divided by the 2012 model year average fuel economy standard for the vehicle class, over

''(B) 120,000 divided by the fuel economy for such vehicle.

''(2) MOTOR VEHICLE.—The term 'motor vehicle' has the meaning given such term by section 30(c)(2).

''(3) FUEL ECONOMY.—The fuel economy with respect to any vehicle shall be measured in a manner which is substantially similar to the manner fuel economy is measured in accordance with procedures under part 600 of subchapter Q of chapter I of title 40, Code of Federal Regulations, as in effect on the date of the enactment of this section.

''(4) OTHER TERMS.—The terms 'automobile', ''passenger automobile'', ''medium duty passenger vehicle'', ''light truck'', and 'manufacturer' have the meanings given such terms in regulations prescribed by the Administrator of the Environmental Protection Agency for purposes of the administration of title II of the Clean Air Act (42 U.S.C. 7521 et seq.).

''(e) SPECIAL RULES.—

''(1) REDUCTION IN BASIS.—For purposes of this subtitle, the basis of any property for which a credit is allowable under subsection (a) shall be reduced by the amount of such credit so allowed.

''(2) NO DOUBLE BENEFIT.—

''(A) COORDINATION WITH OTHER VEHICLE CREDITS.—No credit shall be allowed under subsection (a) with respect to any new qualified fuel-efficient motor vehicle for any taxable year if a credit is allowed with respect to such motor vehicle for such taxable year under section 30 or 30B.

''(B) OTHER TAX BENEFITS.—The amount of any deduction or credit (other than the credit allowable under this section and any credit described in subparagraph (A)) allowable under this chapter with respect to any new qualified fuel-efficient motor vehicle shall be reduced by the amount of credit allowed under subsection (a) for such motor vehicle for such taxable year.

''(3) PROPERTY USED OUTSIDE THE UNITED STATES, ETC., NOT QUALIFIED.—No credit shall be allowable under subsection (a) with respect to any property referred to in section 50(b)(1) or with respect to the portion of the cost of any property taken into account under section 179.

''(4) ELECTION NOT TO TAKE CREDIT.—No credit shall be allowed under subsection (a) for any vehicle if the taxpayer elects not to have this section apply to such vehicle.

''(f) APPLICATION WITH OTHER CREDITS.—

''(1) BUSINESS CREDIT TREATED AS PART OF GENERAL BUSINESS CREDIT.—So much of the credit which would be allowed under subsection (a) for any taxable year (determined without regard to this subsection) that is attributable to property of a character subject to an allowance for depreciation shall be treated as a credit listed in section 38(b) for such taxable year (and not allowed under subsection (a)).

''(2) PERSONAL CREDIT.—The credit allowed under subsection (a) (after the application of paragraph (1)) for any taxable year shall not exceed the excess (if any) of—

''(A) the regular tax liability (as defined in section 26(b)) reduced by the sum of the credits allowable under subpart A and sections 27 and 30, over

''(B) the tentative minimum tax for the taxable year.

''(g) REGULATIONS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall promulgate such regulations as necessary to carry out the provisions of this section.

''(2) COORDINATION IN PRESCRIPTION OF CERTAIN REGULATIONS.—The Secretary of the Treasury, in coordination with the Secretary of Transportation and the Administrator of the Environmental Protection Agency, shall prescribe such regulations as necessary to determine whether a motor vehicle meets the requirements to be eligible for a credit under this section.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 1016(a) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of paragraph (36), by striking the period at the end of paragraph (37) and inserting '', and'', and by adding at the end the following new paragraph:

''(38) to the extent provided in section 30D(e)(1).''.

(B) Section 6501(m) of such Code is amended by inserting ''30D(e)(4),'' after ''30C(e)(5),''.

(C) The table of sections for subpart B of part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

''Sec. 30D. New qualified fuel-efficient motor vehicle credit.''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to vehicles placed in service after December 31, 2010.

SEC. 104. ADVANCED TECHNOLOGY MOTOR VEHICLES MANUFACTURING CREDIT.

(a) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to foreign tax credit, etc.), as amended by this Act, is amended by adding at the end the following new section:

"SEC. 30E. ADVANCED TECHNOLOGY MOTOR VEHICLES MANUFACTURING CREDIT.

''(a) CREDIT ALLOWED.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to 35 percent of so much of the qualified investment of an eligible taxpayer for such taxable year as does not exceed $75,000,000.

''(b) QUALIFIED INVESTMENT.—For purposes of this section—

''(1) IN GENERAL.—The qualified investment for any taxable year is equal to the incremental costs incurred during such taxable year—

''(A) to re-equip, expand, or establish any manufacturing facility in the United States of the eligible taxpayer to produce advanced technology motor vehicles or to produce eligible components,

''(B) for engineering integration performed in the United States of such vehicles and components as described in subsection (d),

''(C) for research and development performed in the United States related to advanced technology motor vehicles and eligible components, and

''(D) for employee retraining with respect to the manufacturing of such vehicles or components (determined without regard to wages or salaries of such retrained employees).

''(2) ATTRIBUTION RULES.—In the event a facility of the eligible taxpayer produces both advanced technology motor vehicles and conventional motor vehicles, or eligible and non-eligible components, only the qualified

investment attributable to production of advanced technology motor vehicles and eligible components shall be taken into account.

''(c) ADVANCED TECHNOLOGY MOTOR VEHICLES AND ELIGIBLE COMPONENTS.—For purposes of this section—

''(1) ADVANCED TECHNOLOGY MOTOR VEHICLE.—The term 'advanced technology motor vehicle' means—

''(A) any qualified electric vehicle (as defined in section 30(c)(1)),

''(B) any new qualified fuel cell motor vehicle (as defined in section 30B(b)(3)),

''(C) any new advanced lean burn technology motor vehicle (as defined in section 30B(c)(3)),

''(D) any new qualified hybrid motor vehicle (as defined in section 30B(d)(2)(A) and determined without regard to any gross vehicle weight rating),

''(E) any new qualified alternative fuel motor vehicle (as defined in section 30B(e)(4), including any mixed-fuel vehicle (as defined in section 30B(e)(5)(B)),

''(F) any other motor vehicle using electric drive transportation technology (as defined in paragraph (3)), and

''(G) any new qualified fuel-efficient motor vehicle (as defined in section 30D(c)).

''(2) ELIGIBLE COMPONENTS.—The term 'eligible component' means any component inherent to any advanced technology motor vehicle, including—

''(A) with respect to any gasoline or diesel-electric new qualified hybrid motor vehicle—

''(i) electric motor or generator,

''(ii) power split device,

''(iii) power control unit,

''(iv) power controls,

''(v) integrated starter generator, or

''(vi) battery,

''(B) with respect to any hydraulic new qualified hybrid motor vehicle—

''(i) hydraulic accumulator vessel,

''(ii) hydraulic pump, or

''(iii) hydraulic pump-motor assembly,

''(C) with respect to any new advanced lean burn technology motor vehicle—

''(i) diesel engine,

''(ii) turbocharger,

''(iii) fuel injection system, or

''(iv) after-treatment system, such as a particle filter or NOx absorber, and

''(D) with respect to any advanced technology motor vehicle, any other component submitted for approval by the Secretary.

''(3) ELECTRIC DRIVE TRANSPORTATION TECHNOLOGY.—The term 'electric drive transportation technology' means technology used by vehicles that use an electric motor for all or part of their motive power and that may or may not use off-board electricity, such as battery electric vehicles, fuel cell vehicles, engine dominant hybrid electric vehicles, plug-in hybrid electric vehicles, and plug-in hybrid fuel cell vehicles.

''(d) ENGINEERING INTEGRATION COSTS.—For purposes of subsection (b)(1)(B), costs for engineering integration are costs incurred prior to the market introduction of advanced technology vehicles for engineering tasks related to—

''(1) establishing functional, structural, and performance requirements for component and subsystems to meet overall vehicle objectives for a specific application,

''(2) designing interfaces for components and subsystems with mating systems within a specific vehicle application,

''(3) designing cost effective, efficient, and reliable manufacturing processes to produce components and subsystems for a specific vehicle application, and

''(4) validating functionality and performance of components and subsystems for a specific vehicle application.

''(e) ELIGIBLE TAXPAYER.—For purposes of this section, the term 'eligible taxpayer' means any taxpayer if more than 50 percent of its gross receipts for the taxable year is derived from the manufacture of motor vehicles or any component parts of such vehicles.

''(f) LIMITATION BASED ON AMOUNT OF TAX.—The credit allowed under subsection (a) for the taxable year shall not exceed the excess of—

''(1) the sum of—

''(A) the regular tax liability (as defined in section 26(b)) for such taxable year, plus

''(B) the tax imposed by section 55 for such taxable year and any prior taxable year beginning after 1986 and not taken into account under section 53 for any prior taxable year, over

''(2) the sum of the credits allowable under subpart A and sections 27, 30, and 30B for the taxable year.

''(g) REDUCTION IN BASIS.—For purposes of this subtitle, if a credit is allowed under this section for any expenditure with respect to any property, the increase in the basis of such property which would (but for this paragraph) result from such expenditure shall be reduced by the amount of the credit so allowed.

''(h) NO DOUBLE BENEFIT.—

''(1) COORDINATION WITH OTHER DEDUCTIONS AND CREDITS.—Except as provided in paragraph (2), the amount of any deduction or other credit allowable under this chapter for any cost taken into account in determining the amount of the credit under subsection (a) shall be reduced by the amount of such credit attributable to such cost.

''(2) RESEARCH AND DEVELOPMENT COSTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), any amount described in subsection (b)(1)(C) taken into account in determining the amount of the credit under subsection (a) for any taxable year shall not be taken into account for purposes of determining the credit under section 41 for such taxable year.

''(B) COSTS TAKEN INTO ACCOUNT IN DETERMINING BASE PERIOD RESEARCH EXPENSES.—Any amounts described in subsection (b)(1)(C) taken into account in determining the amount of the credit under subsection (a) for any taxable year which are qualified research expenses (within the meaning of section 41(b)) shall be taken into account in determining base period research expenses for purposes of applying section 41 to subsequent taxable years.

''(i) BUSINESS CARRYOVERS ALLOWED.—If the credit allowable under subsection (a) for a taxable year exceeds the limitation under subsection (f) for such taxable year, such excess (to the extent of the credit allowable with respect to property subject to the allowance for depreciation) shall be allowed as a credit carryback and carryforward under rules similar to the rules of section 39.

''(j) SPECIAL RULES.—For purposes of this section, rules similar to the rules of section 179A(e)(4) and paragraphs (1) and (2) of section 41(f) shall apply

''(k) ELECTION NOT TO TAKE CREDIT.—No credit shall be allowed under subsection (a) for any property if the taxpayer elects not to have this section apply to such property.

''(l) REGULATIONS.—The Secretary shall prescribe such regulations as necessary to carry out the provisions of this section.

''(m) TERMINATION.—This section shall not apply to any qualified investment after December 31, 2010.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 1016(a) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of paragraph (36), by striking the period at the end of paragraph (37) and inserting '', and'', and by adding at the end the following new paragraph:

''(38) to the extent provided in section 30E(g).''.

(2) Section 6501(m) of such Code is amended by inserting ''30E(k),'' after ''30C(e)(5),''.

(3) The table of sections for subpart B of part IV of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 30D the following new item:

''Sec. 30E. Advanced technology motor vehicles manufacturing credit.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts incurred in taxable years beginning after December 31, 2006.

SEC. 105. INCREASE IN MAXIMUM ALLOWABLE GROSS WEIGHT FOR VEHICLES USING THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS.

(a) SPECIAL RULE FOR VEHICLES WITH A SUPPLEMENTARY SIXTH AXLE.—Not later than 180 days after the Secretary of Transportation makes a positive determination under subsection (d), the Secretary of Transportation shall promulgate regulations, in accordance with section 127(a) of title 23, United States Code, that set the maximum allowable gross weight for a vehicle using the National System of Interstate and Defense Highways at 97,000 pounds for vehicles with a supplementary sixth axle.

(b) CONDITIONS ON REGULATIONS.—The regulations promulgated under subsection (a)—

(1) shall ensure that a loaded tractor trailer with a supplementary sixth axle and a gross weight of not more than 97,000 pounds that is traveling at 60 miles per hour has a stopping distance of not greater than 355 feet; and

(2) shall not require a fundamental alteration of the vehicle architecture that is common for use in the transportation of goods as of the day before the date of the enactment of this Act.

(c) STUDY.—The Secretary of Transportation shall conduct a study that—

(1) analyzes the safety impacts of allowing significantly longer and heavier vehicles to use the National System of Interstate and Defense Highways than are allowed under regulations in effect as of the day before the date of the enactment of this Act; and

(2) considers the potential impact on highway safety of applying lower speed limits on such vehicles than the limits in effect on the day before the date of the enactment of this Act.

(d) DETERMINATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Transportation shall determine whether allowing significantly longer and heavier vehicles to use the National System of Interstate and Defense Highways than are allowed as of the day before the date of the enactment of this Act would have a material impact on highway safety.

TITLE II—INCREASED USE OF ALTERNATIVE FUELS AND INFRASTRUCTURE

SEC. 201. RENEWABLE FUEL STANDARD.

Section 211(o) of the Clean Air Act (42 U.S.C. 7545(o) is amended—

(1) in paragraph (2)(B)—

(A) by striking clause (i) and inserting the following:

''(i) CALENDAR YEARS 2006 THROUGH 2020.—

''(I) RENEWABLE FUEL.—For the purpose of subparagraph (A), subject to subclause (II), the applicable total volume for any of calendar years 2006 through 2020 shall be determined in accordance with the following table:

Calendar year:	"Applicable total volume of renewable fuel (in billions of gallons):
2006	4.0

Calendar year:	"Applicable total volume of renewable fuel (in billions of gallons):
2007	4.7
2008	7.1
2009	9.5
2010	12.0
2011	12.6
2012	13.2
2013	13.8
2014	14.4
2015	15.0
2016	18.0
2017	21.0
2018	24.0
2019	27.0
2020	30.0

''(II) CELLULOSIC BIOMASS ETHANOL.—For the purpose of paragraph (1), of the total volume of renewable fuel required under subclause (I), the applicable volume for any of calendar years 2012 through 2020 for cellulosic biomass ethanol shall be determined in accordance with the following table:

Calendar year:	"Applicable volume of cellulosic biomass ethanol (in billions of gallons):
2012	0.25
2013	1.0
2014	3.0
2015	5.0
2016	7.0
2017	9.0
2018	11.0
2019	13.0
2020	15.0'';

(B) in clause (ii)—

(i) in the clause heading, by striking ''2013'' and inserting ''2021'';

(ii) by striking ''2013'' and inserting ''2021''; and

(iii) by striking ''2012'' and inserting ''2020'';

(C) in clause (iii), by striking ''thereafter—'' and all that follows through ''(II) the'' and inserting ''thereafter, the'';

(D) in clause (iv)—

(i) by striking ''2013'' and inserting ''2021''; and

(ii) in subclause (II)(bb), by striking ''2012'' and inserting ''2020'';

(2) in paragraph (3)—

(A) in subparagraph (A), by striking ''2011'' and inserting ''2019''; and

(B) in subparagraph (B)(i), by striking ''2012'' and inserting ''2020''; and

(3) in paragraph (6)(A), by striking ''2012'' and inserting ''2020''.

SEC. 202. MODIFICATION OF CREDIT FOR ALTERNATIVE FUEL VEHICLE REFUELING PROPERTY.

(a) INCREASE IN CREDIT AMOUNT.—

(1) IN GENERAL.—Subsection (a) of section 30C of the Internal Revenue Code of 1986 (relating to alternative fuel vehicle refueling property credit) is amended by striking ''30 percent'' and inserting ''35 percent''.

(2) FURTHER INCREASE FOR BLENDER PUMPS.—

(A) IN GENERAL.—Section 30C(a) of such Code, as amended by paragraph (1), is amended by inserting ''(40 percent in the case of any qualified alternative fuel vehicle refueling property which is a blender pump)'' after ''property''.

(B) BLENDER PUMP.—Section 30C(c) of such Code is amended by adding at the end the following new paragraph:

''(3) BLENDER PUMP.—The term 'blender pump' means any fuel pump which, with respect to any fuel described in paragraph (1)(A)(i)—

''(A) sources ethanol and gasoline products from separate underground storage tanks,

''(B) incorporates the use of inlet valves from such tanks to enable varying amounts of ethanol and gasoline products to be blended within a chamber in the pump, and

''(C) dispenses the various blends of ethanol and gasoline products through separate hoses.''.

(b) CREDIT ALLOWED FOR BLENDED ETHANOL OTHER THAN E85.—Subparagraph (A) of section 30C(c)(1) of the Internal Revenue Code of 1986 (defining qualified alternative fuel vehicle refueling property) is amended to read as follows:

''(A) at least—

''(i) 11 percent of the volume of which consists of ethanol, or

''(ii) 85 percent of the volume of which consists of one or more of the following: natural gas, compressed natural gas, liquefied natural gas, liquified petroleum gas, or hydrogen, or''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

SEC. 203. ETHANOL-BLEND FUEL INFRASTRUCTURE.

Section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) is amended by adding at the end the following:

''(11) INSTALLATION OF ETHANOL-BLEND FUEL PUMPS BY COVERED OWNERS AT STATIONS.—

''(A) DEFINITIONS.—In this paragraph:

''(i) COVERED OWNER.—The term 'covered owner' means any person that, individually or together with any other person with respect to which the person has an affiliate relationship or significant ownership interest, owns 10 or more retail station outlets, as determined by the Secretary.

''(ii) ETHANOL-BLEND FUEL.—The term 'ethanol-blend fuel' means a blend of gasoline not more than 85 percent, nor less than 80 percent, of the content of which is derived from ethanol produced in the United States, as defined by the Secretary in a manner consistent with applicable standards of the American Society for Testing and Materials.

''(iii) SECRETARY.—The term 'Secretary' means the Secretary of Energy, acting in consultation with the Administrator and the Secretary of Agriculture.

''(B) ASSESSMENT.—Not later than 5 years after the date of enactment of this paragraph, the Secretary shall make an assessment of the progress made toward the creation of adequate infrastructure for the production and distribution of ethanol-blend fuel (including the creation of adequate qualified alternative fuel vehicle refueling property that is a blender pump).

''(C) REGULATIONS.—If the Secretary determines (in the assessment made under subparagraph (B)) that adequate progress has not been made toward the creation of adequate infrastructure for the production and distribution of ethanol-blend fuel, the Secretary shall promulgate regulations to ensure, to the maximum extent practicable, that each covered owner installs or otherwise makes available 1 or more pumps that dispense ethanol-blend fuel (including any other equipment necessary, such as tanks, to ensure that the pumps function properly) at not less than the applicable percentage of the retail station outlets of the covered owner specified in subparagraph (D).

''(D) APPLICABLE PERCENTAGES.—For the purpose of subparagraph (C), the applicable percentage of the retail station outlets shall be—

''(i) during the 10-year period beginning on the date of any determination made under subparagraph (C), 10 percent; and

''(ii) after the 10-year period described in clause (i), 20 percent.

''(E) FINANCIAL RESPONSIBILITY.—In promulgating regulations under subparagraph (C), the Secretary shall ensure that each covered owner described in that subparagraph assumes full financial responsibility for the costs of installing or otherwise making available the pumps described in that subparagraph and any other equipment necessary (including tanks) to ensure that the pumps function properly.

''(F) PRODUCTION CREDITS FOR EXCEEDING ETHANOL-BLEND FUEL PUMPS INSTALLATION REQUIREMENT.—

''(i) EARNING AND PERIOD FOR APPLYING CREDITS.—If the percentage of the retail station outlets of a covered owner at which the covered owner installs ethanol-blend fuel pumps in a particular calendar year exceeds the percentage required under subparagraph (D), the covered owner shall earn credits under this paragraph, which may be applied to any of the 3 consecutive calendar years immediately after the calendar year for which the credits are earned.

''(ii) TRADING CREDITS.—A covered owner that has earned credits under clause (i) may sell credits to another covered owner to enable the purchaser to meet the requirement under subparagraph (D).''.

SEC. 204. REQUIREMENT TO INCREASE PERCENTAGE OF DUAL FUELED AUTOMOBILES.

(a) IN GENERAL.—Section 32902 of title 49, United States Code, is amended by inserting after subsection (e) the following:

''(f) REQUIREMENT FOR ANNUAL INCREASE IN DUEL FUELED AUTOMOBILES.—Each manufacturer shall ensure that the percentage of automobiles manufactured by such manufacturer in each of model years 2012 through 2022 that are dual fueled automobiles is not less than 10 percentage points greater than the percentage of automobiles manufactured by such manufacturer in the previous model year that are dual fueled automobiles.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date specified in section 102(c).

SEC. 205. EMERGING BIOFUELS.

(a) ESTABLISHMENT OF INCENTIVE PROGRAM.—The Secretary of Energy (referred to in this section as the ''Secretary'') shall establish a program under which the Secretary shall provide to eligible entities such incentives (including grants, tax credits, loans, and loan guarantees) as the Secretary determines to be appropriate for the production of cellulosic ethanol and other emerging biofuels derived from renewable sources (including municipal solid waste).

(b) APPLICATION.—To be eligible to receive an incentive under this section, an eligible entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including—

(1) a description of the project for which the incentive will be used;

(2) a description of the use by the eligible entity of the incentive; and

(3) an estimate of the annual production using the incentive by the eligible entity of cellulosic ethanol or another biofuel, expressed on a per-gallon basis.

(c) SELECTION REQUIREMENTS.—

(1) MINIMUM NUMBER OF INCENTIVES.—The Secretary shall provide incentives under this section to not less than 6 biorefineries located in different regions of the United States.

(2) LEAST-COST INCENTIVES.—The Secretary shall provide incentives under this section only to eligible entities the applications of which reflect the least-cost use of the incentives, on a per-gallon basis, with respect to similar projects.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $500,000,000.

SEC. 206. BIODIESEL.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall submit to Congress a report on any research and development challenges inherent in increasing to 5 percent the proportion of diesel fuel sold in the United States that is biodiesel, as defined in section 757 of the Energy Policy Act of 2005 (42 U.S.C. 16105).

(b) REGULATIONS.—The Administrator of the Environmental Protection Agency shall promulgate regulations providing for the uniform labeling of biodiesel blends that are certified to meet applicable standards published by the American Society for Testing and Materials.

SEC. 207. UNCONVENTIONAL FOSSIL FUELS.

(a) IN GENERAL.—The Secretary of Energy shall carry out a 10-year carbon capture research and development program to develop carbon dioxide capture technologies that can be used in the recovery of liquid fuels from oil shale and the production of liquid fuels in coal utilization facilities to minimize the emissions of carbon dioxide from those processes.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(1) $50,000,000 for the period of fiscal years 2008 through 2012; and

(2) $100,000,000 for the period of fiscal years 2013 through 2017.

SEC. 208. STUDY OF INCENTIVES FOR RENEWABLE FUELS.

(a) STUDY.—The Secretary of Agriculture (in consultation with the Secretary of Energy, the Secretary of the Treasury, the Administrator of the Environmental Protection Agency, representatives of the biofuels industry, the oil industry, and other interested parties) shall conduct a study of the renewable fuels industry and markets in the United States, including—

(1) the costs to produce corn-based and cellulosic-based ethanol and biobutanol, biodiesel, and other emerging biofuels;

(2) the factors affecting the future market prices for those biofuels, including world oil prices; and

(3) the level of tax incentives necessary, to the maximum extent practicable, to grow the biofuels industry of the United States to reduce the dependence of the United States on foreign oil during calendar years 2011 through 2030.

(b) GOALS.—The study shall include an analysis of the types and advantages and disadvantages of tax incentive options to, to the maximum extent practicable—

(1) limit the overall cost of the tax incentives to the Federal Government;

(2) encourage expansion of the biofuels industry by ensuring that new plants and recently-built plants can fully amortize the investments in the plants;

(3) reward energy-efficient and low carbon-emitting technologies;

(4) ensure that pioneering processes (such as those that convert cellulosic feedstocks like corn stover and switch grass to ethanol) are economically competitive with fossil fuels;

(5) encourage agricultural producer equity participation in ethanol plants; and

(6) encourage the development of higher blend markets, such as E-20, E30, and E-85.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture shall submit a report that describes the results of the study to—

(1) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(2) the Committee on Energy and Natural Resources of the Senate;

(3) the Committee on Environment and Public Works of the Senate;

(4) the Committee on Finance of the Senate;

(5) the Committee on Agriculture of the House of Representatives;

(6) the Committee on Energy and Commerce of the House of Representatives; and

(7) the Committee on Ways and Means of the House of Representatives.

TITLE III—DEVELOPMENT AND INVENTORY OF CERTAIN OUTER CONTINENTAL SHELF RESOURCES

SEC. 301. DEFINITION.

In this title, the term ''United States person'' means—

(1) any United States citizen or alien lawfully admitted for permanent residence in the United States; and

(2) any person other than an individual, if 1 or more individuals described in paragraph (1) own or control at least 51 percent of the securities or other equity interest in the person.

SEC. 302. AUTHORIZATION OF ACTIVITIES AND EXPORTS INVOLVING HYDROCARBON RESOURCES BY UNITED STATES PERSONS.

Notwithstanding any other provision of law (including a regulation), United States persons (including agents and affiliates of those United States persons) may—

(1) engage in any transaction necessary for the exploration for and extraction of hydrocarbon resources from any portion of any foreign exclusive economic zone that is contiguous to the exclusive economic zone of the United States; and

(2) export without license authority all equipment necessary for the exploration for or extraction of hydrocarbon resources described in paragraph (1).

SEC. 303. TRAVEL IN CONNECTION WITH AUTHORIZED HYDROCARBON EXPLORATION AND EXTRACTION ACTIVITIES.

Section 910 of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7209) is amended by inserting after subsection (b) the following:

''(c) GENERAL LICENSE AUTHORITY FOR TRAVEL-RELATED EXPENDITURES BY PERSONS ENGAGING IN HYDROCARBON EXPLORATION AND EXTRACTION ACTIVITIES.—

''(1) IN GENERAL.—The Secretary of the Treasury shall, authorize under a general license the travel-related transactions listed in section 515.560(c) of title 31, Code of Federal Regulations, for travel to, from or within Cuba in connection with exploration for and the extraction of hydrocarbon resources in any part of a foreign maritime Exclusive Economic Zone that is contiguous to the United States' Exclusive Economic Zone.

''(2) PERSONS AUTHORIZED.—Persons authorized to travel to Cuba under this section include full-time employees, executives, agents, and consultants of oil and gas producers, distributors, and shippers.''.

SEC. 304. MORATORIUM OF OIL AND GAS LEASING IN CERTAIN AREAS OF THE GULF OF MEXICO.

(a) IN GENERAL.—Section 104(a) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432) is amended—

(1) by striking paragraph (1);

(2) in paragraph (2), by striking ''125 miles'' and inserting ''45 miles'';

(3) in paragraph (3), by striking ''100 miles'' each place it appears and inserting ''45 miles''; and

(4) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

(b) REGULATIONS.—

(1) IN GENERAL.—The Secretary of the Interior shall promulgate regulations that establish appropriate environmental safeguards for the exploration and production of oil and natural gas on the outer Continental Shelf.

(2) MINIMUM REQUIREMENTS.—At a minimum, the regulations shall include—

(A) provisions requiring surety bonds of sufficient value to ensure the mitigation of any foreseeable incident;

(B) provisions assigning liability to the leaseholder in the event of an incident causing damage or loss, regardless of the negligence of the leaseholder or lack of negligence;

(C) provisions no less stringent than those contained in the Spill Prevention, Control, and Countermeasure regulations promulgated under the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.);

(D) provisions ensuring that—

(i) no facility for the exploration or production of resources is visible to the unassisted eye from any shore of any coastal State; and

(ii) the impact of offshore production facilities on coastal vistas is otherwise mitigated;

(E) provisions to ensure, to the maximum extent practicable, that exploration and production activities will result in no significant adverse effect on fish or wildlife (including habitat), subsistence resources, or the environment; and

(F) provisions that will impose seasonal limitations on activity to protect breeding, spawning, and wildlife migration patterns.

(c) CONFORMING AMENDMENT.—Section 105 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006 (Public Law 109–54; 119 Stat. 521) (as amended by section 103(d) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432)) is amended by inserting ''and any other area that the Secretary of the Interior may offer for leasing, preleasing, or any related activity under section 104 of that Act'' after ''2006)''.

SEC. 305. INVENTORY OF OUTER CONTINENTAL SHELF OIL AND NATURAL GAS RESOURCES OFF SOUTHEASTERN COAST OF THE UNITED STATES.

(a) IN GENERAL.—The Secretary of the Interior (referred to in this section as the ''Secretary'') may conduct an inventory of oil and natural gas resources beneath the waters of the outer Continental Shelf (as defined in section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. 1331)) off of the coast of the States of Virginia, North Carolina, South Carolina, or Georgia in accordance with this section.

(b) BEST AVAILABLE TECHNOLOGY.—In conducting the inventory, the Secretary shall use the best technology available to obtain accurate resource estimates.

(c) REQUEST BY GOVERNOR.—The Secretary may conduct an inventory under this section off the coast of a State described in subsection (a) only if the Governor of the State requests the inventory.

(d) REPORTS.—The Secretary shall submit to Congress and the requesting Governor a report on any inventory conducted under this section.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 306. ENHANCED OIL RECOVERY.

Section 354(c)(4)(B) of the Energy Policy Act of 2005 (42 U.S.C. 15910(c)(4)(B)) is amended—

(1) in clause (iii), by striking ''and'' at the end;

(2) in clause (iv), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(v) are carried out in geologically challenging fields.''.

TITLE IV—MANAGEMENT OF ENERGY RISKS

SEC. 401. BUREAU OF INTERNATIONAL ENERGY POLICY.

Section 101 of the National Security Act of 1947 (50 U.S.C. 402) is amended by adding at the end the following:

(1) by redesignating subsection (i) (as added by section 301 of Public Law 105–292 (112 Stat. 2800)) as subsection (k); and

(2) by adding at the end the following:

''(l) BUREAU OF INTERNATIONAL ENERGY POLICY.—

''(1) ESTABLISHMENT.—There is established within the National Security Council a Bureau of International Energy.

''(2) DUTIES.—The Bureau shall, in conjunction with the Secretary of Defense, the Secretary of State, and the Secretary of Energy, prepare and submit to Congress an annual energy security report.''.

SEC. 402. STRATEGIC ENERGY INFRASTRUCTURE EQUIPMENT RESERVE.

(a) ESTABLISHMENT.—The Secretary may establish and operate a strategic energy infrastructure equipment reserve.

(b) USE.—The reserve shall be used and operated for—

(1) the protection, conservation, maintenance, and testing of strategic energy infrastructure equipment; and

(2) the provision of strategic energy infrastructure equipment whenever and to the extent that—

(A) the Secretary, with the approval of the President, finds that the equipment is needed for energy security purposes; and

(B) the provision of the equipment is authorized by a joint resolution of Congress.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

By Mr KOHL (for himself and Mr. SPECTER):

S. 878. A bill to prevent anti-competitive mergers and acquisitions in the oil and gas industry; to the Committee on the Judiciary.

Mr. KOHL. Mr. President, I rise today to introduce the Oil Industry Merger Antitrust Enforcement Act. This legislation will significantly strengthen the antitrust laws to prevent anti-competitive mergers and acquisitions in the oil and gas industry.

We have all seen the suffering felt by consumers and our national economy resulting from rising energy prices. Last year, gasoline prices shattered the once unthinkable $3.00 a gallon level, before receding in the fall. Prices are on the move upward once again, having increased by 15 percent in the last month alone. And prices for other crucial energy products—such as natural gas and home heating oil—have undergone similar sharp increases in the last year.

Industry experts debate the causes of these extraordinarily high prices. Possible culprits are growing worldwide demand, supply disruptions, the actions of the OPEC oil cartel and limits on refinery capacity in the United States. But we cannot overlook one important factor—the substantial rise in concentration and consolidation in the oil industry. Since 1990, the Government Accountability Office has counted over 2,600 mergers, acquisitions and joint ventures in the oil industry. Led by gigantic mergers such as Exxon/Mobil, BP/Arco, Conoco/Phillips and Chevron/Texaco, by 2004, the five largest U.S. oil refining companies controlled over 56 percent of domestic refining capacity, a greater market share than that controlled by the top ten companies a decade earlier.

This merger wave has led to substantially less competition in the oil industry. In 2004, the GAO concluded that these mergers have directly caused increases in the price of gasoline. A study by the independent consumer watchdog Public Citizen found that in the five years between 1999 and 2004, U.S. oil refiners increased their average profits on every gallon of gasoline refined from 22.8 cents to 40.8 cents, a 79 percent jump. And the grossly inflated profit numbers of the major oil companies—led by Exxon Mobil's $8.4 billion profit in the first quarter of 2006, which followed its $36 billion profit in 2005, the highest corporate profits ever achieved in U.S. history, are conclusive evidence—if any more was needed—of the lack of competition in the U.S. oil industry. While it is true that the world price of crude oil has substantially increased, the fact that the oil companies can so easily pass along all of these price increases to consumers of gasoline and other refined products—and greatly compound their profits along the way—confirms that that there is a failure of competition in our oil and gas markets.

More than 90 years ago, one of our Nation's basic antitrust laws—the Clayton Act—was written to prevent just such industry concentration harming competition. It makes illegal any merger or acquisition the effect of which ''may be substantially to lessen competition.'' Despite the plain command of this law, the Federal Trade Commission the Federal agency with responsibility for enforcing antitrust law in the oil and gas industry has failed to take any effective action to prevent undue concentration in this industry. Instead, it permitted almost all of these 2,600 oil mergers and acquisitions to proceed without challenge. And where the FTC has ordered divestitures, they have been wholly ineffective to restore competition. Consumers have been at the mercy of an increasingly powerful oligopoly of a few giant oil companies, passing along price increases without remorse as the market becomes increasingly concentrated and competition diminishes. It is past time for us in Congress to take action to strengthen our antitrust law so that it will, as intended, stand as a bulwark to protect consumers and prevent any further loss of competition in this essential industry.

Our bill will strengthen merger enforcement under the antitrust law in two respects. First, it will direct that the FTC, in conjunction with the Justice Department, revise its Merger Guidelines to take into account the special conditions prevailing in the oil industry. In reviewing a pending merger or acquisition to determine whether to approve it or take legal action to block it, the FTC follows what are known as ''Merger Guidelines.'' The Merger Guidelines set forth the factors that the agency must examine to determine if a merger or acquisition lessens competition, and sets forth the legal tests the FTC is to follow in deciding whether to approve or challenge a merger. As presently written, the Merger Guidelines fail to direct the FTC, when reviewing an oil industry merger, to pay any heed at all to the special economic conditions prevailing in that industry.

Our bill will correct this deficiency. Many special conditions prevail in the oil and gas marketplace that warrant scrutiny, conditions that do not occur in other industries, and the Merger Guidelines should reflect these conditions. In most industries, when demand rises and existing producers earn ever-increasing profits, new producers enter the market and new supply expands, reducing the pressure on price. However, in the oil industry, there are severe limitations on supply and environmental and regulatory difficulty in opening new refineries, so this normal market mechanism cannot work. Additionally, in most industries, consumers shift to alternative products in the face of sharp price increases, leading to a reduction in demand and a corresponding reduction in the pressure to increase prices. But for such an essential commodity as gasoline, consumers have no such option they must continue to consume gasoline to get to work, to go to school, and to shop. These factors all mean that antitrust enforcers should be especially cautious about permitting increases in concentration in the oil industry.

Accordingly, our bill directs the FTC and Justice Department to revise their Merger Guidelines to take into account the special conditions prevailing in the oil industry—including the high inelasticity of demand for oil and petroleum-related products; the ease of gaining market power; supply and refining capacity limits; difficulties of market entry; and unique regulatory requirements applying to the oil industry. This revision of the Merger Guidelines must be completed within six months of enactment of this legislation.

The second manner in which this legislation will strengthen antitrust enforcement will be to shift the burden of proof in Clayton Act challenges to oil industry mergers and acquisitions. In such cases, the burden will be placed on the merging parties to establish, by a preponderance of evidence, that their transaction does not substantially lessen competition. This provision would reverse the usual rule that the government or private plaintiff challenging the merger must prove that the transaction harms competition. As the parties seeking to effect a merger with a competitor in an already concentrated industry, and possessing all the relevant data regarding the transaction,

it is entirely appropriate that the merging parties bear this burden. This provision does not forbid all mergers in the oil industry—if the merging parties can establish that their merger does not substantially harm competition, it may proceed. However, shifting the burden of proof in this manner will undoubtedly make it more difficult for oil mergers and acquisition to survive court challenge, thereby enhancing the law's ability to block truly anti-competitive transactions and deterring companies from even attempting such transactions. In today's concentrated oil industry and with consumers suffering record high prices, mergers and acquisitions that even the merging parties cannot justify should not be tolerated.

As Chairman of the Senate Antitrust Subcommittee, I believe that this bill is a crucial step to ending this unprecedented move towards industry concentration and to begin to restore competitive balance to the oil and gas industry.

Since the days of the break-up of the Standard Oil trust one hundred years ago, antitrust enforcement has been essential to prevent undue concentration in this industry. This bill is an essential step to ensure that our antitrust laws are sufficiently strong to ensure a competitive oil industry in the 21st century. I urge my colleagues to support the Oil Industry Merger Antitrust Enforcement Act.

I ask unanimous consent that the text of this bill be printed in the RECORD.

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

S. 878

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Oil Industry Merger Antitrust Enforcement Act''.

SEC. 2. STATEMENT OF FINDINGS AND DECLARATIONS OF PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) American consumers are suffering from excessively high prices for gasoline, natural gas, heating oil, and other energy products.

(2) These excessively high energy prices have been caused, at least in substantial part, by undue concentration among companies involved in the production, refining, distribution, and retail sale of oil, gasoline, natural gas, heating oil, and other petroleum-related products.

(3) There has been a sharp consolidation caused by mergers and acquisitions among oil companies over the last decade, and the antitrust enforcement agencies (the Federal Trade Commission and the Department of Justice Antitrust Division) have failed to employ the antitrust laws to prevent this consolidation, to the detriment of consumers and competition. This consolidation has caused substantial injury to competition and has enabled the remaining oil companies to gain market power over the sale, refining, and distribution of petroleum-related products.

(4) The demand for oil, gasoline, and other petroleum-based products is highly inelastic so that oil companies can easily utilize market power to raise prices.

(5) Maintaining competitive markets for oil, gasoline, natural gas, and other petroleum-related products is in the highest national interest.

(b) PURPOSES.—The purposes of this Act are to—

(1) ensure vigorous enforcement of the antitrust laws in the oil industry;

(2) restore competition to the oil industry and to the production, refining, distribution, and marketing of gasoline and other petroleum-related products; and

(3) prevent the accumulation and exercise of market power by oil companies.

SEC. 3. BURDEN OF PROOF.

Section 7 of the Clayton Act (15 U.S.C. 18) is amended by adding at the end the following:

''In any civil action brought against any person for violating this section in which the plaintiff—

''(1) alleges that the effect of a merger, acquisition, or other transaction affecting commerce may be to substantially lessen competition, or to tend to create a monopoly, in the business of exploring for, producing, refining, or otherwise processing, storing, marketing, selling, or otherwise making available petroleum, oil, or natural gas, or products derived from petroleum, oil, or natural gas; and

''(2) establishes that a merger, acquisition, or transaction is between or involves persons competing in the business of exploring for, producing, refining, or otherwise processing, storing, marketing, selling, or otherwise making available petroleum, oil, or natural gas, or products derived from petroleum, oil, or natural gas;

the burden of proof shall be on the defendant or defendants to establish by a preponderance of the evidence that the merger, acquisition, or transaction at issue will not substantially lessen competition or tend to create a monopoly.''.

SEC. 4. ENSURING FULL AND FREE COMPETITION.

(a) REVIEW.—The Federal Trade Commission and the Antitrust Division of the Department of Justice shall jointly review and revise all enforcement guidelines and policies, including the Horizontal Merger Guidelines issued April 2, 1992 and revised April 8, 1997, and the Non-Horizontal Merger Guidelines issued June 14, 1984, and modify those guidelines in order to—

(1) specifically address mergers and acquisitions in oil companies and among companies involved in the production, refining, distribution, or marketing of oil, gasoline, natural gas, heating oil, or other petroleum-related products; and

(2) ensure that the application of these guidelines will prevent any merger and acquisition in the oil industry, when the effect of such a merger or acquisition may be to substantially lessen competition, or to tend to create a monopoly, and reflect the special conditions prevailing in the oil industry described in subsection (b).

(b) SPECIAL CONDITIONS.—The guidelines described in subsection (a) shall be revised to take into account the special conditions prevailing in the oil industry, including—

(1) the high inelasticity of demand for oil and petroleum-related products;

(2) the ease of gaining market power in the oil industry;

(3) supply and refining capacity limits in the oil industry;

(4) difficulties of market entry in the oil industry; and

(5) unique regulatory requirements applying to the oil industry.

(c) COMPETITION.—The review and revision of the enforcement guidelines required by this section shall be completed not later than 6 months after the date of enactment of this Act.

(d) REPORT.—Not later than 6 months after the date of enactment of this Act, the Federal Trade Commission and the Antitrust Division of the Department of Justice shall jointly report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives regarding the review and revision of the enforcement guidelines mandated by this section.

SEC. 5. DEFINITIONS.

In this Act:

(1) OIL INDUSTRY.—The term ''oil industry'' means companies and persons involved in the production, refining, distribution, or marketing of oil or petroleum-based products.

(2) PETROLEUM-BASED PRODUCT.—The term ''petroleum-based product'' means gasoline, diesel fuel, jet fuel, home heating oil, natural gas, or other products derived from the refining of oil or petroleum.

By Mr. KOHL (for himself, Mr. SPECTER, Mr. LEAHY, Mr. GRASSLEY, Mr. FEINGOLD, Ms. SNOWE, Mr. SCHUMER, Mr. COBURN, Mr. DURBIN, Mrs. BOXER, and Mr. LEVIN):

S. 879. A bill to amend the Sherman Act to make oil-producing and exporting cartels illegal; to the Committee on the Judiciary.

Mr. KOHL. Mr. President, I rise today to introduce the No Oil Producing and Exporting Cartels Act of 2007 (''NOPEC''). It is time for the U.S. government to fight back on the price of oil and hold OPEC accountable when it acts illegally. This bill will hold OPEC member nations to account under U.S. antitrust law when they agree to limit supply or fix price in violation of the most basic principles of free competition.

Our bill will authorize the Attorney General to file suit against nations or other entities that participate in a conspiracy to limit the supply, or fix the price, of oil. In addition, it will expressly specify that the doctrines of sovereign immunity and act of state do not exempt nations that participate in oil cartels from basic antitrust law. I have introduced this bill in each Congress since 2000. This legislation has passed the Judiciary Committee unanimously three times since it was first introduced, and in 2005 passed the full Senate by voice vote as an amendment to the Energy Bill before being stripped from that bill in the conference committee. It is now time, in this new Congress, to finally pass this legislation into law and give our Nation a long needed tool to counteract this pernicious and anti-consumer conspiracy.

Throughout the last year, consumers all across the Nation watched gas prices rise to previously unimagined levels. As crude oil prices exceeded $40, then $50 and then $60 per barrel, retail prices of gasoline over $3.00 per gallon became commonplace. While prices temporarily receded last fall, the general trend is significantly upwards, and prices are rising even today. Gas prices have increased 32 cents in the last month alone to a national average of

$2.56 per gallon, a nearly 15 percent increase in just one month.

As we consider gas price changes, one fact has remained consistent any move downwards in price ends as soon as OPEC decides to cut production. Referring to the 18 percent rise in worldwide crude oil prices since the start of the year, OPEC President Mohammed al-Hamli commented ''we had a bad situation at the beginning of the year. It is much better now.'' The difference—combined output cuts of 1.7 million barrels of oil a day adopted by OPEC last October and December driving up crude oil prices. And while OPEC enjoys its newfound riches, the average American consumer suffers every time he or she visits the gas pump or pays a home heating bill.

So there is no doubt that the price of crude oil dances to the tune set by OPEC members. Such blatantly anti-competitive conduct by the oil cartel violates the most basic principles of fair competition and free markets and should not be tolerated.

Real people suffer real consequences every day in our Nation because of OPEC's actions. Rising gas prices are a silent tax that takes hard-earned money away from Americans every time they visit the gas pump. Higher oil prices drive up the cost of transportation, harming thousands of companies throughout the economy from trucking to aviation. And those costs are passed on to consumers in the form of higher prices for manufactured goods. Higher oil prices mean higher heating oil and electricity costs. Anyone who has gone through a Midwest winter can tell you about the tremendous personal costs associated with higher home heating bills.

We have all heard many explanations offered for rising energy prices. Some say that the oil companies are gouging consumers. Some blame disruptions in supply. Others point to the EPA requirement mandating use of a new and more expensive type of ''reformulated'' gas in the Midwest or other ''boutique'' fuels around the country. Some even claim that refiners and distributors have illegally fixed prices. On this issue, I have repeatedly asked the Federal Trade Commission to investigate these allegations. As a result of our requests, the FTC has put a task force in place to find out if those allegations were true. While we continue to urge the FTC to be vigilant, the FTC has to date found no evidence of illegal domestic price fixing as a cause of higher gas prices.

But one cause of these escalating prices is indisputable: the price fixing conspiracy of the OPEC nations. For years, this conspiracy has unfairly driven up the cost of imported crude oil to satisfy the greed of the oil exporters. We have long decried OPEC, but, sadly, no one in government has yet tried to take any action. Our bill will, for the first time, establish clearly and plainly that when a group of competing oil producers like the OPEC nations act together to restrict supply or set prices, they are violating U.S. law. The bill will not authorize private lawsuits, but it will authorize the Attorney General to file suit under the antitrust laws for redress. Our bill will also make plain that the nations of OPEC cannot hide behind the doctrines of ''sovereign immunity'' or ''act of state'' to escape the reach of American justice. In so doing, our bill will overrule one twenty-year old lower court decision which incorrectly failed to recognize that the actions of OPEC member nations was commercial activity exempt from the protections of sovereign immunity.

The most fundamental principle of a free market is that competitors cannot be permitted to conspire to limit supply or fix price. There can be no free market without this foundation. And we should not permit any nation to flout this fundamental principle.

Some critics of this legislation have argued that suing OPEC will not work or that threatening suit will hurt more than help. I disagree. Our NOPEC legislation will, for the first time, enable our Justice Department to take legal action to combat the illegitimate price-fixing conspiracy of the oil cartel. It will, at a minimum, have a real deterrent effect on nations that seek to join forces to fix oil prices to the detriment of consumers. This legislation will be the first real weapon the U.S. government has ever had to deter OPEC from its seemingly endless cycle of price increases.

There is nothing remarkable about applying U.S. antitrust law overseas. Our government has not hesitated to do so when faced with clear evidence of anti-competitive conduct that harms American consumers. A few years ago, for example, the Justice Department secured record fines totaling $725 million against German and Swiss companies engaged in a price fixing conspiracy to raise and fix the price of vitamins sold in the United States and elsewhere. Their behavior harmed consumers by raising the prices consumers paid for vitamins every day and plainly needed to be addressed. As this and other cases show, the mere fact that the conspirators are foreign nations is no basis to shield them from violating these most basic standards of fair economic behavior.

Even under current law, there is no doubt that the actions of the international oil cartel would be in gross violation of antitrust law if engaged in by private companies. If OPEC were a group of international private companies rather than foreign governments, their actions would be nothing more than an illegal price fixing scheme. But OPEC members have used the shield of ''sovereign immunity'' to escape accountability for their price-fixing. The Foreign Sovereign Immunities Act, though, already recognizes that the ''commercial'' activity of nations is not protected by sovereign immunity. And it is hard to imagine an activity that is more obviously commercial than selling oil for profit, as the OPEC nations do. Our legislation will establish that the sovereign immunity doctrine will not divest a U.S. court from jurisdiction to hear a lawsuit alleging that members of the oil cartel are violating antitrust law.

The suffering of consumers across the Nation in the last year has made me more certain than ever that this legislation is necessary. Between OPEC's repeated decisions to cut oil production and the FTC's conclusion for the last several years that there is no illegal conduct by domestic companies responsible for rising gas prices, I am convinced that we need to take action, and take action now, before the damage spreads too far.

I urge my colleagues to support our legislation so that our Nation will finally have an effective means to combat this price-fixing conspiracy of oil-rich nations. Thank you.

I ask unanimous consent that the text of this bill be printed in the RECORD.

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

S. 879

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''No Oil Producing and Exporting Cartels Act of 2007'' or ''NOPEC''.

SEC. 2. SHERMAN ACT.

The Sherman Act (15 U.S.C. 1 et seq.) is amended by adding after section 7 the following:

''SEC. 7A. OIL PRODUCING CARTELS.

''(a) IN GENERAL.—It shall be illegal and a violation of this Act for any foreign state, or any instrumentality or agent of any foreign state, to act collectively or in combination with any other foreign state, any instrumentality or agent of any other foreign state, or any other person, whether by cartel or any other association or form of cooperation or joint action—

''(1) to limit the production or distribution of oil, natural gas, or any other petroleum product

''(2) to set or maintain the price of oil, natural gas, or any petroleum product; or

''(3) to otherwise take any action in restraint of trade for oil, natural gas, or any petroleum product;

when such action, combination, or collective action has a direct, substantial, and reasonably foreseeable effect on the market, supply, price, or distribution of oil, natural gas, or other petroleum product in the United States.

''(b) SOVEREIGN IMMUNITY.—A foreign state engaged in conduct in violation of subsection (a) shall not be immune under the doctrine of sovereign immunity from the jurisdiction or judgments of the courts of the United States in any action brought to enforce this section.

''(c) INAPPLICABILITY OF ACT OF STATE DOCTRINE.—No court of the United States shall decline, based on the act of state doctrine, to make a determination on the merits in an action brought under this section.

''(d) ENFORCEMENT.—The Attorney General of the United States may bring an action to enforce this section in any district court of

the United States as provided under the antitrust laws.''.

SEC. 3. SOVEREIGN IMMUNITY.

Section 1605(a) of title 28, United States Code, is amended—

(1) in paragraph (6), by striking ''or'' after the semicolon;

(2) in paragraph (7), by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(8) in which the action is brought under section 7A of the Sherman Act.''.

Mr. LEAHY. Mr. President, I am pleased to join Senator KOHL, the chairman of the Subcommittee on Antitrust and Competition Policy, by cosponsoring once again the No Oil Producing and Exporting Cartels, NOPEC, Act. I thank Senator KOHL for his leadership on this important issue, and Senators SPECTER, GRASSLEY, FEINGOLD, SNOWE, SCHUMER, DURBIN, BOXER and COBURN the other cosponsors, for their continued support of this critically important effort.

The collusive behavior of certain oil producing nations has artificially—and drastically reduced the supply and inflated the price of fuel. Put simply, the behavior of these oil cartels, which would be illegal under antitrust laws, grievously harms American consumers and businesses.

We have introduced this measure in each of the last four Congresses. We introduce it again today, in our never-ending effort to make OPEC accountable for its anticompetitive behavior by allowing the Justice Department to crack down on illegal price manipulation by oil cartels.

This bill will allow the Federal Government to take legal action against any foreign state, including members of OPEC, for price fixing and artificially limiting the amount of available oil. While OPEC actions remain protected from antitrust enforcement, the ability of the governments involved to wreak havoc on the American economy will remain unchecked.

When the President took office, Americans could fill their cars, heat their homes, and run their businesses on gasoline that cost $1.45 a gallon. Fuel prices have skyrocketed since then. Prices will at times fall, but because fuel prices are not properly subject to competition oversight and enforcement, the American consumer will only benefit from lower prices when it serves some other purpose of the cartel and foreign governments.

President Bush has said he is concerned about gasoline costs and has pledged that the government would keep a close watch on unacceptable profiteering. It is time for the President to join us in supporting this legislation.

Our antitrust laws have been called the ''Magna Carta of free enterprise.'' If OPEC were simply a foreign business engaged in this type of behavior, it would already be subject to them. It is wrong to let OPEC producers off the hook just because their anticompetitive practices come with the seal of approval of national governments. I urge my colleagues to support this bill and to say ''No'' to OPEC.

By Mrs. LINCOLN (for herself and Mr. SMITH):

S. 881. A bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit; to the Committee on Finance.

Mrs. LINCOLN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 881

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Short Line Railroad Investment Act of 2007''.

SEC. 2. EXTENSION AND MODIFICATION OF RAILROAD TRACK MAINTENANCE CREDIT.

(a) EXTENSION.—

(1) IN GENERAL.—Subsection (d) of section 45G of the Internal Revenue Code of 1986 (relating to qualified railroad track maintenance expenditures) is amended by striking ''for maintaining'' and all that follows and inserting ''for maintaining—

''(A) in the case of taxable years beginning after December 31, 2004, and before January 1, 2008, railroad track (including roadbed, bridges, and related track structures) owned or leased as of January 1, 2005, by a Class II or Class III railroad (determined without regard to any consideration for such expenditures given by the Class II or Class III railroad which made the assignment of such track), and

''(B) in the case of taxable years beginning after December 31, 2007, and before January 1, 2011, railroad track (including roadbed, bridges, and related track structures) owned or leased as of January 1, 2007, by a Class II or Class III railroad (determined without regard to any consideration for such expenditures given by the Class II or Class III railroad which made the assignment of such track).''.

(2) CONFORMING AMENDMENT.—Section 45G of such Code is amended by striking subsection (f).

(b) COORDINATION WITH SECTION 55.—Section 38(c)(4)(B) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of clause (i), by striking the period at the end of clause (ii)(II) and inserting '', and'', and by adding at the end the following new clause:

''(iii) the credit determined under section 45G.''.

(c) CREDIT LIMITATION ADJUSTMENT.—Subparagraph (A) of section 45G(b)(1) of the Internal Revenue Code of 1986 is amended by striking ''$3,500'' and inserting ''$4,500''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

Mr. SMITH. Mr. President. I rise today with my colleague Senator LINCOLN of Arkansas to introduce the Short Line Railroad Investment Act of 2007.

More than 500 short line railroads operate nationally, serving nearly every State and account for almost 50,000 miles of track in the United States. By connecting to the larger railways, short line railroads are critical to farmers and small businesses that need to move their goods into the marketplace. Moreover, transporting goods using rail relieves highway congestion by decreasing the number of trucks that would otherwise move the same products.

Railroads are capital intensive and require significant investment to operate. Today, the unmet infrastructure needs of the short line railroads total in the billions of dollars. And capacity and physical demands on the short lines continue to grow. The presence of heavier rail cars being used today only further exacerbates the need for investment to meet the infrastructure needs of the short line railroads.

Currently a tax credit exists to enable increased investment in short line railroads. However, this critical credit is set to expire at the end of 2007. Current law allows for a taxpayer to claim a tax credit of 50 cents for every dollar invested in track rehabilitation. The extension of the tax credit for short line railroad maintenance and rehabilitation is integral to meeting this need.

The enactment of this credit in the 2004 American Jobs Creation Act has encouraged the private sector to increase investment in short line freight rail infrastructure. The ultimate beneficiaries of these investments will be over 11,000 rail customers employing over 1 million Americans in rural and urban areas.

It is imperative that we extend this credit. I propose a 3-year extension of this credit through 2010 that will help achieve the original goal of prompting $1.5 billion in new infrastructure improvements on short line railroads.

I urge my colleagues support for this important measure that will improve short line railroads that have such a vital role in the transportation of goods and our Nation's economy.

I ask unanimous consent that the text of the bill be printed in the RECORD.

By Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Ms. MIKULSKI, and Mr. CASEY):

S. 882. A bill to require a pilot program on the facilitation of the transition of members of the Armed Forces to receipt of veterans health care benefits upon completion of military service, and for other purposes; to the Committee on Veterans' Affairs.

Mr. MENENDEZ. Mr. President, since the March 2003 start of the Iraq war, more than 24,042 members of our Nation's armed forces have been injured, more than 10,685 of them too severely to be returned to action.

I have visited these soldiers at Walter Reed, at Fort Dix, and at the East Orange Veterans Hospital. I have heard stories consistently from our veterans about fighting against DoD and VA bureaucracy for months and even years simply to receive the basic benefits they are owed by a grateful Nation.

The controversy at Walter Reed again brings to light the shortcomings in the process our returning veterans must deal with in their difficult transition from soldier to civilian. Just as

the deplorable conditions that have come to light are unacceptable, so too are the countless stories detailing the maze of forms, hearings, and medical evaluations that prevent so many of our veterans from getting the health care and benefits they need.

Too often, it seems that rather than thanking the soldier for their sacrifice, this system sets up yet another battle of bureaucracy. Too often, it seems that the system is stacked against the very soldiers it is designed to help. Too often, veterans must seek out their own treatment options and benefits or risk missing deadlines and losing benefits. It doesn't have to be this way. We have an obligation not only to fulfill the promises we make to America's fighting men and women, but to do so in a manner that ensures the benefits we owe them are made readily available.

At the East Orange VA hospital in my State of New Jersey, for instance, we have a modern War-Related Illness and Injury Study Center that stands underutilized because many veterans aren't even informed that it's there. Patients whose quality of life could be drastically improved by the technology the center provides miss the opportunity simply because they are not aware the option is available. This country can do better; the will of the American people is to do better; now this government must do better.

That's why I am proud to introduce the ''Veterans Navigator Act'', a bill that would expand and enhance the important work done by VSOs and other non-governmental organizations to guide our Nation's servicemen and women to and through the VA healthcare system. It would, in fact, acknowledge the work of these organizations by providing $25 million in grants over 5 years to augment their capabilities.

The ''navigator'' concept is not new. It is similar to the Patient Navigator demonstration program I introduced and which was subsequently enacted into law. There, we also took a successful small-scale program being used at select medical facilities around the country and expanded it by providing grants for a scaled-up demonstration program to serve those with cancer and other chronic diseases, and in particular, to provide support to medically underserved populations.

With the Veterans Navigator bill, I propose to do something similar, capitalizing on the successes of the Patient Navigator concept, to help our troops. The $25 million over 5 years in the bill would allow VSOs and other organizations to apply for grants so that they could hire and train navigators to provide assistance, on an individualized basis, to members of the Armed Forces as they transition from military service to the VA healthcare system. They would do so in coordination with DoD and the VA. Right now, many VSOs rely principally on donations to perform these services.

At the end of the 5 years, the VA Secretary would submit a report to Congress on the effectiveness of the Veterans Navigator demonstration program and recommend whether or not it should be made permanent.

Often called National Service Officers or counselors, a navigator is a ''sherpa'', a guide through the maze of paper and people and specialists and benefits. A navigator is an advocate for those no longer able to go it alone. A navigator is a facilitator, someone who will be with you through the process, to provide the expertise you will need to transition between active duty and veterans status and to get the urgent care you need.

Let me be clear: a navigator does not supplant the role of the DoD or the VA. A navigator is meant to complement the work done by these organizations, particularly at a time when those systems are struggling to meet the needs of the soldiers returning from war and will continue to do so long after the conflicts in Iraq and Afghanistan have ended.

While all veterans will benefit, the bill focuses particular attention on four underserved groups in the military community: the seriously injured or wounded soldiers, female soldiers, those suffering from psychological problems like Post-Traumatic Stress Disorder, PTSD, and members of the activated National Guard and Reserves.

These underserved groups have not been sufficiently served in existing VA and DoD transition programs and activities. It is these underserved groups who especially need continuity of care as they enter and wind their way through the VA medical system. Part of the reason they have not been adequately cared for is that the nature of the current wars we are fighting, in Iraq, in Afghanistan, is different from previous conflicts we've undertaken.

During the Iraq and Afghanistan campaigns, we have the largest activation of National Guard and reservists since World War II. As of March 12, according to DoD, the United States had 141,000 military personnel deployed in Iraq. Of these, 119,005 were active component personnel and 21,995 were National Guard and Reserves. These numbers are set to increase due to the recent announcement by President Bush to send at least 20,000 more troops to Iraq by May.

The GAG released a report in February 2005 citing deficiencies in benefits for these soldiers. The report concluded that National Guard and Reserve soldiers ''are given little help navigating a thicket of regulations and procedures necessary to gain access to military doctors.''

To complicate matters, members of our National Guard who seek medical care must file for an extension of their active duty status in order to continue to access military bases and hospitals.

In its report, GAG also concluded that, and I quote, ''the Army has not consistently provided the infrastructure needed to accommodate the needs of soldiers trying to navigate their way through the ''active duty medical extension'' (ADME) process . . . this has resulted in injured and ill soldiers carrying a disproportionate share of the burden for ensuring that they do not fall off their active duty orders.''

The Veterans Navigator Act would help minimize such occurrences by providing National Guardsmen and Reservists someone to help bring them through the ADME process and to help correct any discrepancies before they cause a delay in accessing VA medical care.

Veterans with psychological problems also need help. In the last several years, we've been hearing a lot more about post-traumatic stress disorder, or PTSD in veterans and those returning from conflict. The GAO report concluded that almost four out of five service members returning from Iraq and Afghanistan who were found to be at risk for PTSD were not provided appropriate medical assistance. All of these factors mean that now, more than ever, our Nation's soldiers need help moving between the DoD and VA realms.

According to a recent study commissioned by the Department of Veterans Affairs, roughly 13 percent of service men and women returning from Iraq suffer from PTSD. GAO has concluded that roughly 78 percent of those service members at risk for PTSD do not get further evaluation. That means they return to active duty or are discharged without receiving the appropriate care.

It is the nature of this disorder to appear not right after the traumatic event is experienced, but often not until an individual re-experiences an event, has a flashback or is somehow reminded of a battlefield event. That may not happen until after a service member has been discharged from service. Once PTSD does emerge, the veteran may not know how to access VA medical assistance, or he or she may not have yet enrolled into the VA medical system.

Again, as in the case of the severely wounded, time is of the essence. PTSD can manifest itself so severely as to incapacitate a soldier, making medical care more urgent. In the case of returning National Guardsmen and Reservists, the problem is made more complex because of the 2-year time limit on filing for VA benefits.

Since 1991, opportunities for women in our Nation's armed forces have grown. For the first time, the military is placing women in support units at the front line. This has come partly as the result of more than 10 years of policy changes making 91 percent of the career fields gender neutral.

The Navy and the Air Force have begun to allow female soldiers to fly fighters and bombers. The Army has expanded the role of women in ground-combat operations. Right now, ''women command combat military police companies, fly Apache helicopters, work as

tactical intelligence analysts, and serve in artillery units.''

This would have been unheard of a decade ago, but it's happening right now. Right now, record numbers of female soldiers are fighting on the front lines and, as a result, more are being seriously wounded or killed. A Baltimore reporter profiling women soldiers' participation in Iraq observed that ''the war in Iraq has been an equal opportunity employer, by killing and injuring a historic number of female soldiers in combat situations.''

Therefore, a VA medical system designed to treat wounded male soldiers must now ensure that female soldiers get the right kind of medical care. They will need help finding that care and getting access to that care. A veteran navigator can help them do that.

Because of the length and size of the deployment, many more soldiers are being seriously wounded. According to the GAO, roughly 30 percent of U.S. soldiers wounded in combat during World War II later died. Today, that number has dropped to 3 percent for those serving in Iraq and Afghanistan due to advances in technology and protective gear.

While this is clearly a positive development, it also means that many of these injured soldiers are returning home with severe disabilities, including traumatic brain injuries and missing limbs that require comprehensive inpatient rehabilitation services.

But, severe injuries often mean a lengthy transition from active duty to veteran status. As my story earlier indicates, the physical evaluation of a seriously wounded service member to determine whether he or she can return to active duty can take months to complete. In the interim, the VA has to be able to identify these soldiers so that they can perform early outreach, provided that they have the information to do so.

Despite this, the GAO observed in a March 2005 report that the VA faces ''significant challenges in providing services to seriously injured service members.''

In many cases, VA staff have reported that seriously injured service members are simply not ready to begin thinking about VA benefits or dealing with the VA system during the recovery process. The problem here, as GAO has pointed out, is that the VA has no policy for maintaining contact with these soldiers down the line, once they are discharged. Contact is often conducted on an ad hoc basis. Navigators can also help these seriously wounded soldiers.

VSOs such as the Veterans of Foreign Wars, Disabled American Veterans, Jewish War Veterans and so many others have emphasized the importance of maintaining contact with seriously injured veterans who do not initially apply for VA health care benefits because it may be many months or even years before they are prepared to apply for them.

The Veterans Navigator can help perform this function. Because this individual or individuals have reached out to the injured service member before his or her discharge, they can, in coordination with the VA caseworkers, remain in contact with them as they recover and prepare to re-enter civilian life. The navigator can also help obtain information from DoD on seriously injured soldiers earlier on so that they can help ensure that all service members and veterans benefit from VA health care services at the right time.

At a time when many active duty service people and veterans have fought and often made the ultimate sacrifice for their country, we cannot risk having any soldier fall through the cracks. We cannot take the risk that our female soldiers, who are fighting alongside their male colleagues, may not receive the medical care they need. We cannot risk the lives and health of soldiers with PTSD. We cannot risk the lives and the health of any service member who put their lives at risk for our country.

As we have seen with the situation at Walter Reed, DoD and VA simply do not have the manpower to effectively handle the influx of veterans cases coming into the system. With a backlog of over half a million claims, the VA can not adequately address the individual needs of America's warriors. Our service members didn't have to wait to sign up to serve their country; they shouldn't have to wait and fight to get the benefits they are seriously entitled to.

The very least that we can do is to ensure that all of these brave men and women are able to access the medical benefits to which they are entitled, particularly in their time of greatest need. At some point in each of our lives, we might need a guiding hand to help us find our way. Today, I am proposing to provide that helping hand to our troops in a time of their greatest need. It is the very least that we can do.

By Mrs. FEINSTEIN (for herself and Mr. VOINOVICH):

S. 883. A bill to amend the Higher Education Act of 1965 to extend loan forgiveness for certain loans to Head Start teachers; to the Committee on Health, Education, Labor, and Pensions.

Mrs. FEINSTEIN. Mr. President. I rise today with Senator VOINOVICH to introduce legislation that would expand the Federal student loan forgiveness program to include Head Start teachers.

Nationwide, only 31 percent of Head Start teachers have completed a baccalaureate or advanced degree program.

In California, that number is even smaller: only 21 percent of Head Start teachers have completed a bachelor's degree.

To prepare Head Start children for elementary school, we must recruit highly qualified teachers who have demonstrated knowledge and teaching skills in reading, early childhood development, and other areas of the preschool curriculum with a particular focus on cognitive learning.

Recruiting and retaining teachers with such qualifications is critical to ensuring that our children start elementary school ready to learn.

A survey conducted by the U.S. Department of Health and Human Services, the Head Start Family and Child Experiences Survey (FACES), found that ''teachers with higher education levels were found to have more high quality language activities and more creative activities in their classrooms.''

In order to give every child a jump start in life, we must continue to recruit highly qualified teachers to the Head Start field and prevent the best teachers from leaving.

Many Head Start programs across the country, including in California, are losing qualified teachers to local school districts in part because the pay is better.

Nationally, the average Head Start teacher earns a salary of about $21,000—almost half the amount of elementary school teachers' salary of about $43,000.

Low pay, combined with increasing student debt, makes it increasingly difficult to attract and retain highly qualified Head Start teachers.

We must provide incentives to encourage recent graduates, current Head Start teachers without a degree, and college students to enter and remain in this important field.

This legislation would allow recent college graduates (obtaining a minimum of a bachelor's degree), and current Head Start teachers without a degree, to receive up to $5,000 of their Federal student loans forgiven in exchange for 5 years of teaching in a qualified Head Start program; and provide Head Start teachers with the same opportunity as currently offered to eligible elementary and secondary school teachers to receive up to $5,000 in loan forgiveness in exchange for 5 years of service.

Providing our Nation's low-income children with access to highly educated and qualified Head Start teachers so that they enter school ready to learn is critical to their future success.

Head Start is the primary Federal program that has the potential to reach out to low-income children early in their formative years when their cognitive skills are just developing.

Research shows that Head Start is a smart investment in our children's future.

For example, a 2003 Kindergarten Readiness: Head Start Success study of more than 600 graduates in San Bernardino County, CA, demonstrated that society receives nearly nine dollars in benefits, i.e. increased earnings and employment, for every one dollar invested in Head Start children.

That is why we must act now.

Every teacher that the Head Start program loses impacts the quality and access to services for our Nation's neediest children, and ultimately can impact their future success.

I urge my colleagues to join me and Senator VOINOVICH in supporting this important legislation.

I ask unanimous consent that the text of the legislation be printed in the RECORD.

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

S. 883

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LOAN FORGIVENESS FOR HEAD START TEACHERS.

(a) SHORT TITLE.—This section may be cited as the ''Loan Forgiveness for Head Start Teachers Act of 2007''.

(b) HEAD START TEACHERS.—Section 428J of the Higher Education Act of 1965 (20 U.S.C 1078–10) is amended—

(1) in subsection (b), by striking paragraph (1) and inserting the following:

''(1)(A) has been employed—

''(i) as a full-time teacher for 5 consecutive complete school years in a school that qualifies under section 465(a)(2)(A) for loan cancellation for Perkins loan recipients who teach in such a school; or

''(ii) as a Head Start teacher for 5 consecutive complete program years under the Head Start Act; and

''(B)(i) if employed as an elementary school or secondary school teacher, is highly qualified as defined in section 9101 of the Elementary and Secondary Education Act of 1965, or meets the requirements of subsection (g)(3); and

''(ii) if employed as a Head Start teacher, has demonstrated knowledge and teaching skills in reading, writing, early childhood development, and other areas of a preschool curriculum, with a focus on cognitive learning; and'';

(2) in subsection (g), by adding at the end the following:

''(4) HEAD START.—An individual shall be eligible for loan forgiveness under this section for service described in clause (ii) of subsection (b)(1)(A) only if such individual received a baccalaureate or graduate degree on or after the date of enactment of the Loan Forgiveness for Head Start Teachers Act of 2007.''; and

(3) by adding at the end the following:

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for fiscal year 2011 and succeeding fiscal years to carry out loan repayment under this section for service described in clause (ii) of subsection (b)(1)(A).''.

(c) DIRECT STUDENT LOAN FORGIVENESS.—

(1) IN GENERAL.—Section 460 of the Higher Education Act of 1965 (20 U.S.C 1087j) is amended—

(A) in subsection (b)(1), by striking subparagraph (A) and inserting the following:

''(A)(i) has been employed—

''(I) as a full-time teacher for 5 consecutive complete school years in a school that qualifies under section 465(a)(2)(A) for loan cancellation for Perkins loan recipients who teach in such a school; or

''(II) as a Head Start teacher for 5 consecutive complete program years under the Head Start Act; and

''(ii)(I) if employed as an elementary school or secondary school teacher, is highly qualified as defined in section 9101 of the Elementary and Secondary Education Act of 1965, or meets the requirements of subsection (g)(3); and

''(II) if employed as a Head Start teacher, has demonstrated knowledge and teaching skills in reading, writing, early childhood development, and other areas of a preschool curriculum, with a focus on cognitive learning; and'';

(B) in subsection (g), by adding at the end the following:

''(4) HEAD START.—An individual shall be eligible for loan forgiveness under this section for service described in subclause (II) of subsection (b)(l)(A)(i) only if such individual received a baccalaureate or graduate degree on or after the date of enactment of the Loan Forgiveness for Head Start Teachers Act of 2007.''; and

(C) by adding at the end the following:

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for fiscal year 2011 and succeeding fiscal years to carry out loan repayment under this section for service described in subclause (II) of subsection (b)(1)(A)(i).''.

(d) CONFORMING AMENDMENTS.—

(1) FFEL PROGRAM.—Section 428J of the Higher Education Act of 1965 (20 U.S.C. 1078–10) is amended—

(A) in subsection (c)(1), by inserting ''or fifth complete program year'' after ''fifth complete school year of teaching'';

(B) in subsection (f), by striking ''subsection (b)'' and inserting ''subsection (b)(1)(A)(i)'';

(C) in subsection (g)(1)(A), by striking ''subsection (b)(1)(A)'' and inserting ''subsection (b)(1)(A)(i)''; and

(D) in subsection (h), by inserting ''except as part of the term 'program year','' before ''where''.

(2) DIRECT LOAN PROGRAM.—Section 460 of the Higher Education Act of 1965 (20 U.S.C. 1087j) is amended—

(A) in subsection (c)(1), by inserting ''or fifth complete program year'' after ''fifth complete school year of teaching'';

(B) in subsection (f), by striking ''subsection (b)'' and inserting ''subsection (b)(1)(A)(i)(I)'';

(C) in subsection (g)(1)(A), by striking ''subsection (b)(1)(A)'' and inserting ''subsection (b)(1)(A)(i)(I)''; and

(D) in subsection (h), by inserting ''except as part of the term 'program year','' before ''where''.

By Mr. DURBIN (for himself and Mr. COLEMAN):

S. 884. A bill to amend the Public Health Service Act regarding residential treatment programs for pregnant and parenting women, a program to reduce substance abuse among nonviolent offenders, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 884

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Family-Based Meth Treatment Access Act of 2007''.

SEC. 2. RESIDENTIAL TREATMENT PROGRAMS FOR PREGNANT AND PARENTING WOMEN.

Section 508 of the Public Health Service Act (42 U.S.C. 290bb–1) is amended—

(1) in the section heading, by striking ''PREGNANT AND POSTPARTUM WOMEN'' and inserting ''PREGNANT AND PARENTING WOMEN'';

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''postpartum women treatment for substance abuse'' and inserting ''parenting women treatment for substance abuse (including treatment for addiction to methamphetamine)'';

(B) in paragraph (1), by striking ''reside in'' and inserting ''reside in or receive outpatient treatment services from''; and

(C) in paragraph (2), by striking ''reside with the women in'' and inserting ''reside with the women in, or receive outpatient treatment services from,'';

(3) in subsection (d)(6), by inserting '', or referrals for counseling,'' after ''Counseling'';

(4) in subsection (h)(1), by striking ''pregnant and postpartum women'' and inserting ''pregnant and parenting women'';

(5) by amending subsection (m) to read as follows:

''(m) ALLOCATION OF AWARDS.—In making awards under subsection (a), the Director shall give priority to any entity that agrees to use the award for a program serving an area that—

''(1) is a rural area, an area designated under section 332 by the Administrator of the Health Resources and Services Administration as a health professional shortage area with a shortage of mental health professionals, or an area determined by the Director to have a shortage of family-based substance abuse treatment options; and

''(2) is determined by the Director to have high rates of addiction to methamphetamine or other drugs.'';

(6) in subsection (p), by—

(A) striking ''October 1, 1994'' and inserting ''October 1, 2008'';

(B) striking ''Committee on Labor and Human Resources'' and inserting ''Committee on Health, Education, Labor, and Pensions'';

(C) inserting ''In submitting reports under this subsection, the Director may use data collected under this section or other provisions of law.'' after ''biennial report under section 501(k).''; and

(D) striking ''Each report under this subsection shall include'' and all that follows and inserting ''Each report under this subsection shall, with respect to the period for which the report is prepared, include the following:

''(1) A summary of any evaluations conducted under subsection (o).

''(2) Data on the number of pregnant and parenting women in need of, but not receiving, treatment for substance abuse under programs carried out pursuant to this section. Such data shall include, but not be limited to, the number of pregnant and parenting women in need of, but not receiving, treatment for methamphetamine abuse under such programs, disaggregated by State and tribe.

''(3) Data on recovery and relapse rates of women receiving treatment for substance abuse under programs carried out pursuant to this section, including data disaggregated with respect to treatment for methamphetamine abuse.'';

(7) by redesignating subsections (q) and (r) as subsections (r) and (s), respectively;

(8) by inserting after subsection (p) the following:

''(q) METHAMPHETAMINE ADDICTION.—In carrying out this section, the Director shall expand, intensify, and coordinate efforts to provide to pregnant and parenting women treatment for methamphetamine addiction.''; and

(9) in subsection (s) (as so redesignated), by striking ''such sums as may be necessary to fiscal years 2001 through 2003'' and inserting ''$70,000,000 for each of fiscal years 2008 through 2012''.

SEC. 3. PROGRAM TO REDUCE SUBSTANCE ABUSE AMONG NONVIOLENT OFFENDERS: FAMILY TREATMENT ALTERNATIVES TO INCARCERATION.

Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by inserting after section 509 the following:

''SEC. 510. PROGRAM TO REDUCE SUBSTANCE ABUSE AMONG NONVIOLENT OFFENDERS: FAMILY TREATMENT ALTERNATIVES TO INCARCERATION.

''(a) IN GENERAL.—The Secretary, acting through the Administrator of the Substance Abuse and Mental Health Services Administration, shall make awards of grants, cooperative agreements, or contracts to public and nonprofit private entities for the purpose of assisting local jails and detention facilities in providing comprehensive, family-based substance abuse treatment services (including treatment for addiction to methamphetamine) to pregnant and parenting adults who are considered nonviolent offenders.

''(b) MINIMUM QUALIFICATIONS FOR NONPROFIT PRIVATE ENTITIES.—An award may be made under subsection (a) to an applicant that is a nonprofit private entity only if the Secretary determines that—

''(1) the applicant has the capacity to provide the services described in subsection (a); and

''(2) the applicant meets all applicable State licensor and certification requirements regarding the provision of substance abuse treatment services.

''(c) REQUIREMENTS APPLICABLE TO FAMILY DRUG TREATMENT PROGRAM THAT IS AN ALTERNATIVE TO INCARCERATION.—A grant under this section may be used for a family drug treatment program that is an alternative to incarceration only if the program complies with the following:

''(1) The program is a comprehensive, long-term family treatment program focused on the treatment of the parent and child.

''(2) The program and its providers meet all applicable State licensor and certification requirements regarding the provision of substance abuse treatment services.

''(3) Each parent offender who participates in the program is sentenced to, or placed with, a long-term family treatment program (which shall include a residential component).

''(4) Each parent offender who participates in the program serves a sentence with respect to the underlying crime if that parent offender does not successfully complete treatment with the residential treatment provider.

''(5) The program has mandatory periodic drug testing. The Secretary shall, by prescribing guidelines or regulations, specify standards for the timing and manner of complying with such testing. The standards shall ensure that—

''(A) each individual participating in the program as an alternative to incarceration is tested for every controlled substance that the participant has been known to abuse, and for any other controlled substance the Secretary may require; and

''(B) the testing is accurate and practicable; and

''(C) the drug testing regime is a factor in determinations of whether program participants successfully complete treatment.

''(d) ALLOCATION OF AWARDS.—In making awards under subsection (a), the Secretary shall give priority to any entity that agrees to use the award for a program serving an area that—

''(1) is a rural area, an area designated under section 332 by the Administrator of the Health Resources and Services Administration as a health professional shortage area with a shortage of mental health professionals, or an area determined by the Secretary to have a shortage of family-based substance abuse treatment options; and

''(2) is determined by the Secretary to have high rates of addiction to methamphetamine or other drugs.

''(e) DEFINITIONS.—In this section the terms 'family drug treatment', 'family treatment', and 'comprehensive, long-term family treatment' describe programs that provide, or are able to provide referrals for, the following services: Substance abuse treatment, children's early intervention services, family counseling, legal services, medical care, mental health services, nursery and preschool, parenting skills training, pediatric care, prenatal care, sexual abuse therapy, relapse prevention, transportation, and job or vocational training or general equivalency diploma (GED) classes.

''(f) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $40,000,000 for each of fiscal years 2008, 2009, and 2010, and $50,000,000 for each of fiscal years 2011 and 2012.''.

By Mr. BINGAMAN (for himself and Mr. LEAHY):

S. 886. A bill toamend chapter 22 of title 44, United States Code, popularly known as the Presidential Records Act, to establish procedures for the consideration of claims of constitutionally based privilege against disclosure of Presidential records; to the Committee on Homeland Security and Governmental Affairs.

Mr. BINGAMAN. Mr. President, I rise today with my colleague from Vermont, Senator LEAHY, to introduce a bill that would restore the American people's access to Presidential papers. This bill is the companion to H.R. 1255, which is sponsored by Representative HENRY WAXMAN, and was passed in the House of Representatives with strong bipartisan support.

In 1978, this body passed the Presidential Records Act and declared that a President's papers were the property of the people of the United States of America and were to be administered by the National Archives and Records Administration, or NARA. The Act provided that Presidential papers would be made available 12 years after a President left office, allowing the former or incumbent President the right to claim executive privilege for particularly sensitive documents. In order to fulfill that mandate, President Reagan in 1989 signed Executive Order 12667, which gave the former or incumbent President 30 days to claim executive privilege.

However, in 2001, President Bush issued Executive Order 13233, nullifying President Reagan's order and imposing new regulations for obtaining Presidential and Vice-Presidential documents. President Bush's new order greatly restricts access to Presidential papers by requiring that all requests for documents, no matter how innocuous, be approved by both the former President and current White House. In this way the order goes against the letter and the spirit of the Presidential Records Act by creating a presumption of nondisclosure, thus allowing the White House to prevent the release of records simply by inaction.

The President's order also limits what types of papers are available by expanding the scope of executive privilege into new areas—namely communications between the President and his advisors and legal advice given to the President. The order extends executive privilege to the records of the Vice President for the first time. Also, former Presidents can now designate third parties, including family members and Vice Presidents, to exercise executive privilege on their behalf, meaning that Presidential papers could remain concealed many years after a President's death. These expansions raise some serious constitutional questions. Deleted sentence. My legislation simply seeks to restore a presumption that Presidential records belong to the people of the United States and to create a legitimate, streamlined means of carrying out this body's wishes—making Presidential records available for examination by the public and by Congress.

The administration shouldn't fear passage of this bill. Any documents that contain sensitive national security information would remain inaccessible, as would any documents pertaining to law enforcement or the deliberative process of the executive branch. Executive privilege for both former and current Presidents would still apply to any papers the White House designates. With these safeguards in place, there is no reason to further hinder access to documents that are in some cases more than 20 years old.

By not passing this bill, the Congress would greatly limit its own ability to investigate previous administrations, not to mention limit the ability of historians and other interested parties to research the past. Knowledge of the past enriches and informs our understanding of the present, and by limiting our access to these documents we do both ourselves and future generations a great disservice. Numerous historians, journalists, archivists and other scholars have voiced their disapproval of Executive Order 13233 because they understand how important access to Presidential papers can be to accurately describing and learning from past events. We here in the Congress cannot and should not surrender our ability to investigate previous Presidential administrations because doing so would remove a vitally important means of ensuring Presidential accountbility.

I believe it is time for these documents to become part of the public record. I believe in open, honest, and accountable government, and I do not believe in keeping secrets from the American people. The Presidential Records Act was one of this country's most vital post-Watergate reforms and

it remains vitally important today. In these times when trust in government is slipping more and more every day, we need to send a statement to the American people that we here in Washington don't need to hide from public scrutiny—that instead we welcome and encourage public scrutiny. This bill will send just such a message.

Franklin Roosevelt commented on the opening of his Presidential library in 1941:

''To bring together the records of the past and to house them in buildings where they will be preserved for the use of men and women in the future, a Nation must believe in three things. It must believe in the past. I must believe in the future. It must, above all, believe in the capacity of its own people to learn from the past so that they can gain in judgment in creating their own future.''

I believe that the American people deserve and need access to Presidential records.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 886

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Presidential Records Act Amendments of 2007''.

SEC. 2. PROCEDURES FOR CONSIDERATION OF CLAIMS OF CONSTITUTIONALLY BASED PRIVILEGE AGAINST DISCLOSURE.

(a) IN GENERAL.—Chapter 22 of title 44, United States Code, is amended by adding at the end the following:

''§ 2208. Claims of constitutionally based privilege against disclosure

''(a)(1) When the Archivist determines under this chapter to make available to the public any Presidential record that has not previously been made available to the public, the Archivist shall—

''(A) promptly provide notice of such determination to—

''(i) the former President during whose term of office the record was created; and

''(ii) the incumbent President; and

''(B) make the notice available to the public.

''(2) The notice under paragraph (1)—

''(A) shall be in writing; and

''(B) shall include such information as may be prescribed in regulations issued by the Archivist.

''(3)(A) Upon the expiration of the 20-day period (excepting Saturdays, Sundays, and legal public holidays) beginning on the date the Archivist provides notice under paragraph (1)(A), the Archivist shall make available to the public the record covered by the notice, except any record (or reasonably segregable part of a record) with respect to which the Archivist receives from a former President or the incumbent President notification of a claim of constitutionally based privilege against disclosure under subsection (b).

''(B) A former President or the incumbent President may extend the period under subparagraph (A) once for not more than 20 additional days (excepting Saturdays, Sundays, and legal public holidays) by filing with the Archivist a statement that such an extension is necessary to allow an adequate review of the record.

''(C) Notwithstanding subparagraphs (A) and (B), if the period under subparagraph (A), or any extension of that period under subparagraph (B), would otherwise expire after January 19 and before July 20 of the year in which the incumbent President first takes office, then such period or extension, respectively, shall expire on July 20 of that year.

''(b)(1) For purposes of this section, any claim of constitutionally based privilege against disclosure shall be asserted personally by a former President or the incumbent President, as applicable.

''(2) A former President or the incumbent President shall notify the Archivist, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate of a privilege claim under paragraph (1) on the same day that the claim is asserted under paragraph (1).

''(c)(1) The Archivist shall not make publicly available a Presidential record that is subject to a privilege claim asserted by a former President until the expiration of the 20-day period (excluding Saturdays, Sundays, and legal public holidays) beginning on the date the Archivist is notified of the claim.

''(2) Upon the expiration of such period the Archivist shall make the record publicly available unless otherwise directed by a court order in an action initiated by the former President under section 2204(e).

''(d)(1) The Archivist shall not make publicly available a Presidential record that is subject to a privilege claim asserted by the incumbent President unless—

''(A) the incumbent President withdraws the privilege claim; or

''(B) the Archivist is otherwise directed by a final court order that is not subject to appeal.

''(2) This subsection shall not apply with respect to any Presidential record required to be made available under section 2205(2)(A) or (C).

''(e) The Archivist shall adjust any otherwise applicable time period under this section as necessary to comply with the return date of any congressional subpoena, judicial subpoena, or judicial process.''.

(b) RESTRICTIONS.—Section 2204 of title 44, United States Code (relating to restrictions on access to presidential records) is amended by adding at the end the following:

''(f) The Archivist shall not make available any original presidential records to any individual claiming access to any presidential record as a designated representative under section 2205(3) if that individual has been convicted of a crime relating to the review, retention, removal, or destruction of records of the Archives.''.

(c) CONFORMING AMENDMENTS.—(1) Section 2204(d) of title 44, United States Code, is amended by inserting '', except section 2208,'' after ''chapter''.

(2) Section 2207 of title 44, United States Code, is amended in the second sentence by inserting '', except section 2208,'' after ''chapter''.

(d) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 22 of title 44, United States Code, is amended by adding at the end the following:

''2208. Claims of constitutionally based privilege against disclosure.''.

SEC. 3. EXECUTIVE ORDER OF NOVEMBER 1, 2001.

Executive Order number 13233, dated November 1, 2001 (66 Fed. Reg. 56025), shall have no force or effect.

By Mrs. FEINSTEIN (for herself and Mr. DURBIN):

S. 887. A bill to restore import and entry agricultural inspection functions to the Department of Agriculture; to the Committee on Homeland Security and Governmental Affairs.

Mrs. FEINSTEIN. Mr. President, I rise today to offer a bill with Senator DURBIN to restore our Nation's agricultural inspection functions to the Department of Agriculture.

This bill would transfer the Agricultural Quarantine Inspection Program—AQI—from the Department of Homeland Security's Customs and Border Protection back to the USDA's Animal and Plant Health Inspection Service—(APHIS).

In 2003, as part of the Homeland Security Act, agricultural inspections at all points of entry in the United States were transferred from the USDA to DHS. Four years later, it is clear that fewer agricultural inspections are being conducted at our borders and ports.

I have heard this message loud and clear from: California Secretary of Agriculture A.G. Kawamura, California Farm Bureau, the American Landscape and Nursery Association, the California Agriculture Commissioners and Sealers Association, the Nisei Farmers League, the Nature Conservancy, Environmental Defense, National Wildlife Federation, Union of Concerned Scientists, Defenders of Wildlife, and the San Diego County Agriculture Commissioner, the Contra Costa County Agriculture Commissioner, and many California farmers.

These groups have observed not only the decrease in the number of inspections since the Agricultural Quarantine Inspection Program was transferred to the Department of Homeland Security—DHS—but also decreased communication between the program and State agricultural organizations.

Last year, the Government Accountability Office produced a report that highlighted the problems associated with the transfer of the program from the U.S. Department of Agriculture to the Department of Homeland Security, entitled ''Homeland Security: Management and Coordination Problems Increase the Vulnerability of U.S. Agriculture to Foreign Pests and Disease.''

The GAO study found:

The inspection rate at several key American points of entry has significantly decreased. Inspections decreased in Miami by 12.7 percent, in Boston by 17.9 percent, and San Francisco by 21.4 percent.

Sixty percent of agricultural inspection specialists believed they were doing either ''somewhat'' or ''many fewer'' inspections since the transfer.

Sixty-three percent of survey respondents did not believe that their port had enough agriculture specialists to carry out agriculture duties.

Lastly, 64 percent of the agriculture specialists reported that their work was not respected by Customs and Border Patrol.

These statistics are deplorable.

The failure to protect our borders from the invasion of agricultural pests

places our farmlands and forests at great risk of infestation.

USDA estimates nationally that agricultural pests cost the American agricultural industry an annual loss of about $41 billion.

In California alone, pest infestations cost my State's farmers about $3 billion. This amount includes crops lost in the quarantine, and the cost of measures taken to control and eradicate pest outbreaks.

The farmers in my State continue to battle against serious agricultural pests, such as the glassy-winged sharpshooter, the Asian long-horned beetle, the Mediterranean fruit fly, and many others.

During the time that DHS has been in charge of agriculture inspections, Fresno County experienced its first fruit fly outbreak, quarantine, and eradication.

According to the Fresno County Department of Agriculture, a 105-square-mile area had to be quarantined due to an outbreak of the peach fruit fly. The pest is indigenous to Asia, and is believed to have entered the country on smuggled fruit carried by an airline passenger. The eradication effort cost approximately $1 million.

The interception of pests at inspection points, coupled with the elimination and eradication of pest outbreaks, is a top priority for California agriculture organizations. And these groups have asked for help in improving the agricultural inspection process.

But this is not just a California problem. Farmers and foresters from every corner of our country have faced the imposing threat of a foreign agriculture pest invasion.

Here are just a few examples of the pests that threaten our Nation:

The glassy-winged sharpshooter is a devastating new pest for California. Since its migration into California in 1990 from the southeastern United States, the glassy-winged sharpshooter population there has ballooned throughout southern California. This pest transmits Pierce's disease, which threatens 450,000-plus acres of winegrapes, more than 330,000 acres of raisin and table grapevines, a crop production of $4 billion and associated economic activity of $45 billion. There is no known cure for Pierce's disease. The glassy-winged sharpshooter also threatens crops such as almonds, citrus, and peaches as well as native plants, shrubs, and trees.

Citrus canker is believed to have originated in Southeast Asia and was discovered in Florida in 1995. It causes lesions on the leaves, stems, and fruit of citrus trees, causes leaves and fruit to drop prematurely, and makes fruit too unsightly to be sold. The Federal Government has spent $378 million for eradication, with little results.

The Asian long-horned beetle was introduced to the United States in August 1996 inside solid wood packing material from China. The beetle is a serious threat to hardwood trees and has no known natural predator in the United States. The beetle has the potential to destroy millions of acres of America's hardwood forests and industries such as lumber, maple syrup, nursery, and tourism accumulating over $41 billion in losses. The beetle has spread to New York, New Jersey, Illinois, and California.

In the summer of 2002, scientists detected a new exotic insect in Michigan, the emerald ash borer. This insect is an invasive species originally from Asia. To date, it has killed or damaged millions of ash trees in Michigan. It has been detected in Ohio, Indiana, Maryland, Ohio, Illinois, and in Ontario, Canada.

The National Association of State Departments of Agriculture—NASDA—recognizes the impending danger and has first-hand experience of how inspections have changed since the DHS takeover.

NASDA recently announced that one of its key recommendations is to reassign cargo inspection from DHS to USDA's Animal and Plant Health Inspection Service—APHIS.

NASDA explains: APHIS has ''the expertise and communication system to carry out a focused and effective agricultural safeguarding effort at our borders.''

Our Nation's agriculture is too important to leave open to the risk of invasion of agricultural pests. I urge my colleagues to join me in supporting this bill.

Let us reprioritize the plant and animal border inspections and strengthen the anti-terrorism mission of DHS by returning the Agricultural Quarantine Inspections to its logical place, the United States Department of Agriculture.

I ask unanimous consent that the text of the legislation be printed in the RECORD.

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

S. 887

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RESTORATION OF IMPORT AND ENTRY AGRICULTURAL INSPECTION FUNCTIONS TO THE DEPARTMENT OF AGRICULTURE.

(a) REPEAL OF TRANSFER OF FUNCTIONS.—Section 421 of the Homeland Security Act of 2002 (6 U.S.C. 231) is repealed.

(b) CONFORMING AMENDMENT TO FUNCTION OF SECRETARY OF HOMELAND SECURITY.—Section 402 of the Homeland Security Act of 2002 (6 U.S.C. 202) is amended—

(1) by striking paragraph (7); and

(2) by redesignating paragraph (8) as paragraph (7).

(c) TRANSFER AGREEMENT.—

(1) IN GENERAL.—Not later than the effective date described in subsection (g), the Secretary of Agriculture and the Secretary of Homeland Security shall enter into an agreement to effectuate the return of functions required by the amendments made by this section.

(2) USE OF CERTAIN EMPLOYEES.—The agreement may include authority for the Secretary of Agriculture to use employees of the Department of Homeland Security to carry out authorities delegated to the Animal and Plant Health Inspection Service regarding the protection of domestic livestock and plants.

(d) RESTORATION OF DEPARTMENT OF AGRICULTURE EMPLOYEES.—Not later than the effective date described in subsection (e), all full-time equivalent positions of the Department of Agriculture transferred to the Department of Homeland Security under section 421(g) of the Homeland Security Act of 2002 (6 U.S.C. 231(g)) (as in effect on the day before the effective date described in subsection (g)) shall be restored to the Department of Agriculture.

(e) AUTHORITY OF APHIS.—

(1) ESTABLISHMENT OF PROGRAM.—The Secretary of Agriculture shall establish within the Animal and Plant Health Inspection Service a program, to be known as the ''International Agricultural Inspection Program'', under which the Administrator of the Animal and Plant Health Inspection Service (referred to in this subsection as the ''Administrator'') shall carry out import and entry agricultural inspections.

(2) INFORMATION GATHERING AND INSPECTIONS.—In carrying out the program under paragraph (1), the Administrator shall have full access to—

(A) each secure area of any terminal for screening passengers or cargo under the control of the Department of Homeland Security on the day before the date of enactment of this Act for purposes of carrying out inspections and gathering information; and

(B) each database (including any database relating to cargo manifests or employee and business records) under the control of the Department of Homeland Security on the day before the date of enactment of this Act for purposes of gathering information.

(3) INSPECTION ALERTS.—The Administrator may issue inspection alerts, including by indicating cargo to be held for immediate inspection.

(4) INSPECTION USER FEES.—The Administrator may, as applicable—

(A) continue to collect any agricultural quarantine inspection user fee; and

(B) administer any reserve account for the fees.

(5) CAREER TRACK PROGRAM.—

(A) IN GENERAL.—The Administrator shall establish a program, to be known as the ''import and entry agriculture inspector career track program'', to support the development of long-term career professionals with expertise in import and entry agriculture inspection.

(B) STRATEGIC PLAN AND TRAINING.—In carrying out the program under this paragraph, the Administrator, in coordination with the Secretary of Agriculture, shall—

(i) develop a strategic plan to incorporate import and entry agricultural inspectors into the infrastructure protecting food, fiber, forests, bioenergy, and the environment of the United States from animal and plant pests, diseases, and noxious weeds; and

(ii) as part of the plan under clause (i), provide training for import and entry agricultural inspectors participating in the program not less frequently than once each year to improve inspection skills

(f) DUTIES OF SECRETARY.—

(1) IN GENERAL.—The Secretary of Agriculture (referred to in this subsection as the ''Secretary'') shall—

(A) develop standard operating procedures for inspection, monitoring, and auditing relating to import and entry agricultural inspections, in accordance with recommendations from the Comptroller General of the United States and reports of interagency advisory groups, as applicable; and

(B) ensure that the Animal and Plant Health Inspection Service has a national electronic system with real-time tracking capability for monitoring, tracking, and reporting inspection activities of the Service.

(2) FEDERAL AND STATE COOPERATION.—

(A) COMMUNICATION SYSTEM.—The Secretary shall develop and maintain an integrated, real-time communication system with respect to import and entry agricultural inspections to alert State departments of agriculture of significant inspection findings of the Animal and Plant Health Inspection Service.

(B) ADVISORY COMMITTEE.—

(i) ESTABLISHMENT.—The Secretary shall establish a committee, to be known as the ''International Trade Inspection Advisory Committee'' (referred to in this subparagraph as the ''committee''), to advise the Secretary on policies and other issues relating to import and entry agricultural inspection.

(ii) MODEL.—In establishing the committee, the Secretary shall use as a model the Agricultural Trade Advisory Committee.

(iii) MEMBERSHIP.—The committee shall be composed of members representing—

(I) State departments of agriculture;

(II) directors of ports and airports in the United States;

(III) the transportation industry;

(IV) the public; and

(V) such other entities as the Secretary determines to be appropriate.

(3) REPORT.—Not less frequently than once each year, the Secretary shall submit to Congress a report containing an assessment of—

(A) the resource needs for import and entry agricultural inspection, including the number of inspectors required;

(B) the adequacy of—

(i) inspection and monitoring procedures and facilities in the United States; and

(ii) the strategic plan developed under subsection (e)(5)(B)(i); and

(C) new and potential technologies and practices, including recommendations regarding the technologies and practices, to improve import and entry agricultural inspection.

(4) FUNDING.—The Secretary shall pay the costs of each import and entry agricultural inspector employed by the Animal and Plant Health Inspection Service—

(A) from amounts made available to the Department of Agriculture for the applicable fiscal year; or

(B) if amounts described in subparagraph (A) are unavailable, from amounts of the Commodity Credit Corporation.

(g) EFFECTIVE DATE.—The amendments made by this section take effect on the date that is 180 days after the date of enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 105—DESIGNATING SEPTEMBER 2007 AS ''CAMPUS FIRE SAFETY MONTH''

Mr. BIDEN (for himself, Ms. COLLINS, Mr. KENNEDY, Mr. LAUTENBERG, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 105

Whereas tragic fires in student housing in Nebraska, Missouri, Oklahoma, and Pennsylvania have cut short the lives of college students in the United States;

Whereas, since January 2000, at least 99 people, including students, parents, and children, have died in campus-related fires;

Whereas more than 75 percent of those deaths occurred in off-campus occupancies;

Whereas a majority of the students in the United States live in off-campus occupancies;

Whereas a number of fatal fires have occurred in buildings in which the fire safety systems have been compromised or disabled by the occupants;

Whereas automatic fire alarm systems provide the early warning of a fire that is necessary for occupants and the fire department to take appropriate action;

Whereas automatic fire sprinkler systems are a highly effective method for controlling or extinguishing a fire in its early stages and protecting the lives of the building's occupants;

Whereas many students are living in off-campus occupancies, sorority and fraternity housing, and residence halls that are not adequately protected with automatic fire alarm systems and automatic fire sprinkler systems;

Whereas fire safety education is an effective method of reducing the occurrence of fires and the resulting loss of life and property damage;

Whereas students are not routinely receiving effective fire safety education throughout their entire college careers;

Whereas it is vital to educate future generations in the United States about the importance of fire safety to help ensure the safety of young people during their college years and beyond; and

Whereas by educating a generation of adults about fire safety, future loss of life from fires may be significantly reduced: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2007 as ''Campus Fire Safety Month''; and

(2) encourages administrators of institutions of higher education and municipalities—

(A) to provide educational programs about fire safety to all students during ''Campus Fire Safety Month'' and throughout the school year;

(B) to evaluate the level of fire safety being provided in both on- and off-campus student housing; and

(C) to take the necessary steps to ensure fire-safe living environments through fire safety education, installation of fire suppression and detection systems, and the development and enforcement of applicable codes relating to fire safety.

SENATE RESOLUTION 106—CALLING ON THE PRESIDENT TO ENSURE THAT THE FOREIGN POLICY OF THE UNITED STATES REFLECTS APPROPRIATE UNDERSTANDING AND SENSITIVITY CONCERNING ISSUES RELATED TO HUMAN RIGHTS, ETHNIC CLEANSING, AND GENOCIDE DOCUMENTED IN THE UNITED STATES RECORD RELATING TO THE ARMENIAN GENOCIDE

Mr. DURBIN (for himself, Mr. ENSIGN, Mr. SCHUMER, Ms. SNOWE, Ms. STABENOW, Mr. COLEMAN, Mrs. BOXER, Mr. SUNUNU, Mr. FEINGOLD, Mr. DODD, Mr. KERRY, Mr. KENNEDY, Mr. LIEBERMAN, Mrs. FEINSTEIN, Ms. MIKULSKI, Mr. REED, Mr. ALLARD, Mrs. DOLE, Mr. LAUTENBERG, Mr. BROWN, Ms. KLOBUCHAR, Mr. WHITEHOUSE, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 106

Whereas the Armenian Genocide was conceived and carried out by the Ottoman Empire from 1915 to 1923, resulting in the deportation of nearly 2,000,000 Armenians, of whom 1,500,000 men, women, and children were killed, 500,000 survivors were expelled from their homes, and which succeeded in the elimination of more than 2,500-year presence of Armenians in their historic homeland;

Whereas, on May 24, 1915, the Allied Powers issued the joint statement of England, France, and Russia that explicitly charged, for the first time ever, another government of committing ''a crime against humanity'';

Whereas that joint statement stated ''the Allied Governments announce publicly to the Sublime Porte that they will hold personally responsible for these crimes all members of the Ottoman Government, as well as those of their agents who are implicated in such massacres'';

Whereas the post-World War I Turkish Government indicted the top leaders involved in the ''organization and execution'' of the Armenian Genocide and in the ''massacre and destruction of the Armenians'';

Whereas in a series of courts-martial, officials of the Young Turk Regime were tried and convicted on charges of organizing and executing massacres against the Armenian people;

Whereas the officials who were the chief organizers of the Armenian Genocide, Minister of War Enver, Minister of the Interior Talaat, and Minister of the Navy Jemal, were tried by military tribunals, found guilty, and condemned to death for their crimes, but the punishments imposed by the tribunals were not enforced;

Whereas the Armenian Genocide and the failure to carry out the death sentence against Enver, Talaat, and Jemal are documented with overwhelming evidence in the national archives of Austria, France, Germany, Russia, the United Kingdom, the United States, the Vatican, and many other countries, and this vast body of evidence attests to the same facts, the same events, and the same consequences;

Whereas the National Archives and Records Administration of the United States holds extensive and thorough documentation on the Armenian Genocide, especially in its holdings for the Department of State under Record Group 59, files 867.00 and 867.40, which are open and widely available to the public and interested institutions;

Whereas the Honorable Henry Morgenthau, United States Ambassador to the Ottoman Empire from 1913 to 1916, organized and led protests by officials of many countries, among them the allies of the Ottoman Empire, against the Armenian Genocide;

Whereas Ambassador Morgenthau explicitly described to the Department of State the policy of the Government of the Ottoman Empire as ''a campaign of race extermination'', and was instructed on July 16, 1915, by Secretary of State Robert Lansing that the ''Department approves your procedure . . . to stop Armenian persecution'';

Whereas Senate Concurrent Resolution 12, 64th Congress, agreed to July 18, 1916, resolved that ''the President of the United States be respectfully asked to designate a day on which the citizens of this country may give expression to their sympathy by contributing funds now being raised for the relief of the Armenians,'' who, at that time, were enduring ''starvation, disease, and untold suffering'';

Whereas President Woodrow Wilson agreed with such Concurrent Resolution and encouraged the formation of the organization

known as Near East Relief, which was incorporated by the Act of August 6, 1919, 66th Congress (41 Stat. 273, chapter 32);

Whereas, from 1915 through 1930, Near East Relief contributed approximately $116,000,000 to aid survivors of the Armenian Genocide, including aid to approximately 132,000 Armenian orphans;

Whereas Senate Resolution 359, 66th Congress, agreed to May 11, 1920, stated in part that ''the testimony adduced at the hearings conducted by the subcommittee of the Senate Committee on Foreign Relations have clearly established the truth of the reported massacres and other atrocities from which the Armenian people have suffered'';

Whereas such Senate Resolution followed the report to the Senate of the American Military Mission to Armenia, which was led by General James Harbord, dated April 13, 1920, that stated ''[m]utilation, violation, torture, and death have left their haunting memories in a hundred beautiful Armenian valleys, and the traveler in that region is seldom free from the evidence of this most colossal crime of all the ages'';

Whereas, as displayed in the United States Holocaust Memorial Museum, Adolf Hitler, on ordering his military commanders to attack Poland without provocation in 1939, dismissed objections by saying ''[w]ho, after all, speaks today of the annihilation of the Armenians?'' and thus set the stage for the Holocaust;

Whereas Raphael Lemkin, who coined the term ''genocide'' in 1944, and who was the earliest proponent of the Convention on the Prevention and Punishment of Genocide, invoked the Armenian case as a definitive example of genocide in the 20th century;

Whereas the first resolution on genocide adopted by the United Nations, United Nations General Assembly Resolution 96(1), dated December 11, 1946, (which was adopted at the urging of Raphael Lemkin), and the Convention on the Prevention and Punishment of Genocide, done at Paris December 9, 1948, recognized the Armenian Genocide as the type of crime the United Nations intended to prevent and punish by codifying existing standards;

Whereas, in 1948, the United Nations War Crimes Commission invoked the Armenian Genocide as ''precisely . . . one of the types of acts which the modern term 'crimes against humanity' is intended to cover'' and as a precedent for the Nuremberg tribunals;

Whereas the Commission stated that ''[t]he provisions of Article 230 of the Peace Treaty of Sevres were obviously intended to cover, in conformity with the Allied note of 1915 . . . offenses which had been committed on Turkish territory against persons of Turkish citizenship, though of Armenian or Greek race. This article constitutes therefore a precedent for Article 6c and 5c of the Nuremberg and Tokyo Charters, and offers an example of one of the categories of 'crimes against humanity' as understood by these enactments'';

Whereas House Joint Resolution 148, 94th Congress, adopted by the House of Representatives on April 8, 1975, resolved that ''April 24, 1975, is hereby designated as 'National Day of Remembrance of Man's Inhumanity to Man', and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe such day as a day of remembrance for all the victims of genocide, especially those of Armenian ancestry'';

Whereas Proclamation 4838 of April 22, 1981 (95 Stat. 1813) issued by President Ronald Reagan, stated, in part, that ''[l]ike the genocide of the Armenians before it, and the genocide of the Cambodians which followed it—and like too many other persecutions of too many other people—the lessons of the Holocaust must never be forgotten'';

Whereas House Joint Resolution 247, 98th Congress, adopted by the House of Representatives on September 10, 1984, resolved that ''April 24, 1985, is hereby designated as 'National Day of Remembrance of Man's Inhumanity to Man', and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe such day as a day of remembrance for all the victims of genocide, especially the one and one-half million people of Armenian ancestry'';

Whereas, in August 1985, after extensive study and deliberation, the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities voted 14 to 1 to accept a report entitled ''Study of the Question of the Prevention and Punishment of the Crime of Genocide'', which stated ''[t]he Nazi aberration has unfortunately not been the only case of genocide in the 20th century. Among other examples which can be cited as qualifying are . . . the Ottoman massacre of Armenians in 1915–1916'';

Whereas such report also explained that ''[a]t least 1,000,000, and possibly well over half of the Armenian population, are reliably estimated to have been killed or death marched by independent authorities and eyewitnesses and this is corroborated by reports in United States, German, and British archives and of contemporary diplomats in the Ottoman Empire, including those of its ally Germany'';

Whereas the United States Holocaust Memorial Council, an independent Federal agency that serves as the board of trustees of the United States Holocaust Memorial Museum pursuant to section 2302 of title 36, United States Code, unanimously resolved on April 30, 1981, that the Museum would exhibit information regarding the Armenian Genocide and the Museum has since done so;

Whereas, reviewing an aberrant 1982 expression by the Department of State (which was later retracted) that asserted that the facts of the Armenian Genocide may be ambiguous, the United States Court of Appeals for the District of Columbia in 1993, after a review of documents pertaining to the policy record of the United States, noted that the assertion on ambiguity in the United States record about the Armenian Genocide ''contradicted longstanding United States policy and was eventually retracted'';

Whereas, on June 5, 1996, the House of Representatives adopted an amendment to H.R. 3540, 104th Congress (the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997), to reduce aid to Turkey by $3,000,000 (an estimate of its payment of lobbying fees in the United States) until the Government of Turkey acknowledged the Armenian Genocide and took steps to honor the memory of its victims;

Whereas President William Jefferson Clinton, on April 24, 1998, stated, ''This year, as in the past, we join with Armenian-Americans throughout the nation in commemorating one of the saddest chapters in the history of this century, the deportations and massacres of a million and a half Armenians in the Ottoman Empire in the years 1915–1923'';

Whereas President George W. Bush, on April 24, 2004, stated, ''On this day, we pause in remembrance of one of the most horrible tragedies of the 20th century, the annihilation of as many as 1,500,000 Armenians through forced exile and murder at the end of the Ottoman Empire''; and

Whereas, despite the international recognition and affirmation of the Armenian Genocide, the failure of the domestic and international authorities to punish those responsible for the Armenian Genocide is a reason why similar genocides have recurred and may recur in the future, and that a just resolution will help prevent future genocides: Now, therefore, be it

Resolved, That the Senate—

(1) calls on the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide and the consequences of the failure to realize a just resolution; and

(2) calls on the President, in the President's annual message commemorating the Armenian Genocide issued on or about April 24 to accurately characterize the systematic and deliberate annihilation of 1,500,000 Armenians as genocide and to recall the proud history of United States intervention in opposition to the Armenian Genocide.

Mr. DURBIN. Mr. President, I rise today to submit a resolution calling on the President to ensure that the foreign policy of the United States reflects an appropriate understanding of the Armenian Genocide and sensitivity concerning issues related to human rights, ethnic cleansing, and other mass atrocities that made up the Armenian Genocide.

The President usually issues an annual message commemorating the Armenian Genocide issued on or about April 24. This resolution calls on the President to accurately characterize what happened to the Armenian people as genocide and to recall the proud history of United States intervention in opposition to it.

The definition of ''genocide'' is ''the deliberate and systematic extermination of a national, racial, political, or cultural group.''

Scholars agree that what the Armenian people suffered in 1915 to 1917 fits the definition of genocide.

The sheer scale of the death toll is evidence of a systematic, organized plan to eliminate the Armenians. One and a half million people were systematically and deliberately annihilated, many simply left to die of starvation and exposure.

To date, 19 countries and the European Parliament have officially recognized this violence as genocide. Countries officially recognizing the Armenian Genocide include: Argentina, Armenia, Belgium, Canada, Cyprus, France, Greece, Italy, Lebanon, Lithuania, The Netherlands, Poland, Russia, Slovakia, Sweden, Switzerland, Uruguay, Vatican City and Venezuela.

Thirty-seven States of the United States recognize the Armenian Genocide. They are: Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Kansas, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Utah, Vermont, Virginia, Washington and Wisconsin.

Genocide is wrong. It is evil.

It is evil whether its victims are Armenians, Sudanese, Rwandan Tutsis, Cambodians or European Jews.

Not to acknowledge genocide for what it is denigrates the memory of its victims.

Recognition of genocide is part of the healing process.

Reminding the world that genocide has occurred far too often serves to help prevent it from happening again.

Recognizing the Armenian Genocide takes on added importance in the face of the genocide occurring right now in the Darfur region of Sudan.

As we recognize the role Americans played in exposing the Armenian Genocide and trying to relieve the suffering of the Armenian people, we remind ourselves that it is our tradition to speak out and do something.

During the Armenia Genocide, American consuls and missionaries, in what was then the Ottoman Empire, reported the atrocities which were taking place far from the capital in Istanbul. Our ambassador, Henry Morganthau Sr., confronted the Ottoman government with the accusations.

Ambassador Morganthau wrote in his memoirs:

> Whatever crimes the most perverted instincts of the human mind can devise, and whatever refinements of persecution and injustice the most debased imagination can conceive, became the daily misfortunes of this devoted people. I am confident that the whole history of the human race contains no such horrible episode as this. The great massacres and persecutions of the past seem almost insignificant when compared with the sufferings of the Armenian race in 1915.

The American Near East Relief Committee, a relief organization for refugees in the Middle East, raised over $102 million for Armenians both during and after the genocide.

As I have said in this Chamber before, the response to the atrocities was the birth of the American international human rights movement.

Official recognition of the role Americans played in confronting the Armenian Genocide over 90 years ago will reaffirm our tradition of protecting the vulnerable and inspire us to not stand by and watch as genocide occurs in our time.

Mr. ENSIGN. Mr. President, I rise today to speak about an issue of great importance to the Armenian community. In order to move forward, we must not repeat the mistakes of the past. It is for this reason that I have long sought to bring proper recognition to the crimes perpetuated against the Armenian people.

April of this year will mark the 92nd anniversary of the attempted annihilation that occurred in the Ottoman Empire from 1915–1923. Millions of Armenians of all ages were subjected to deportation, expropriation, abduction, torture, massacre, and starvation.

The great bulk of the Armenian population was forcibly removed from Armenia and Anatolia to Syria, where the vast majority was sent into the desert to die of thirst and hunger. Large numbers of Armenians were methodically massacred throughout the Ottoman Empire. Women and children were abducted and horribly abused.

There is one word that describes the horrific attempt to annihilate the Armenian people, and it is genocide. Ironically, while the United States has failed to make that recognition, Adolf Hitler, in defending his own plans to rid the world of Polish people, among others, asked, ''Who, after all, speaks to-day of the annihilation of the Armenians?''

The resolution I introduce today, with my distinguished colleague Senator DURBIN, calls on President Bush to ensure that the foreign policy of the United States demonstrates significant understanding of the issues surrounding the Armenian Genocide. The resolution encourages the President to commemorate the Armenian Genocide by recognizing the persecution and extermination of over 1,500,000 Armenian citizens as genocide.

The resolution calls on the President to state that the slaughter of Armenians by the Ottoman Empire was genocide and to recall the proud history of United States intervention in opposition to the Armenian genocide. It is important that the United States once and for all reaffirms the incontestable facts of history and allows our representatives to speak out about the crimes perpetuated against the Armenian people from 1915–1923.

It is my hope that through recognition of these crimes our Nation and the entire world community will be able to prevent further instances of genocide, ameliorate relations between Turkey and Armenia, and increase awareness of issues such as ethnic cleansing and human rights around the globe.

As we fight to ensure freedom around the globe, we must ensure that our future reflects the lessons of the past. In this case the facts are incontestable. Yes, the Armenian people were victims of genocide. Genocide at any time, at any place, is wrong and needs to be confronted and remembered. Let us come together to remember that by recognizing that what happened to the Armenian people from 1915–1923 was genocide. We owe it to the victims and to the future of freedom.

Mrs. FEINSTEIN. Mr. President, as we approach the 92nd anniversary of the Armenian Genocide, I rise today in support of a resolution introduced by Senator RICHARD DURBIN, calling on the President to recognize the Armenian Genocide.

Specifically, this resolution would: encourage the President to incorporate the memory and lessons of the Armenian Genocide into the foreign policies of the United States, and; urge the President to accurately portray this terrible episode as ''genocide'' in his annual statement.

Between 1915 and 1923, as many as 1.5 million Armenians perished and 500,000 were exiled by the Ottoman government in a systematic campaign of murder, deportation, and forced starvation.

Ninety-two years later, nearly all of the survivors are no longer with us. Yet their solemn voices still echo, urging us to remember them and work to ensure that their suffering was not in vain.

In my 15 years in the U.S. Senate, I have received thousands of letters from members of the Armenian-American community in my home State of California, encouraging our government to recognize the Armenian Genocide. Many of them are descendants of the genocide's survivors, who immigrated to the United States and, over the course of a few decades, built a strong and vibrant community in California and elsewhere.

For the genocide's victims, there can be no justice. But by preserving and cherishing their memory, we can begin healing the wounds that still linger.

The recent murder of Hrant Dink, a Turkish-Armenian journalist who championed human rights and advocated Turkish recognition of the Armenian Genocide, serves as a chilling reminder of the dangers that loom in our silence. An open, informed, and tolerant discussion of the genocide is necessary for true and lasting reconciliation between present-day Turkey and the Armenian people.

Equally important, recalling the Armenian Genocide is essential to the prevention of ongoing and future atrocities, including the genocide in Darfur. By taking an unequivocal stance against genocide—regardless of where or when it occurs—we and other members of the international community will send a strong message that such atrocities will not be tolerated. Let us remember Adolf Hitler's ominous words on the eve of the 1939 Nazi invasion of Poland: ''Who, after all, speaks today of the annihilation of the Armenians?''

So today, let us speak loudly. Let us join the hundreds of thousands of Armenian Americans in my home State of California and across the United States, as well as millions of people around the world, in acknowledging and commemorating the Armenian Genocide. Let us ensure that the legacy of these atrocities is one of reconciliation and hope. And let us fulfill the promises our parents made us, and we made to our children: never again.

SENATE CONCURRENT RESOLUTION 19—EXPRESSING THE SENSE OF CONGRESS ON THE NUCLEAR PROGRAM OF IRAN

Mr. GRAHAM (for himself and Mr. BROWNBACK) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 19

> Whereas President of Iran Mahmoud Ahmadinejad refuses to abandon the uranium enrichment program of the Government of Iran, and continues to work towards advancing that program;

Whereas the United Nations Security Council unanimously passed Security Council Resolution 1737 on December 23, 2006, which imposed sanctions on trade and expertise related to the nuclear infrastructure of Iran and the transfer to Iran of International Atomic Energy Agency technical aid;

Whereas United Nations Security Council Resolution 1737 (2006) states that if Iran refuses to comply with the Resolution within 60 days, the Security Council ''shall adopt further appropriate measures under Article 41 of Chapter VII of the Charter of the United Nations to persuade Iran to comply with this resolution and the requirements of the IAEA, and underlines that further decisions will be required should such additional measures be necessary'';

Whereas, according to a report issued by the International Atomic Energy Agency on February 21, 2007, Iran failed to comply with United Nations Resolution 1737 within 60 days;

Whereas the refusal of the Government of Iran to comply with International Atomic Energy Agency orders to prove the peaceful intent of its nuclear program and with United Nations Security Council Resolution 1737 (2006) indicates that the efforts of the Government of Iran toward uranium enrichment are not for peaceful means;

Whereas the Government of Iran has contributed to instability in the Middle East and has shown itself unwilling to use its influence to support peaceful transformation in the region, including by demonstrating its ability to strike United States military forces and allies in the Middle East with missiles, by being either incapable or unwilling to stop the movement of weapons produced in Iran into Iraq and other countries in the region in support of violent religious extremism, and by the continued assertion of President Ahmadinejad that Israel will be ''wiped off the map'' and the consistent denial by President Ahmadinejad of the existence of the holocaust, as evidenced through the hosting of an ''International Conference to Review the Global Vision of the Holocaust'' on December 11, 2006;

Whereas John Michael McConnell, Director of National Intelligence, indicated in a hearing of the Committee on Armed Services of the Senate on February 27, 2007, that economic sanctions on Iran uniformly applied by the international community could have a major effect on the economy of Iran;

Whereas the placement and implementation of sanctions on countries such as North Korea and Libya have made progress in bringing about change;

Whereas, despite the release of an internal European Union document dated February 7, 2007, which indicated that European Union officials believe that preventing Iran from developing a nuclear weapon is not likely, on February 12, 2007, the European Union agreed, in compliance with United Nations Security Council Resolution 1737 (2006), to impose limited sanctions on Iran in order to prevent the sale of materials and technology that could be used in Iran's nuclear program; and

Whereas full economic sanctions on the part of the entire international community have not been applied to Iran: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) the nuclear program of the Government of Iran continues to be of grave concern and should be considered a serious threat to the United States and its military forces and personnel in the Middle East, and to United States allies and interests in Europe, the Middle East, and Asia;

(2) as a result of the failure of Iran to comply with United Nations Security Resolution 1737 (2006), the United Nations Security Council should implement additional sanctions in order to persuade Iran to comply with requirements imposed by the International Atomic Energy Agency;

(3) full economic sanctions, uniformly imposed by the entire international community, including Russia and China, offer the best opportunity to bring about significant change in Iran to prevent the development of a nuclear weapon in Iran; and

(4) the elimination of the threat of a nuclear Iran is in the long term interest of the people of Iran, the region, and the world.

AMENDMENTS SUBMITTED AND PROPOSED

SA 458. Mr. BIDEN (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 494, to endorse further enlargement of the North Atlantic Treaty Organization (NATO) and to facilitate the timely admission of new members to NATO, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 458. Mr. BIDEN (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 494, to endorse further enlargement of the North Atlantic Treaty Organization (NATO) and to facilitate the timely admission of new members to NATO, and for other purposes; which was ordered to lie on the table; as follows:

On page 5, line 19, insert ''(FYROM)'' after ''Macedonia''.

On page 12, line 22, insert ''(FYROM)'' after ''Macedonia''.

On page 14, line 7, insert ''(FYROM)'' after ''Macedonia''.

On page 14, line 9, insert ''**(FYROM)**'' after ''**MACEDONIA**''.

On page 15, line 6, insert ''(FYROM)'' after ''MACEDONIA''.

On page 15, line 6, insert ''(FYROM)'' after ''Macedonia''

On page 15, line 20, insert ''(FYROM)'' after ''Macedonia''.

On page 17, line 3, insert ''(FYROM)'' after ''Macedonia''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Wednesday, March 14, 2007, at 10 a.m., in 215 Dirksen Senate Office Building, to hear testimony on ''Charting a Course for Health Care Reform: Moving Toward Universal Coverage.''

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

COMMITTEE ON FOREIGN RELATIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, March 14, 2007 at 2:30 p.m. to hold a hearing on the Philippines.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet in executive session during the session of the Senate on Wednesday, March 14, 2007, at 10 a.m., in SD–430.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing on drug safety during the session of the Senate on Wednesday, March 14, 2007, at 10:15 a.m., in SD–430.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Wednesday, March 14, 2007, at 9:30 a.m., for a hearing titled ''The Threat of Islamic Radicalism to the Homeland.''

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

COMMITTEE ON THE JUDICIARY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on ''Open Government: Reinvigorating the Freedom of Information Act'' on Wednesday, March 14, 2007, at 10 a.m., in Dirksen Senate Office Building room 226.

Witness List

Tom Curley, President and CEO of the Associated Press, Representing the Sunshine in Government Initiative, New York, NY; Meredith Fuchs, General Counsel, The National Security Archive, Washington, DC; Sabina Haskell, Editor, Brattleboro Reformer, Brattleboro, VT; and Katherine Cary, General Counsel, Texas Office of the Attorney General, Austin, TX.

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

COMMITTEE ON RULES AND ADMINISTRATION

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Wednesday, March 14, 2007, at 10 a.m., to conduct a hearing on S. 223, The Senate Campaign Disclosure Parity Act.

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

PRIVILEGES OF THE FLOOR

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the privilege of the floor be granted to a fellow in my office, Jonathan Burke, for the

duration of the debate on S.J. Res. 9, the Iraq resolution.

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

DISCHARGE AND REFERRAL—H.R. 399

Mr. SANDERS. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 399 and the bill be referred to the Committee on Environment and Public Works.

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

ORDERS FOR THURSDAY, MARCH 15, 2007

Mr. SANDERS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m., Thursday, March 15; that on Thursday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day and that there then be a period of morning business for 60 minutes, with Senators permitted to speak therein for up to 10 minutes each, with the first 30 minutes under the control of the Republicans and the next 30 minutes under the control of the majority; that the period of morning business be extended for an additional 30 minutes, with that time equally divided and controlled between the two leaders or their designees; that during the adjournment all time count postcloture and all time in morning business count postcloture.

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

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. SANDERS. If there is no further business to come before the Senate, and if the Republican leader has no further business today, I now ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 6:28 p.m., adjourned until Thursday, March 15, 2007, at 9:30 a.m.