United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, TUESDAY, JULY 10, 2007 No. 109

Senate

The Senate met at 10 a.m. and was called to order by the Honorable JON TESTER, a Senator from the State of Montana.

PRAYER

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

Let us pray.

Our Father God, use our lawmakers today as Your instruments. Give them Your wisdom so that they can find solutions to the complex problems that beset our Nation. Strengthen them to serve and honor You by helping the oppressed. Keep them from fear and frustration as You equip and empower them to accomplish Your will on Earth.

May they find Your guidance throughout this day by seeking You in personal prayer. When they call, answer their petitions with Your mighty power and guard those who put their trust in You. Replenish their resources with Your peace that passes understanding.

We pray in Your righteous Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JON TESTER 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, July 10, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON TESTER, a Senator from the State of Montana, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, we are going to be in a period of morning business for an hour. The majority will control the second half of morning business, the Republicans will control the first half of morning business. We had a conversation last night, the distinguished Republican leader and I, and the decision was made at that time that we are going to do our very best on the Webb amendment to come up with a side by side so we can have, sometime today, votes on those two amendments. Following that, there will be another amendment offered, and we will move along on this most important piece of legislation.

WESTERN WILDFIRES

Mr. REID. Mr. President, I will be very brief. I know we have so many important things to do dealing with this legislation, but I do wish to say something about what is going on in Nevada. We have a serious problem in Nevada, and it is fires. This is about the fourth year we have had these raging wildfires.

It is so difficult. The smoke is so thick, helicopters cannot fly. Firefighters have been lost not knowing where they are fighting these fires. It is rough terrain. What people do not understand is, Nevada—other than Alaska—is the most mountainous State in the Union. It has 314 separate mountain ranges. We have 32 mountains over 11,000 feet high. Some of this terrain, where these fires are burning, is very difficult.

We share Lake Tahoe with California. There was a raging fire there that lasted 2 weeks. It has now been put out. But they think that at least 400 structures have burned, with 275 or 300 homes burned to the ground.

On a lot of the land in Nevada not many people live there. In spite of that, people do live there. It is rural, and fires have been raging. What has happened with the fires that have taken place in the past, we have these species that are foreign to the high deserts of Nevada. They start burning, they get into the low mountains, they get into the cedars and the pines and then start burning in the forests. That is what has happened in Nevada.

In one fire we have had three lives lost. This fire burned so quickly that three grown men could not escape the fire. They were doing work on their farm. There was an 11-year-old boy. They saw the fire coming. They said, ''Run for your life,'' literally, and the 11-year-old boy ran and did survive. His family did not. They all died—three of them.

I say this because we have shut down roads. In one part of Utah, 100 miles of interstate were closed because of fires. Think about that: 100 miles of interstate closed. People could not go. One reason was the smoke was so thick—not the fire, the smoke.

There has been remarkable heroism, as there always is with these men and women who fight these raging fires.

I quoted, a couple weeks ago, Edward Croker, a long past fire chief in the State of New York, who said:

I have no ambition in this world but one, and that is to be a fireman. Our proudest moment is to save lives. Under the impulse of such thoughts, the nobility of the occupation thrills us and stimulates us to deeds of daring, even of supreme sacrifice.

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

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The way fires are fought 100 years after this man said this is different than the way they used to be fought, but it still takes a great deal of courage and many times heroism to go forward in these areas where burning is taking place.

So far, 245 square miles in northern Nevada have burned. That is a lot of ground: 245 square miles. Some of the fires are not under control yet. So I want the RECORD to reflect we have problems in the West. Some say it is because of global warming. Whatever the reason, we have never had fires such as we have had in the last 4 years in Nevada and I think in the West, generally.

So I would finally say, long after the smoke has cleared, the accounts of bravery will still be told in Nevada.

RECOGNITION OF THE MINORITY LEADER

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

DEFENSE AUTHORIZATION AMENDMENTS

Mr. MCCONNELL. Mr. President, let me say briefly, the majority leader has it entirely right, we are in the process of discussing a consent agreement under which the Webb amendment would be voted upon and the alternative, which will be offered by Senator LINDSEY GRAHAM, who will be over to speak shortly.

Hopefully, we will be able to work that out and begin to make progress on the bill.

I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business for 60 minutes, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the first half of the time under the control of the Republicans and the second half of the time under the control of the majority.

The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I believe I have been yielded 15 minutes of the next half hour.

The ACTING PRESIDENT pro tempore. The Senator may proceed.

Mr. LIEBERMAN. I thank the Chair.

IRAQ

Mr. LIEBERMAN. Mr. President, I rise to speak about the pending business before the Senate, which is the Department of Defense authorization bill for fiscal year 2008.

This is a bill the Senate Armed Services Committee has worked long and hard on over a period of several months. I am privileged to be a member of the committee and now doubly privileged to be chair of the Airland Subcommittee. I am proud of the work of the committee.

This is a bill that does the best we possibly can to support and expand our forces during a time of war. Unfortunately, most of the time that will be spent by this Chamber on this bill will not be about the solid substance of the Department of Defense authorization bill but will be on a series of amendments that will be offered to alter our course or force our withdrawal from Iraq.

In my considered opinion, respectfully, this is a mistake. These amendments regarding Iraq, I believe, are untimely, they are unwise, and they are unfair.

They are untimely in the sense that they are premature and should await September, when, as ordained by this Congress itself in the supplemental appropriations bill, General Petraeus and Ambassador Crocker will come back to report to us fully.

They are unwise, if ever adopted, because they would essentially represent a retreat from Iraq, a defeat for the United States and the forces of a new Iraq, a free Iraq, and a tremendous victory for Iran and al-Qaida, who are our two most significant enemies in the world today.

Offering these amendments at this time, in my opinion, is unfair: unfair, most of all, to the 160,000 Americans in uniform over there—men and women, brave, effective, in my opinion, the new greatest generation of American soldiers, committed to this fight, believing we can win it, putting their lives on the line every day. They have made tremendous progress already in the so-called surge, counteroffensive. To snipe at them from here is, in my opinion, unfair.

That is why I will oppose all the amendments I have heard about thus far and why I wish to discuss them today.

I suppose, in terms of timeliness, if one felt the surge, counteroffensive—which began in February, and has just been fully staffed a couple of weeks ago—had absolutely failed, then one might say: OK, we won't wait until September, as we promised we would do; we will try to force a change in policy or a retreat right now. But the facts, as I will discuss, will show the surge is showing some success—in some ways some remarkable success—and does not justify these amendments of retreat being offered at this time.

Six months ago, this Chamber voted unanimously to confirm GEN David Petraeus as commander of our forces in Iraq. The fact is—which we all acknowledge—before that, the administration had followed a strategy in Iraq that simply was not working. It was a strategy focused on keeping the U.S. force presence as small as possible, regardless of conditions on the ground, and of pushing Iraqi forces into the lead as quickly as possible, regardless of their capabilities to do so.

General Petraeus oversaw—let me step back. General Petraeus was part of a process, along with others, that presented a dramatically different strategy to the President of the United States, the Commander in Chief. He accepted that dramatically different strategy, which was to apply classic principles of counterinsurgency that have been successful elsewhere, so that instead of our main goal being to get out of Iraq, our main goal became to protect the civilian population that the terrorists were persistently attacking, bringing chaos throughout the country, including particularly in the capital city of Baghdad, and making it impossible for a new Iraqi Government to take shape.

As a result, over the past 5 months, many problems, many crises, many challenges in Iraq that had long been described as hopelessly beyond solution have begun to improve. In Baghdad, the sectarian violence that had paralyzed the city for more than a year began to drop dramatically. In Anbar Province, which the chief of Marine Corps intelligence in Iraq described 9 months ago as ''lost''—and he was right at that point—a city which I was not allowed to visit when I went to Iraq in December because it was too dangerous—our surge forces have moved in effectively.

Working together with Sunni tribal leaders and their Sunni followers, we have al-Qaida on the run. As a matter of fact, they have effectively run from Anbar Province, the province they said they intended to make the capital of the new Islamist extremist Republic of Iraq.

When I was in Iraq a month ago, I was not only allowed to visit Ramadi and walk its streets but was tremendously impressed by the peace and rebirth that is occurring there.

As John Burns of the New York Times recently put it, the capital city of Anbar, Ramadi, has since ''gone from being the most dangerous place in Iraq . . . to being one of the least dangerous places.'' Despite these gains in Baghdad and Anbar, critics of the new strategy nonetheless insisted that it was not working, pointing to the fact that, yes, al-Qaida is on the run, but it is running and causing devastation in other parts of Iraq—now in Diyala Province, for instance.

But what happened? General Petraeus, now with the other generals and additional personnel brought under his command by the surge counteroffensive strategy, was able to leave some troops in Anbar, fortified by Iraqi security forces and the Sunni tribal forces, and move the surge forces to Diyala, to Bakuba there, where they now have al-Qaida on the run.

Our forces in the field are, of course, still facing some daunting challenges and a brutal, inhumane foe prepared to blow themselves up to make a point, to kill others, hating us and others more than they love their own lives. But the plain truth is that Iraq in this month, July 2007, is a very different and better place than Iraq in January or February of 2000, and it is because of the so-called surge counteroffensive strategy. Those who refuse to recognize that change and nonetheless go forward with the same policies of defeat and withdrawal that they have been talking about for months have, I would say respectfully, closed their eyes, not to mention their heads, to the reality of what is actually happening on the ground in Iraq.

General Petraeus has persistently appealed to us to have some patience, to not rush to judgment about the success or failure of a new surge strategy. It is only right that we do so. But instead of respecting those pleas, withholding our judgment, and remaining true to what we ourselves put into the supplemental appropriations bill, which was a requirement for an interim report this week and a full report on paper about the benchmarks and in person by General Petraeus and Ambassador Crocker in September, instead of waiting for that to happen, I regret that some of my colleagues have decided to go ahead and submit these amendments which, to me, represent the continuation of a longtime legislative trench warfare against our presence in Iraq no matter what the facts on the ground there are. Rather than giving General Petraeus and his troops a fair chance to succeed—and it is not just for them, it is for us—I regret that efforts will be made here to undermine our strategy, which is now a successful strategy in Iraq, to dictate when, where, and against whom our soldiers can fight and when we should get out.

I suppose this would be justified if somebody concluded that the war was lost in Iraq. The war is not lost in Iraq. In fact, now American and Iraqi security forces are winning. The enemy is on the run in Iraq. But here in Congress, in Washington, we seem to be—or some Members seem to be on the run—chased, I fear, by public-opinion polls.

I know the American people are frustrated. I understand that. I know what they see every night on the TV, the suicide bombs. I know how much they want their loved ones to come home. No one wants that more than we do here. But the consequences of doing that would be a disaster for Iraq, the Middle East, and for us because the victors would be Iran and al-Qaida, our two most dangerous enemies in the world today, and trust me, they would follow us back here to this country.

I said one might pursue a policy of changing course, directing a retreat, a withdrawal, accepting defeat if one thought the war was lost. The war is not lost. In fact, I will say to my colleagues today that this war in Iraq will never be lost by our military on the ground in Iraq. The war in Iraq can only be lost with the loss of political will here at home and, perhaps, with the loss of political will in Iraq. But that story is not finished yet.

Perhaps there are some who would say the war is not lost but it is not worth winning. I think we have to think of the consequences of defeat. I know that in the midst of the consequences of defeat are a victory for Iran and al-Qaida, chaos in Iraq, slaughter that will probably begin to look like genocide, instability in the region, and the danger that we will be forced to send our troops back into the region in greater numbers to fight a more difficult war.

I think the amendments on Iraq to be offered on this Department of Defense bill are mistaken. What are the alternatives my colleagues are going to propose in these amendments? One of the amendments would demand a total withdrawal of American troops from Iraq as quickly as possible. Its sponsors argue that we can continue to fight al-Qaida in Iraq and defend our other key interests in the Middle East by operating from bases elsewhere there. With all due respect, this is fantasy.

As my friend, Senator LUGAR, pointed out a short while ago, a complete American withdrawal from Iraq is likely to have devastating consequences for American national security. Everyone knows Senator LUGAR is a skeptic about our strategy and events in Iraq. Yet, in his words, a complete withdrawal from Iraq would:

> Compound the risks of a wider regional conflict. It would be a severe blow to U.S. credibility that would make nations in the region far less likely to cooperate with us. It would expose Iraqis who have worked with us to retribution, and it would also be a signal that the United States was abandoning efforts to prevent Iraqi territory from being used as a terrorist base.

So spoke the distinguished Senator from Indiana, Mr. LUGAR.

Another amendment would keep some forces in Iraq, pull most forces out by next April 1. Their numbers would be dramatically reduced and the mission dramatically redefined.

Some argue that American soldiers should withdraw from Iraq's cities and instead focus on the training of Iraqi forces, targeting counterterrorism, and protecting the remaining American troops there. Let me say that is a vision I would embrace for the future but not as a substitute for the surge counteroffensive strategy we are following now but as a consequence of a successful implementation of that strategy, for if we in this Chamber and in Congress mandate the withdrawal of our troops down to a core group with a new mission before the Iraqi security forces are ready to provide security, we are going back to the exact strategy some describe as the Rumsfeld strategy which didn't work, which was roundly condemned by most people in both parties over a period of years.

I repeat my confidence that the number of American troops will be reduced, but it will be reduced best when it is reduced as a result of the successful implementation of the surge strategy as carried out heroically by American forces.

I conclude with these words: Our responsibilities in this Chamber ultimately do not allow us to be guided by our frustrations or even by public-opinion polls when we respectfully believe those public-opinion polls do not reflect what is best for our Nation. We were elected to lead. We were elected to see beyond the next election, to do what is best for the next generation of Americans. We were elected to defend our beloved country, its security, and its values. All of that is on the line in Iraq today.

So I appeal to my colleagues, let's not undercut our troops and legislate a defeat in Iraq where none is occurring now, where hope is strong, where the momentum is, in fact, on our side. If you question that, at least show the fairness and respect for General Petraeus, Ambassador Crocker, and all the people working for us there to wait until September, which is what we said we would do, until we take a serious look at these amendments. If we go down the path the amendments entice us toward, what awaits us is an emboldened Iran, a strengthened al-Qaida, a failed Iraq that will become not just a killing field but will destabilize the entire Middle East and also, I fear, imperil our security here at home.

I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina is recognized.

Mr. GRAHAM. Mr. President, I believe I have 15 minutes.

The ACTING PRESIDENT pro tempore. The Senator is recognized.

IRAQ POLICY

Mr. GRAHAM. Mr. President, I appreciate being recognized. Before my good friend, Senator LIEBERMAN, departs the floor, I will make one observation about him that I think needs to be said. This winning/losing is a big part of wars; it is a big part of politics. Everybody wants to win, and people are afraid to lose. But I have found in life there are some things that are worth fighting for and willing to lose your job over, and to me the policies in Iraq fall into that category because it is much more important in my election that we get it right in Iraq, and from Senator LIEBERMAN's point of view—I don't think I have seen in modern politics anyone more committed to their beliefs than Senator LIEBERMAN when it comes to a foreign policy issue like Iraq. We all know the story of his last election, how he basically lost a primary because he refused to give in to the forces on the left when it came to the war on terror policies, particularly

Iraq. He literally risked losing his job, lost the primary, and in the end prevailed. I think he prevailed because the good people of Connecticut saw in Senator LIEBERMAN a man committed to his ideas, and his ideas he was committed to were bigger than himself. They may not have agreed with Senator LIEBERMAN about his policies on Iraq, but they sure admired what they saw in the man, and that is someone who was clearly putting the country's interests ahead of their own. There is not enough of that. The only group I can say with certainty that is doing the same thing is the men and women in Iraq.

On the Fourth of July this year, last week, I was in Iraq, in Baghdad for my sixth or seventh visit. This was a special visit. I got to be on the ground in Iraq on the Fourth of July, our Independence Day, and be part of a ceremony put on by General Petraeus's staff where he had 580-plus people reenlist. It was the largest reenlistment ceremony in a war zone in history, General Petraeus said. Right after the reenlistment ceremony, we had 160-plus American soldiers who became naturalized citizens. It was something to behold. To be in that former Saddam palace and be around those brave young men and women who are signing up to do it in Iraq yet again and who are becoming American citizens, literally risking their lives to do so, was inspiring.

This debate we are about to enter into is not about anyone's patriotism. My colleagues here, we are friends politically one day and we are on the other side the next. That is the nature of politics. It is never about respect for the person. I do have respect for my colleagues, and I hope the same is said of me. It is about our judgment. When I question your judgment and you question mine, that is part of the political process. Our judgments need to be tested. The decision we make now affects many people. It affects the long-term future of our country. It affects the soldiers in harm's way. Our judgment will be tested by the next election, and it will be tested by the eyes of history.

So here is what I believe we need to do in terms of Iraq policy for the immediate future. We need to listen very closely to what is being said in theater by our generals and by our enemy. Mr. Zawahiri, the second in command of al-Qaida, is not in Iraq, but he issued a statement—I think it was last Thursday—it was about an hour-long statement, and it was basically a call to not lose hope for al-Qaida in Iraq. He was acknowledging that you are under strain and stress, that you are really being pounded, but hang in there because your cause is great, and he encouraged everyone who is sympathetic to al-Qaida to run to Iraq now to beat us because our ideas are just abhorrent to their way of life.

The idea of being tolerant to different religions and views of religion is an absolute mortal sin in the eyes of al-Qaida. The idea of a woman having a say about her child is something they are just not going to have any part of. So I thought it was odd that he would make this hour-long call for reinforcements. Why was he doing that?

The reason he chose to make that statement is because the new strategy being employed now in Iraq is working against al-Qaida. I don't want to overstate it. The main reason al-Qaida is losing ground in Iraq has more to do about them than us. Al-Qaida dramatically overplayed their hand. Wherever they occupied a region in the Sunni part of Iraq, they tremendously overplayed their hand. During this debate, I will give some illustrations of some of the brutal, vicious things they did to folks living in Iraq once they were under al-Qaida control, and the Sunnis in Iraq basically are fed up with al-Qaida. They have had a taste of what al-Qaida offers them, and they have said no thanks. They have rejected al-Qaida's view of how to live one's life and how to raise one's children.

Lucky for us the President made a change in strategy—which should have happened years ago—where we are putting additional combat capability into the Iraqi theater. This rejection of al-Qaida by the Sunni leadership and the Sunni population came at a time where we have additional combat capability to reinforce that rejection. No matter what you think about the surge, it is undeniable that there have been new alliances formed between Sunni Iraqis and coalition forces in areas previously controlled by al-Qaida; and al-Qaida, as Senator LIEBERMAN said, is literally on the run, but they are still engaging in suicide bombing attacks and trying to create as much carnage as possible in Iraq. Where they used to exist in Anbar, they exist no longer in any force. They are isolated now. Anbar, the province dominated by the Sunni Iraqis, is a transformed region in terms of al-Qaida operations. The break of the sheik from the al-Qaida leadership and joining with the coalition forces has been a transforming event.

What can al-Qaida do? They moved to Diyala when the population sided with us, and their safe haven was denied. They went to the Diyala Province. We are doing the same thing there as we did in Anbar: making alliances with local Sunni leaders and some Shia. The big loser is al-Qaida. That is why last week Zawahiri made a call to his brothers in arms: Don't leave the fight; too much is at risk; hang in there, we will send reinforcements if we can.

He made this observation—I will get the quote later in the debate. He said the winds were blowing in our favor in Washington.

Now, one of the highest ranking al-Qaida leaders in the world was trying to inspire his troops by saying: No matter how much you are losing ground in Iraq, help may be coming from Washington. The question for this body is, do we want to be the cavalry for al-Qaida? If things are left the way they are now, and we gave General Petraeus the time and the resources and our total commitment, there is no doubt in my mind that, militarily, we can destroy al-Qaida in Iraq. Why? Because the Iraqi people, particularly the Sunnis, have had a taste of that lifestyle, and they have said no. All they need is additional capacity to defeat al-Qaida. That additional capacity has been provided by the surge. The additional military capability that exists now has made a world of difference. The strategy is fundamentally different.

Before, for almost 4 years, we had been behind walls trying to train the Iraqi Army and police, and getting in firefights and coming back when it was over. General Petraeus, with additional military personnel, has created joint security stations all over neighborhoods where we are living with the Iraqi Army and police, training them day in and day out. We are sleeping with them in terms of staying overnight, and we are stakeholders of that area. Not only are we helping clear the area, we are holding that area and we are having more combat capability. The surge provides that for every combat troop available to do operations before the surge, we have an additional soldier now. That has allowed us to go into areas that we previously could not go into to clear, hold, stay, and live with the Iraqi Army and police force and train them day in and day out. It is truly working.

It is my hope that as we get into this debate we will understand that if we go back to the old strategy of withdrawing behind walls, the alliances that have been formed between the Sunni leadership in Iraq and the coalition forces and the central government will be destroyed. We have put tanks around Sunni sheiks' homes. We have created joint security stations in neighborhoods that have previously been occupied by al-Qaida. It is working. If we withdraw, all of those people who formed these alliances will be at risk. I think al-Qaida will emerge again stronger.

One thing is clear to me. The old strategy of just training and staying behind walls failed. The new strategy of getting into the fight, getting out into the neighborhoods, holding territory with additional combat capability, and forming new transforming alliances is working.

Senator LEVIN, a dear friend, wants to say we are going to leave in March of 2008, or 120 days from now—I cannot remember the wording of the amendment. Basically, it is a statement by the Congress that we are going to undo the surge, the surge comes to an end, we begin to leave. We will leave a force behind that will do a couple things—train the Iraqi Army and police force. We tried that for 4 years. Training during a war is a little different than training when you are not at war. We train our soldiers at home, but they

are not in a wartime situation while they are being trained. The people in Iraq are being trained and fighting at the same time. They need more than training, they need combat capability that is nonexistent on their part.

That is a democracy that is less than 4 years old. Their constitution is less than 18 months old. The Iraqi Army and the police force, 4 years ago, was there to support the dictator, not democracy. So if you expect, from the ashes of the dictatorship, a functioning democracy in 4 years, I think you are sadly mistaken. It took us 11 years to write our own Constitution.

Why am I hopeful that we can still win in Iraq? No. 1, there is evidence with the new strategy that we can defeat and destroy al-Qaida in Iraq. No. 2, every time an Iraqi soldier is killed or a policeman is murdered, someone takes their place. Every time a judge is assassinated, somebody else comes along and says, ''I'll be a judge.'' What more can you ask? We are losing troops, and it is heartbreaking. The enemy that we are fighting understands that Americans don't like the taste of war—and that is an asset, not a liability. We are not a warring people. It is not our nature as a people to go to other places and take land from people and dominate their life. It is our nature to allow people to chart their own destiny and to be partners economically, while the enemy wants no part of that.

So what I hope we will do is take these amendments that will come to the floor and ask ourselves one simple question: If this amendment passes, what affect does it have on our military commanders to execute this new strategy that is clearly working? If this amendment passes, how does it affect al-Qaida in Iraq and throughout the world? What affect would it have on the voices of moderation that are giving their own lives to change their own country in Iraq? If this amendment passes, how does it affect Iran?

The one thing I learned from this last trip is that al-Qaida overplayed their hand, and we are taking advantage of it. Iran is trying to destabilize Iraq now more than ever. Don't mistake these new alliances between coalition forces and Sunni Iraqis to be a political reconciliation. The bad news from my trip is that the Iraqi Government is paralyzed, the political leadership in Iraq—Sunni, Shia, and Kurd—are unable to get their act together at this point. New elections would be good for the Sunnis.

Mr. President, how much time do I have?

The ACTING PRESIDENT pro tempore. Twenty seconds.

Mr. GRAHAM. We will talk more about this. The good news is, the surge is al-Qaida's worst nightmare. They have been rejected by the Sunnis in Iraq, and if we stay on them, we can destroy al-Qaida in Iraq. The bad news is, the current political infrastructure in Iraq is incapable of making the hard decisions for the moment. We have to think of new ways to push them.

There is much more to follow.

I yield the floor.

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

TRIBUTE TO ALEX GEORGE, SR.

Mr. CASEY. Mr. President, I rise for a brief period of time to pay tribute to a Pennsylvanian who just passed away this past week, a constituent of mine whose family I have known for many years. I think he is like a lot of people in our communities and in our States who lead lives of service and struggle and achievement, and often their lives are not the subject of big stories and headlines.

When I think of Alex George, Sr.—who is the father of Bill George, or William George, who is the president of the AFL–CIO in Pennsylvania—I think of those people who grew up in parts of western Pennsylvania, where over many generations steel was the foundation of the economy, and in places like where Mr. George lived, Aliquippa, PA, which is a very strong community that had a thriving steel industry that is now largely gone from the city and that community. It is not nearly what it was when thousands of people were employed.

Alex George, like a lot of Pennsylvanians and, frankly, a lot of Americans, lived a life of triumph where he had to overcome difficulties in his own life, and then he became a union leader of the Amalgamated Association of Iron and Steelworkers, which was the forerunner, of course, of the modern day Steelworkers Union that his son, Bill George, joined many years later. We think of his life today and what he did for the labor movement of western Pennsylvania, and Pennsylvania generally, and also what he did as a law enforcement officer. He was a police officer as well in his later years.

I rise briefly to pay tribute to him and his life of work for the benefit of labor, doing everything possible to make sure they have lives that are rewarded, in the sense that they are allowed to organize and allowed to have the opportunity to have the dignity of their labor be part of the fabric of their lives. We pay tribute to Alex George today and the many others who built the middle class in America. He is the proud son of Aliquippa, PA.

In a special way, I express my condolences to the entire George family, and especially Bill George, president of the AFL–CIO of Pennsylvania. Alex George leaves behind three sons: Bill, who I have mentioned, Robert, and Alex, Jr., as well as nine grandchildren and many great-grandchildren. In the spirit of condolence, but also in the spirit of tribute, I pay tribute to Alex George and the legacy he leaves behind for the George family and for the labor family of Pennsylvania.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

MILITARY READINESS CHALLENGES

Mrs. MURRAY. Mr. President, our country is home to some of the finest fighting forces in the world, and we can all be very proud of that fact. We need our military to be the best trained, the best equipped, and the most prepared force on the planet. Tragically, however, the President's war in Iraq and his use of extended deployments is undermining our military's readiness today.

The current deployment schedule hurts our ability to respond to threats around the world, it causes our servicemembers to leave the military service early, it weakens our ability to respond to disasters at home, it unfairly burdens family members, and it intensifies the combat stress our servicemembers experience.

We need to rebuild our military, and the first step is giving our fighting men and women the time they need at home to prepare and train for their next mission.

Today I rise to address the readiness challenges that threaten our military strength and ultimately our Nation's security.

More than 4 years into the war in Iraq, our troops are stretched thin, our equipment is deteriorating, and the patience of our Nation is wearing thin. We have seen 3,600 servicemembers die, thousands upon thousands more have been injured, and month after month our fighting men and women are pushing harder and harder. Troops leave loved ones for months and years and put their lives on the line without complaint. We owe them the best treatment and the best training possible.

Unfortunately, the Bush administration has fallen short in those areas. One of the major problems for our troops, for their families, and their communities is the growing gap between the time troops spend in battle versus the time they spend at home. This gap is alarming, it is disheartening, and it is a disservice to the brave men and women who put themselves in harm's way each and every day.

Sadly, our forces are being burned out. Many of our troops are on their third or even their fourth tour in Iraq and Afghanistan. Months ago, the Department of Defense announced that their tours would be extended from 12 months to 15 months. And on top of all that, they are not receiving the necessary time at home before they are sent back to battle.

Mr. President, that is not the normal schedule. It is not what our troops signed up for. And we here in Congress should not simply stand by and allow our troops to be pushed beyond their limits. That is why here on the Senate floor today we are debating the Webb amendment, and that is why we need to pass it this week.

Traditionally, Active-Duty troops are deployed for 1 year and then they rest at home for 2 years. National Guard and Reserve troops are deployed for 1 year and then they rest at home for 5 years. Tragically, that is not what is happening today. Today, Active-Duty troops are spending less time at home than they are in battle—less time at home than they are in battle—and our Guard and Reserve forces are receiving less than 3 years' rest for every year in combat.

With that increasing number and length of deployments, this rest time is even more critical for our troops, and they are not receiving the break they need, which is increasing the chances that they will burn out. This administration—the Bush administration—has decided to go the other direction, pushing our troops harder, extending their time abroad, and sending troops back time and again to the battlefield.

In March of this year, a few months ago, Salon.com reported what I hope is an extreme example of the length the military is going to get our soldiers back to the battlefield, and I want to read an excerpt from that story because I think it is really important we all understand what is happening to our troops.

This is from Salon.com:

Last November, Army Specialist Edgar Hernandez, a communications specialist with a unit of the Army's 3rd Infantry Division, had surgery on an ankle he had injured during physical training. After the surgery, doctors put his leg in a cast and he was supposed to start physical therapy when the cast came off six weeks later.

But two days after his cast was removed, Army commanders decided it was more important to send him to a training site in a remote desert rather than let him stay at Fort Benning, GA, to rehabilitate. In January, Hernandez was shipped to the National Training Center at Fort Irwin, CA, where his unit, the 3,900-strong 3rd Brigade of the 3rd Infantry Division, was conducting a month of training in anticipation of leaving for Iraq in March.

Hernandez says he was in no shape to train for a war so soon after his injury. ''I could not walk,'' he told Salon in an interview. He said he was amazed when he learned he was being sent to California. ''Did they not realize that I'm hurt and I needed this physical therapy?'' he remembered thinking. I was told by my doctor and my physical therapist that this was crazy.

Hernandez had served two tours in Iraq, where he had helped maintain communications gear in the unit's armored Bradley Fighting Vehicles. But he could not participate in war maneuvers conducted on a 1,000-square-mile mock battlefield located in the harsh Mojave Desert. Instead, when he got to California, he was led to a large tent where he would be housed. He was shocked by what he saw inside. There were dozens of other hurt soldiers. Some were on crutches, and others had their arms in slings. Some had debilitating back injuries. And nearby was another tent housing female soldiers with health issues ranging from injuries to pregnancy.

Hernandez is one of a dozen soldiers who stayed for weeks in those tents who were interviewed for this report, some of whose medical records were also reviewed by Salon. All of the soldiers said they had no business being sent to Fort Irwin given their physical condition. In some cases, soldiers were sent there even though their injuries were so severe the doctors had previously recommended they should be considered for medical retirement from the Army.

Military experts say they suspect that the deployment to Fort Irwin of injured soldiers was an effort to pump up manpower statistics used to show the readiness of Army units.

Clearly, if the military is going to those lengths to pump up readiness statistics, we have a huge problem. But these problems are only the tip of the iceberg when it comes to the effects of the administration's rotation policy. The current rotation policy not only burns out servicemembers, but it hurts the military's ability to respond to other potential threats.

For the first time in decades, the Army's ''ready brigade,'' which is intended to enter troubled spots within 72 hours, cannot do so. All of its troops are in Iraq and Afghanistan. The limited period between deployments lessens the time to train for other threats.

Numerous military leaders have spoken to us about this problem. GEN James Conway said:

I think my largest concern, probably, has to do with training. When we're home for that 7, 8, 9 months, our focus is going back to Iraq. And as I mentioned in the opening statement, therefore, we're not doing amphibious training, we're not doing mountain-warfare training, we're not doing combined-arm fire maneuver, such as would need to be the case potentially in another type of contingency.

That is not me, Mr. President; that is General Conway before the Senate Armed Services Committee in February of this year.

GEN Barry McCaffrey said that because all ''fully combat ready'' Active-Duty and Reserve combat units are now deployed in Iraq or Afghanistan, ''no fully-trained national strategic reserve brigades are now prepared to deploy to new combat operations.''

The current deployment situation is hurting our troops, and it is hurting our troops in another way. It is contributing to a drop in our retention rates. Keeping battle-experienced and capable troops in the military is essential to our ability to respond to future threats. West Point classes of 2000 and 2001 have an attrition rate five times higher than pre-Iraq war levels, with 54 percent of the West Point class of 2000 leaving the Army by the end of last year and 46 percent of the West Point class of 2001 leaving the Army by the end of last year. Marine Corps Active Forces are losing troops, especially critical midgrade noncommissioned officers, and that is despite a bonus for those who reenlist.

Clearly, this policy is not sustainable.

This deployment schedule we have been talking about is also making us less secure here at home. The rotation policy has left our Guard units short of manpower and supplies and severely hindered their ability to respond to disasters that can occur at any time here at home.

The recent tornado that destroyed much of Greensburg, KS, is a terrible example. After their town was destroyed, Greensburg residents needed shelter, they needed food and water, and they needed it fast. But because the Kansas National Guard was stretched so thin, it was hard for them to respond as fast as was necessary for an emergency right here at home. Governor Sebelius and MG Tod Bunting, who is the head of the Kansas National Guard, said not only is Guard equipment being worn out, but so are its troops, some of whom were in their fourth tour in Iraq.

For years, these problems were the exception, not the rule. But I fear that balance is shifting. Last month, USA Today reported that National Guard units in 31 States say 4 years of war in Iraq and Afghanistan have left them with 60 percent or less of their authorized equipment. And last month, LTG Steven Blum said the National Guard units have 53 percent of the equipment they need to handle State emergencies, and that number falls to 49 percent once Guard equipment needed for war, such as weapons, is factored in.

In fact, Blum said:

Our problem right now is that our equipment is at an all-time low.

This is deeply concerning to all of us who worry about a national disaster in our States, especially out in the West as we now face fires in our forests that are threatening homes and families and lives, and we fear extreme devastation.

This problem is more than about equipment, it is more than about retention rates, it is about real people and about real families. We all know military life can be tough on troops and their families. They go for months—sometimes years—without seeing each other. While troops are away fighting for all of us, sons and daughters are born, sons and daughters grow up without their moms and dads present, husbands and wives don't see each other for years, fathers die, mothers die, and family members become sick. Our troops need adequate time at home to see their newborns, to be a part of their children's lives, to spend time with their spouses, and to see their parents. The current rotation policy decreases dramatically the time families are together, and that places a tremendous strain on everyone.

Our troops facing these early deployments and extended tours have spoken out. When the tour extensions and early deployments were announced, our troops themselves expressed their displeasure.

In Georgia, according to the Atlanta Journal Constitution:

Soldiers of a Georgia Army National Guard unit were hoping to return home in April. Instead, they may be spending another grueling summer in the Iraqi desert. At least 4,000 National Guard soldiers may spend up to four extra months in Iraq as part of President Bush's troop increase announced last month. SGT Gary Heffner, spokesman for the 214th, said news of the extension came as a ''little bit of a shock'' to the Georgians.

The 1st Cavalry Division, according to the Dallas Morning News:

Eighteen months after their first Iraqi rotation, the 2nd Battalion, 5th Cavalry Regiment and the last of the Fort Hood, Texas-based 1st Cavalry Division returned to Iraq in mid-November.

Those troops, according to this article, were deeply concerned about that. And here in my home State, in Tacoma, WA, just this past weekend, there was an article from the Tacoma News Tribune of soldiers going once again.

These soldiers are talking about the tremendously difficult time they are having being redeployed.

So, Mr. President, I rise today to speak out for the Webb amendment. It is an amendment that supports our troops. It supports our troops by requiring that regular forces be at home for as long as they are deployed. It requires that our National Guard and Reserve forces be home for at least 3 years for every year deployed. Those seem to me to be basic commonsense requirements.

I applaud our colleague from Virginia for being a champion for our troops and for crafting the bipartisan measure of which he and I think the entire Senate can be proud.

Our troops have sacrificed so much for us. We have to institute a fair policy for the health of our troops, for the health and well-being of their families, and for our Nation's security and the ability to respond to disasters here at home. The Webb amendment does all of that, and I urge the Senate to adopt it.

Mr. President, I ask unanimous consent to have printed in the RECORD the full Salon.com article and the article from the Tacoma News Tribune.

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

[From salon.com, Mar. 26, 2007]

ARMY DEPLOYED SERIOUSLY INJURED TROOPS

(By Mark Benjamin)

WASHINGTON.—Last November, Army Spc. Edgar Hernandez, a communications specialist with a unit of the Army's 3rd Infantry Division, had surgery on an ankle he had injured during physical training. After the surgery, doctors put his leg in a cast, and he was supposed to start physical therapy when that cast came off six weeks later.

But two days after his cast was removed, Army commanders decided it was more important to send him to a training site in a remote desert rather than let him stay at Fort Benning, Ga., to rehabilitate. In January, Hernandez was shipped to the National Training Center at Fort Irwin, Calif., where his unit, the 3,900-strong 3rd Brigade of the 3rd Infantry Division, was conducting a month of training in anticipation of leaving for Iraq in March.

Hernandez says he was in no shape to train for war so soon after his injury. ''I could not walk,'' he told Salon in an interview. He said he was amazed when he learned he was being sent to California. ''Did they not realize that I'm hurt and I needed this physical therapy?'' he remembered thinking. ''I was told by my doctor and my physical therapist that this was crazy.''

Hernandez had served two tours in Iraq, where he helped maintain communications gear in the unit's armored Bradley Fighting Vehicles. But he could not participate in war maneuvers conducted on a 1,000-square-mile mock battlefield located in the harsh Mojave Desert. Instead, when he got to California, he was led to a large tent where he would be housed. He was shocked by what he saw inside: There were dozens of other hurt soldiers. Some were on crutches, and others had arms in slings. Some had debilitating back injuries. And nearby was another tent, housing female soldiers with health issues ranging from injuries to pregnancy.

Hernandez is one of a dozen soldiers who stayed for weeks in those tents who were interviewed for this report, some of whose medical records were also reviewed by Salon. All of the soldiers said they had no business being sent to Fort Irwin given their physical condition. In some cases, soldiers were sent there even though their injuries were so severe that doctors had previously recommended they should be considered for medical retirement from the Army.

Military experts say they suspect that the deployment to Fort Irwin of injured soldiers was an effort to pump up manpower statistics used to show the readiness of Army units. With the military increasingly strained after four years of war, Army readiness has become a critical part of the debate over Iraq. Some congressional Democrats have considered plans to limit the White House's ability to deploy more troops unless the Pentagon can certify that units headed into the fray are fully equipped and fully manned.

Salon recently uncovered another troubling development in the Army's efforts to shore up troop levels, reporting earlier this month that soldiers from the 3rd Brigade had serious health problems that the soldiers claimed were summarily downgraded by military doctors at Fort Benning in February, apparently so that the Army could send them to Iraq. Some of those soldiers were among the group sent to Fort Irwin to train in January.

After arriving at Fort Irwin, many of the injured soldiers did not train. ''They had all of us living in a big tent,'' confirmed Spc. Lincoln Smith, who spent the month there along with Hernandez and others. Smith is an Army truck driver, but because of his health issues, which include sleep apnea (a breathing ailment) and narcolepsy, Smith is currently barred from driving military vehicles. ''I couldn't go out and do the training,'' Smith said about his time in California. His records list his problems as ''permanent'' and recommend that he be considered for retirement from the Army because of his health.

Another soldier with nearly 20 years in the Army was sent to Fort Irwin, ostensibly to prepare for deployment to Iraq, even though she suffers from back problems and has psychiatric issues. Doctors wrote ''unable to deploy overseas'' on her medical records.

It is unclear exactly how many soldiers with health issues were sent to the California desert. None of the soldiers interviewed by Salon had done a head count, but all agreed that ''dozens'' would be a conservative estimate. An Army spokesman and public affairs officials for the 3rd Infantry Division did not return repeated calls and e-mails seeking further detail and an explanation of why injured troops were sent to Fort Irwin and housed in tents there during January.

The soldiers who were at Fort Irwin described a pitiful scene. ''You had people out there with crutches and canes,'' said an Army captain who was being considered for medical retirement himself because of serious back injuries sustained in a Humvee accident during a previous combat tour in Iraq. ''Soldiers that apparently had no business being there were there,'' another soldier wrote to Salon in an e-mail. ''Pregnant females were sent to the National Training Center rotation'' with the knowledge of Army leaders, she said.

One infantry sergeant with nearly 20 years in the Army who had already fought in Iraq broke his foot badly in a noncombat incident just before being sent to Fort Irwin. ''I didn't even get to put the cast on,'' before going, he said with exasperation. He said doctors put something like an ''open-toed soft shoe'' on his foot and put him on a plane to California. ''I've got the cast on now. I never even got a chance to see the [medical] specialist,'' he claimed. The infantry sergeant said life in the desert was tough in his condition. ''I was on Percocet. I couldn't even concentrate. I hopped on a plane and hobbled around NTC on crutches,'' he said. He added, ''I saw people who were worse off than I am. I saw people with hurt backs and so on. I started to think, 'Hey, I'm not so bad.' ''

[From the (Tacoma, WA) News Tribune, July 10, 2007]

''IT'S TOUGH'' TO LEAVE FAMILIES AGAIN MEDICAL TROOPS OFF TO IRAQ—MANY FOR THEIR THIRD TOUR

(By Steve Maynard)

Buoyed by praise and cheers, about 400 soldiers from the 62nd Medical Brigade at Fort Lewis got ready Monday to deploy to Iraq.

The Army brigade of medics, nurses, doctors, ambulance drivers and other medical personnel will make its third tour of duty in the Middle East, where they will be spread across several locations in Iraq.

The first wave of soldiers leaves Saturday for 15 months—longer than their previous tours. This spring, the Pentagon extended most combat deployments from 12 to 15 months. While some are going to the war zone for the first time, this will be the third trip for Staff Sgt. Benjamin Hernandez.

''It's tough, especially leaving my family again,'' said Hernandez, 33. He and his wife, Julieanna, have a daughter, 5, and a son, 7.

His children are older now and realize the dangers of combat. ''They're more cognizant of what's going on,'' Hernandez said.

During Monday's ceremony at the Soldier's Field House, the maroon colors of the brigade were cased, or covered. They'll be uncased when the first soldiers arrive in Iraq.

Members of the brigade will be leaving through the end of November. The headquarters will be at Camp Victory near Baghdad.

During the 35-minute ceremony, an audience of several hundred family members and other soldiers broke into applause repeatedly.

The crowd was quick to cheer when Brig. Gen. Sheila Baxter asked for a round of applause for ''these great soldiers.''

''The mission going forward is still complex and the enemy is still dangerous,'' said Baxter, commander of Madigan Army Medical Center. ''We are certain of your success and we are grateful for your brave service.''

''We pray for your safety,'' Baxter said.

Sgt. Kelly Perryman, 26, and her husband, Sgt. 1st Class Tremayne Perryman, 30, will both be going to Iraq, but the two medics don't know if they'll be based near each other.

Kelly Perryman summed up her feelings for her second trip to Iraq in one word: nervous.

Their 4-month-old baby boy, Jeffrey, will stay with her mother in Detroit.

''This will be our first time being apart,'' Kelly Perryman said about her baby. ''That's kind of scary.''

Sgt. Derek Trubia, 32, said he was ready for his first tour in Iraq.

''I have no problem,'' Trubia said. ''I expected it.''

The brigade, which served in Iraq in 2003 and Kuwait in 2004–05, plays a life-saving role for U.S. and Iraqi soldiers through trauma care and surgery.

Among its other specialties are dental health, preventive medicine and stress control.

In his invocation, Chaplain Maj. Mark Mitera prayed for ''healing and hope for those they treat.''

He offered thanks ''for supplying these soldiers with strength for war and skill for battle.''

Col. Patrick Sargent, brigade commander, noted in an interview that U.S. soldiers are more spread out in Iraq, and the numbers of casualties and injuries are rising. Besides treating physical wounds, the brigade will care for the mental health of injured soldiers and its own members who witness trauma, he said.

''We will face adversity, danger,'' Sargent told the crowd.

But he said the brigade is fully trained and will prevail.

''The soldiers standing before you today embody the essence of patriotism,'' Sargent said.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent that immediately following my remarks, the Senator from Hawaii, Mr. AKAKA, might be recognized for such time as he may consume.

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

Mr. MCCAIN. And I would like to thank the Senator from Hawaii for his patience and his courtesy.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 1585, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1585) to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

Nelson of Nebraska (for Levin) amendment No. 2011, in the nature of a substitute.

Webb amendment No. 2012 (to amendment No. 2011), to specify minimum periods between deployment of units and members of the Armed Forces for Operation Iraqi Freedom and Operation Enduring Freedom.

Nelson of Florida amendment No. 2013 (to amendment No. 2012), to change the enactment date.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Mr. President, again, I would like to thank my old friend from Hawaii for his patience so that, as the Republican ranking member of the committee, I may make a statement about the bill itself and about the situation in Iraq. I thank him for his courtesy, and I will try not to take too long a period of time. So I thank my old friend from Hawaii.

Mr. President, we have reached another moment of importance this week in debating the fiscal year 2008 Defense authorization bill. We will help set the course of the Nation's security policy and influence our participation in the wars in Iraq and Afghanistan. Much of the debate, as we all know, will be about Iraq, and before I discuss that and my recent visit, I would note that many provisions in this bill constitute a good defense policy and will strengthen the ability of our country to defend itself.

Under the leadership of my good friend from Michigan, the chairman of the committee, Senator LEVIN, I think we have crafted an excellent piece of legislation. I think a testament to his leadership is that the committee voted unanimously to report the bill, and it fully funds the President's $648 billion defense budget request. It provides necessary measures to try to bring under control waste, fraud, and abuse in defense procurement, and, frankly, it makes Members more accountable for their spending in the earmark process.

Again, I thank Senator LEVIN, the subcommittee chairs, and all the committee members for their work in bringing this issue to the floor.

Very briefly, we have authorized a 3.5-percent, across-the-board pay raise for all military personnel. We have increased Army and Marine end strength to 525,400 and 189,000, respectively. The committee also approved $2.7 billion for items on the Army Chief of Staff's unfunded requirement list, including $775 million for reactive armor and other Stryker requirements, $207 million for aviation survivability equipment, $102 million for combat training centers and funding for explosive ordnance disposal equipment, night vision devices, and machine guns.

The bill also authorizes $4.1 billion for Mine Resistant Ambush Protected vehicles, known as MRAP vehicles, for all of the Services' known requirements.

The committee has come up with the money to support our troops, and I have no doubt the full Senate will follow step.

Money and policy statements are not all that is required at this moment in our national history. Courage is required—courage, not the great courage exhibited by the brave men and women fighting today in Iraq and Afghanistan, but a smaller measure: the courage necessary to put our country's interests before every personal or political consideration.

In this light, I would like to discuss America's involvement in Iraq, and finally I would like to make several points.

Final reinforcements needed to implement General Petraeus's counterinsurgency tactics arrived just several weeks ago. Last week I had the opportunity to visit with troops in theater. From what I saw and heard while there, I believe our military, in cooperation with the Iraqi security forces, is making progress in a number of areas. There are other areas where they are not. I would like to outline some of their efforts, not to argue that these areas have suddenly become safe—they have not; I want to emphasize the areas have not become safe—but to illustrate the progress our military has achieved under General Petraeus's new strategy.

Last year Anbar Province was believed to be lost to al-Qaida. On the map we see that U.S. and Iraqi troops cleaned out al-Qaida fighters from Ramadi and other areas of western Anbar. Tribal sheiks broke with the terrorists and joined the coalition side. It is a fact that some 16 out of the 24 sheiks in the Sunni area of Anbar Province have now joined with U.S. forces in their commitment to destroy al-Qaida in Anbar Province.

Ramadi, months ago, was Iraq's most dangerous city. It is now one of its safest. At considerable political risk, I point out that I visited, with Senator GRAHAM, downtown Ramadi where the shopping areas were open. I did not visit without protection or without security forces with me. But the fact is, a short time ago it was one of the most dangerous cities in all of Iraq. Attacks are down from 30 to 35 a day in February to zero on most days now.

In Fallujah, Iraqi police have established numerous stations and have divided the city into gated districts. The violence has declined and local intelligence tips have proliferated. Throughout Anbar Province, thousands of young men are signing up for the police and Army, and the locals are taking the fight to al-Qaida. All 18 major tribes in the province are now onboard with the security plan. A year from now, the Iraqi Army and police could have total control of security in Ramadi, allowing American forces to safely draw down.

South of Baghdad, operation Phantom Thunder is intended to stop insurgents present in the Baghdad belts from originating attacks in the capital itself. A brigade of the 10th Mountain Division, which I visited, is operating in Baghdad belts that have been havens for al-Qaida. All soldiers in the brigade are living forward. That means they are in outposts away from the headquarters 24–7, living, working, and fighting alongside Iraqi military. Commanders report that the local sheiks

are increasingly siding with the coalition against al-Qaida.

Southeast of Baghdad, the military is targeting al-Qaida in safe havens they maintain along the Tigris River. In Baghdad itself, the military, in cooperation with Iraqi security forces, continues to establish joint security stations and deploy throughout the city. These efforts have produced some positive results. Sectarian violence has fallen. Since January, the total number of car bombings and suicide attacks declined. In May and June, the number of locals coming forward with intelligence tips has risen.

Make no mistake, violence in Baghdad remains at unacceptably high levels, suicide bombers and other threats pose formidable challenges, and other difficulties abound. Nevertheless, there appears to be overall movement in the right direction.

I have no doubt how difficult suicide bombers are to counter. Ask the Israelis. They literally had to seal their borders with Gaza and the West Bank because of the way people who are willing to sacrifice their own lives in order to take the lives of others are able to get through and do these horrendous acts that we are exposed to quite often on our television screens and in our newspapers in America.

In Diyala Province, Iraqi and American troops have surged and are fighting to deny al-Qaida sanctuary in the city of Baqubah. For the first time since the war began, Americans showed up in force and did not quickly withdraw from the area. In response, locals have formed a new alliance with the coalition to counter al-Qaida.

Why are some of these people now turning against al-Qaida? One reason is the extreme cruelty that is practiced by al-Qaida on a routine basis, which has caused many people to reject that kind of extreme violence and cruelty inflicted on the local people. Diyala, which was the center of Abu Mus' Ab al-Zarqawi's caliphate, finally has the chance to turn aside the forces of extremism.

I offer these observations not to present a rosy scenario of the challenges we continue to face in Iraq. As last weekend's horrific bombing indicates so graphically, the threats to Iraqi stability have not gone away, nor are they likely to go away in the near future when our brave men and women in Iraq will continue to face great challenges.

What I do believe is, while the mission to bring a degree of security to Iraq and to Baghdad and its environs in particular in order to establish the necessary preconditions for political and economic progress—while that mission is still in its early stages, the progress our military has made should encourage us. It is also clear the overall strategy that General Petraeus has put into place, a traditional counterinsurgency tactic that emphasizes protecting a population and which gets our troops off of the bases and into the areas they are trying to protect—that this strategy is the correct one.

Some of my colleagues argue that we should return troops to the forward operating bases and confine their activities to training and targeted counterterrorism operations. That is precisely what we did for 3½ years, and the situation in Iraq got worse. Over 3½ years we had our troops from operating bases going out—search and destroy as we used to call it during the Vietnam war—and going back to their bases. That was a failed strategy from the beginning. I am surprised that any of my colleagues would advocate a return to the failed Rumsfeld-Casey strategy.

No one can be certain whether this new strategy, which remains in the early stages, can bring about greater stability. We can be sure, should the Senate seek to legislate an end to this strategy as it is just beginning, then we will fail for certain.

Now that the military effort in Iraq is showing some signs of progress, the space is opening for political progress. Yet rather than seizing the opportunity, the government of Prime Minister Maliki is not functioning as it must. I repeat, the government of Prime Minister Maliki is not functioning as it must. We see little evidence of reconciliation and little progress toward meeting the benchmarks laid out by the President. The Iraqi Government can function. The question is whether it will.

To encourage political progress, I believe we can find wisdom in several suggestions put forward recently by Henry Kissinger. Intensified negotiations by the Iraqi parties could limit violence, promote reconciliation, and put the political system on a more stable footing. We should promote dialog between the Iraqi Government and its Sunni Arab neighbors, specifically Egypt, Jordan, and Saudi Arabia, in order to build broader international acceptance for the Iraqi central government in exchange for that government meeting specific obligations with respect to the protection and political participation of the Sunni minority. We should begin a broader effort to establish a basis for aid and even peacekeeping efforts by the international community, keyed to political progress in Iraq.

Taking such steps, we must recognize that no lasting political settlement can grow out of the U.S. withdrawal. On the contrary, a withdrawal must grow out of a political solution, a solution made possible by the imposition of security by coalition and Iraqi forces.

Secretary Kissinger is correct when he says ''precipitate withdrawal would produce a disaster,'' one that ''would not end the war but shift it to other areas, like Lebanon or Jordan or Saudi Arabia,'' produce greater violence among Iraqi factions, and embolden radical Islamists around the world.

> The war between Iraqi factions would intensify. The demonstration of American impotence would embolden radical Islamism and further radicalize its disciples from Indonesia and India to the suburbs of European capitals . . .
>
> What America and the world need is not unilateral withdrawal but a vision by the Bush administration of a sustainable political end to the conflict.

As I said before, withdrawals must grow out of a political solution, not the other way around.

The Shias and the Sunnis and the Kurds:

> They need the buttress of a diplomatic process that could provide international support for carrying out any internal agreements reached or to contain conflict if the internal parties cannot agree and Iraq breaks up . . .
>
> The American goal should be an international agreement regarding the international status of Iraq. It would test whether Iraq's neighbors as well as some more distant countries are prepared to translate general concepts into converging policies. It would provide a legal and political framework to resist violations. These are the meaningful benchmarks against which to test American withdrawals.

He goes on to point out:

> Turkey has repeatedly emphasized it would resist a breakup by force because of the radicalizing impact a Kurdish State could have on Turkey's large Kurdish population. But this would bring Turkey into unwanted conflict with the United States and open a Pandora's box of other interventions.
>
> Saudi Arabia and Jordan dread Shiite domination of Iraq, especially if the Baghdad regime threatens to become a satellite of Iran. The various Gulf Sheikdoms, the largest of which is Kuwait, find themselves in an even more threatened position.
>
> Syria's attitudes are likely to be more ambivalent. Its ties to Iran represent both a claim to status and a looming vulnerability . . .
>
> Given a wise and determined American diplomacy, even Iran may be brought to conclude that the risks of continued turmoil outweigh the temptations before it.

He goes on to talk about a multilateral framework.

> A forum for diplomacy already exists in the foreign ministers' conference that met recently at Sharm el-Sheikh, Egypt. . . . It is in the United States' interests to turn the conference into a working enterprise under strong, if discrete, American leadership.

He goes on to say:

> Neither the international system nor American public opinion will accept as a permanent arrangement, an American enclave maintained exclusively by American military power in so volatile a region.

I believe Secretary Kissinger is correct. I believe he is correct when he bases the premise that precipitate withdrawal would produce a disaster.

Many of my colleagues would like to believe that should any of the various amendments forcing withdrawal become law, it would mark the end of this long effort. They are wrong.

Should the Congress force a precipitous withdrawal from Iraq, it would mark a new beginning, the start of a new, more dangerous, more arduous effort to contain the forces unleashed by our disengagement. Our efforts in Iraq today are critical to the wider struggle against violent Islamic extremism. Already the terrorists are emboldened,

excited that America is talking not about winning in Iraq but is rather debating when we should lose.

Last week, Ayman al-Zawahiri, al-Qaida's deputy chief, said the United States is merely delaying our ''inevitable'' defeat in Iraq and that: ''The Mujahideen of Islam in Iraq of the caliphate and jihad are advancing with steady steps toward victory.''

If we leave Iraq prematurely, jihadists around the world will interpret the withdrawal as their great victory against our great power. The movement thrives in an atmosphere of perceived victory. We saw this in the surge of men and money flowing to al-Qaida following the Soviet withdrawal from Afghanistan.

If they defeat the United States in Iraq, they will believe anything is possible, history is on their side, and they can bring their terrible rule to lands the world over.

Recall the plan laid out in a letter from Zawahiri to Abu Mus'ab al-Zarqawi before his death. That plan is to take shape in four stages: Establish a caliphate in Iraq, extend the jihad wave to the secular countries neighboring Iraq, clash with Israel; none of which shall commence until the completion of stage one: Expel the Americans from Iraq. The terrorists are in this war to win it. The question is, Are we?

Withdrawing before there is a stable and legitimate Iraqi authority would turn Iraq into a failed state and a terrorist sanctuary in the heart of the Middle East. We have seen a failed state emerge after U.S. disengagement once before. It cost us terribly. In pre-9/11 Afghanistan, terrorists found sanctuary to train and plan attacks with impunity. We know that today there are terrorists in Iraq who are planning attacks against Americans. I do not think we should make this mistake twice.

Brent Scowcroft, whom we also know was opposed to the invasion of Iraq in the first place, has said:

> The costs of staying are visible. The costs of getting out are almost never discussed . . . If we get out before Iraq is stable, the entire Middle East region might start to resemble Iraq today. Getting out is not a solution.

One of my great heroes and role models and a person whom I have had the great honor of getting to know recently is Natan Sharansky, a man of inestimable courage and knowledge. He recently had a piece that ran Sunday in the Washington Post. The title of his piece is: ''Leave Iraq, Embrace for a Bigger Bloodbath.''

In his statement, he talks about:

> The truth is that in totalitarian regimes, there are no human rights. Period. The media do not criticize the government. Parliaments do not check executive power. Courts do not uphold due process. And human rights groups do not file reports.

He talks about the moral divide that separates societies in which people are slaves, from societies in which people are free.

> ''Some human rights groups undermine the very cause they claim to champion,'' he says.

Consider one 2005 Amnesty International report on Iraq. It notes that in the lawless climate of the first months after Hussein's overthrow, reports of kidnappings, rapes and killings of women and girls by criminal gangs rose. Iraqi officers at a police station in Baghdad said in June 2003 that the number of reported rapes was ''substantially higher than before the war.''

The implication was that human rights may not really be improving in post-Hussein Iraq. But the organization ignored the possibility that reports of rape at police stations may have increased for the simple reason that under Hussein it was the regime—which includes the police—that was doing the raping.

He goes on to say:

> A precipitous withdrawal of U.S. forces could lead to a bloodbath that would make the current carnage pale by comparison.

I am quoting from Natan Sharansky.

> Without U.S. troops in place to quell some of the violence, Iranian-backed Shiite militias would dramatically increase their attacks on Sunnis; Sunni militias, backed by the Saudis or others, would retaliate in kind, drawing more and more of Iraq into a vicious cycle of violence. If Iraq descended into full-blown civil war, the chaos could trigger similar clashes throughout the region as Sunni-Shiite tensions spill across Iraq's borders. The death toll and the displacement civilians would climb exponentially.

He says:

> Perhaps the greatest irony of the political debate over Iraq is that many of Bush's critics, who accused his administration of going blindly to war without considering what would happen once Hussein's regime was toppled, now blindly support a policy of withdrawing from Iraq without considering what might follow.

In this respect, the debate over Iraq is beginning to look a lot like the debate about the Vietnam War in the 1960s and 1970s. Then, too, the argument in the United States focused primarily on whether U.S. forces should pull out. But many who supported that withdrawal in the name of human rights did not foresee the calamity that followed, which included genocide in Cambodia, tens of thousands slaughtered in Vietnam by the North Vietnamese and the tragedy of hundreds of thousands of ''boat people.''

Mr. Sharansky lives in the neighborhood. Mr. Sharansky understands the meaning of the word ''freedom.'' Mr. Sharansky understands the meaning of the word ''sacrifice.''

Madam President, I ask unanimous consent to have printed in the RECORD the Kissinger and Sharansky articles.

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

[From the International Herald Tribune Media Services, July 2, 2007]

A POLITICAL PROGRAM TO EXIT IRAQ

(By Henry A. Kissinger)

The war in Iraq is approaching a kind of self-imposed climax. Public disenchantment is palpable. Congress will surely press for an accelerated, if not total, withdrawal of American forces. Demands for a political solution are likely to mount.

But precipitate withdrawal would produce a disaster. It would not end the war but shift it to other areas, like Lebanon or Jordan or Saudi Arabia. The war between the Iraqi factions would intensify. The demonstration of American impotence would embolden radical Islamism and further radicalize its disciples from Indonesia and India to the suburbs of European capitals.

We face a number of paradoxes. Military victory, in the sense of establishing a government capable of enforcing its writ throughout Iraq, is not possible in a time frame tolerated by the American political process. Yet no political solution is conceivable in isolation from the situation on the ground.

What America and the world need is not unilateral withdrawal but a vision by the administration of a sustainable political end to the conflict. Withdrawals must grow out of a political solution, not the other way around.

None of Iraq's neighbors, not even Iran, is in a position to dominate the situation against the opposition of all the other interested parties. Is it possible to build a sustainable outcome on such considerations?

The answer must be sought on three levels: the internal, the regional and the international.

The internal parties—the Shiites, the Sunnis and the Kurds—have been subjected to insistent American appeals to achieve national reconciliation. But groups that have been conducting blood feuds with one another for centuries are, not surprisingly, struggling in their efforts to compose their differences by constitutional means. They need the buttress of a diplomatic process that could provide international support for carrying out any internal agreements reached or to contain their conflict if the internal parties cannot agree and Iraq breaks up.

The American goal should be an international agreement regarding the international status of Iraq. It would test whether the neighbors of Iraq as well as some more distant countries are prepared to translate general concepts into converging policies. It would provide a legal and political framework to resist violations. These are the meaningful benchmarks against which to test American withdrawals.

The reason why such a diplomacy may prove feasible is that the continuation of Iraq's current crisis presents all of Iraq's neighbors with mounting problems. The longer the war in Iraq rages, the more likely will be the breakup of the country into sectarian units.

Turkey has repeatedly emphasized that it would resist such a breakup by force because of the radicalizing impact that a Kurdish state could have on Turkey's large Kurdish population. But this would bring Turkey into unwanted conflict with the United States and open a Pandora's box of other interventions.

Saudi Arabia and Jordan dread Shiite domination of Iraq, especially if the Baghdad regime threatens to become a satellite of Iran. The various Gulf sheikhdoms, the largest of which is Kuwait, find themselves in an even more threatened position. Syria's attitudes are likely to be more ambivalent. Its ties to Iran represent both a claim to status and a looming vulnerability.

Given a wise and determined American diplomacy, even Iran may be brought to conclude that the risks of continued turmoil outweigh the temptations before it.

To be sure, Iranian leaders may believe that the wind is at their backs, that the moment is uniquely favorable to realize millennial visions of a reincarnated Persian empire or a reversal of the Shiite-Sunni split under Shiite domination. On the other hand, if prudent leaders exist—which remains to be determined—they might come to the conclusion that they had better treat these advantages as a bargaining chip in a negotiation

rather than risk them in a contest over domination of the region.

No American president will, in the end, acquiesce once the full consequences of Iranian domination of the region become apparent. Russia will have its own reasons, principally the fear of the radicalization of its own Islamic minority, to begin resisting Iranian and radical Islamist domination of the Gulf. Combined with the international controversy over its nuclear weapons program, Iran's challenge could come to be perceived by its leaders to pose excessive risks.

Whether or whenever Iran reaches these conclusions, two conditions will have to be met: First, no serious diplomacy can be based on the premise that the United States is the supplicant. America and its allies must demonstrate a determination to vindicate their vital interests that Iran will find credible. Second, the United States will need to put forward a diplomatic position that acknowledges the legitimate security interests of Iran.

Such a negotiation must be initiated within a genuinely multilateral forum. A dramatic bilateral Iranian-U.S. negotiation would magnify all the region's insecurities. For if Lebanon, Jordan, Saudi Arabia and Kuwait—which have entrusted their security primarily to the United States—become convinced that an Iranian-U.S. condominium is looming, a race for Tehran's favor may bring about the disintegration of all resolve.

Within a multilateral framework, the United States will be able to conduct individual conversations with the key participants, as has happened in the six-party forum on North Korea.

A forum for such an effort already exists in the foreign ministers' conference that met recently at Sharm el-Sheikh. It is in the United States' interest to turn the conference into a working enterprise under strong, if discreet, American leadership.

The purpose of such a forum should be to define the international status of the emerging Iraqi political structure into a series of reciprocal obligations. Iraq would continue to evolve as a sovereign state but agree to place itself under some international restraint in return for specific guarantees.

In such a scheme, the United States-led multinational force would be gradually transformed into an agent of that arrangement, along the lines of the Bosnian settlement in the Balkans.

All this suggests a three-tiered international effort: an intensified negotiation among the Iraqi parties; a regional forum like the Sharm el-Sheikh conference to elaborate an international transition status for Iraq; and a broader conference to establish the peacekeeping and verification dimensions. The rest of the world cannot indefinitely pretend to be bystanders to a process that could engulf them through their default.

Neither the international system nor American public opinion will accept as a permanent arrangement an American enclave maintained exclusively by American military power in so volatile a region. The concept outlined here seeks to establish a new international framework for Iraq. It is an outcome emerging from a political and military situation on the ground and not from artificial deadlines.

[From the Washington Post, July 8, 2007]

LEAVE IRAQ AND BRACE FOR A BIGGER BLOODBATH

(By Natan Sharansky)

Iraqis call Ali Hassan al-Majeed ''Chemical Ali,'' and few wept when the notorious former general received five death sentences last month for ordering the use of nerve agents against his government's Kurdish citizens in the late 1980s. His trial came as a reckoning and a reminder—summoning up the horrors of Saddam Hussein's rule even as it underscored the way today's heated Iraq debates in Washington have left the key issue of human rights on the sidelines. People of goodwill can certainly disagree over how to handle Iraq, but human rights should be part of any responsible calculus. Unfortunately, some leaders continue to play down the gross violations in Iraq under Hussein's republic of fear and ignore the potential for a human rights catastrophe should the United States withdraw.

As the hideous violence in Iraq continues, it has become increasingly common to hear people argue that the world was better off with Hussein in power and (even more remarkably) that Iraqis were better off under his fist. In his final interview as U.N. secretary general, Kofi Annan acknowledged that Iraq ''had a dictator who was brutal'' but said that Iraqis under the Baathist dictatorship ''had their streets, they could go out, their kids could go to school.''

This line of argument began soon after the U.S.-led invasion in 2003. By early 2004, some prominent political and intellectual leaders were arguing that women's rights, gay rights, health care and much else had suffered in post-Hussein Iraq.

Following in the footsteps of George Bernard Shaw, Walter Duranty and other Western liberals who served as willing dupes for Joseph Stalin, some members of the human rights community are whitewashing totalitarianism. A textbook example came last year from John Pace, who recently left his post as U.N. human rights chief in Iraq. ''Under Saddam,'' he said, according to the Associated Press, ''if you agreed to forgo your basic freedom of expression and thought, you were physically more or less OK.''

The truth is that in totalitarian regimes, there are no human rights. Period. The media do not criticize the government. Parliaments do not check executive power. Courts do not uphold due process. And human rights groups don't file reports.

For most people, life under totalitarianism is slavery with no possibility of escape. That is why despite the carnage in Iraq, Iraqis are consistently less pessimistic about the present and more optimistic about the future of their country than Americans are. In a face-to-face national poll of 5,019 people conducted this spring by Opinion Research Business, a British market-research firm, only 27 percent of Iraqis said they believed ''that their country is actually in a state of civil war,'' and by nearly 2 to 1 (49 percent to 26 percent), the Iraqis surveyed said they preferred life under their new government to life under the old tyranny. That is why, at a time when many Americans are abandoning the vision of a democratic Iraq, most Iraqis still cling to the hope of a better future. They know that under Hussein, there was no hope.

By consistently ignoring the fundamental moral divide that separates societies in which people are slaves from societies in which people are free, some human rights groups undermine the very cause they claim to champion. Consider one 2005 Amnesty International report on Iraq. It notes that in the lawless climate of the first months after Hussein's overthrow, reports of kidnappings, rapes and killings of women and girls by criminal gangs rose. Iraqi officers at a police station in Baghdad said in June 2003 that the number of reported rapes ''was substantially higher than before the war.''

The implication was that human rights may not really be improving in post-Hussein Iraq. But the organization ignored the possibility that reports of rape at police stations may have increased for the simple reason that under Hussein it was the regime—which includes the police—that was doing the raping. When Hussein's son Uday went on his legendary raping sprees, victims were not about to report the crime.

Of course, Hussein's removal has created a host of difficult strategic challenges, and numerous human rights atrocities have been committed since his ouster. But let us be under no illusion of what life under Hussein was like. He was a mass murderer who tortured children in front of their parents, gassed Kurds, slaughtered Shiites, started two wars with his neighbors and launched Scud missiles into downtown Riyadh and Tel Aviv. The price for the stability that Hussein supposedly brought to the region was mass graves, hundreds of thousands of dead in Iraq, and terrorism and war outside it. Difficult as the challenges are today—with Iran and Syria trying to stymie democracy in Iraq, with al-Qaeda turning Iraq into the central battleground in its holy war of terrorism against the free world, and with sectarian militias bent on murder and mayhem—there is still hope that tomorrow may be better.

No one can know for sure whether President Bush's ''surge'' of U.S. troops in Iraq will succeed. But those who believe that human rights should play a central role in international affairs should be doing everything in their power to maximize the chances that it will. For one of the consequences of failure could well be catastrophe.

A precipitous withdrawal of U.S. forces could lead to a bloodbath that would make the current carnage pale by comparison. Without U.S. troops in place to quell some of the violence, Iranian-backed Shiite militias would dramatically increase their attacks on Sunnis; Sunni militias, backed by the Saudis or others, would retaliate in kind, drawing more and more of Iraq into a vicious cycle of violence. If Iraq descended into full-blown civil war, the chaos could trigger similar clashes throughout the region as Sunni-Shiite tensions spill across Iraq's borders. The death toll and the displacement of civilians could climb exponentially.

Perhaps the greatest irony of the political debate over Iraq is that many of Bush's critics, who accused his administration of going blindly to war without considering what would happen once Hussein's regime was toppled, now blindly support a policy of withdrawing from Iraq without considering what might follow.

In this respect, the debate over Iraq is beginning to look a lot like the debate about the Vietnam War in the 1960s and '70s. Then, too, the argument in the United States focused primarily on whether U.S. forces should pull out. But many who supported that withdrawal in the name of human rights did not foresee the calamity that followed, which included genocide in Cambodia, tens of thousands slaughtered in Vietnam by the North Vietnamese and the tragedy of hundreds of thousands of ''boat people.''

In the final analysis, U.S. leaders will pursue a course in Iraq that they believe best serves U.S. interests. My hope is that as they do, they will make the human rights dimension a central part of any decision. The consequences of not doing so might prove catastrophic to Iraqis, to regional peace and, ultimately, to U.S. security.

Mr. MCCAIN. Should we leave Iraq before there is a basic level of stability, we will invite further Iranian influence at a time when Iranian operatives are already moving weapons, training fighters, providing resources and helping plan operations to

kill American soldiers and damage our efforts to bring stability to Iraq.

Iran will comfortably step into the power vacuum left by a U.S. withdrawal, and such an aggrandizement of fundamentalist power has great potential to spark greater Sunni-Shia conflict across the region.

Leaving prematurely would induce Iraq's neighbors, including Saudi Arabia and Jordan, Egypt and Israel, Turkey and others, to feel their own security eroding and may well induce them to act in ways that prompt wider instability. The potential for genocide, wider war, spiralling oil prices, and the perception of strategic American defeat is real.

This fight is about Iraq but not about Iraq alone. It is greater than that and, more important still, about whether America still has the political courage to fight for victory or whether we will settle for defeat, with all the terrible things that accompany it. We cannot walk away gracefully from defeat in this war.

General Petraeus and his commanders believe they have a strategy that can, over time, lead to success in Iraq. General Petraeus and Ambassador Ryan Crocker will come to Washington in September to report on the status of their efforts and those of the Iraqis. They ask two things of us: the time necessary to see whether their efforts can succeed and the political courage to support them in their work. I believe we should give them both.

I know that Senators are tired of this war, tired of the mounting death toll, tired of the many mistakes we have made in this war and the great effort it requires to reverse them, tired of the war's politicization and the degree to which it has become embroiled in partisan struggles and election strategies. I understand this fatigue. Yet I maintain that we, as elected leaders with a duty to our people and the security of their Nation, cannot let fatigue dictate our policies.

The soldiers I met last week have no illusions about the sacrifices necessary to achieve their mission. On July 4, I had the great privilege to be present as 588 troops reenlisted in the military and another 161 were naturalized as U.S. citizens. Tragically, two of those who were scheduled to be naturalized as U.S. citizens were killed very shortly before the ceremony.

Those men and women taking the oaths of enlistment and citizenship in the center of Saddam's al Faw Palace, they understand the many hardships made in our name. They have completed tour after tour away from their families, risking everything, everything for the security of this country. They do so because they understand the circumstances that, however great the costs of this war, the costs are immeasurably greater still if we abandon it prematurely. All they ask is that we support them in their noble mission.

I wish we had planned to fight this war correctly the first time. But we can no more turn back the clock to 2003 than we can wish away the consequences of defeat by imposing some artificial deadline for withdrawal. Last week in Iraq, I met the bravest men and women our country has to offer, and not one of them told me it was time to go or that the cause is lost.

They are frustrated with the Iraqi Government's lack of progress. They are buffeted by the winds of partisanship in Washington, talking today of surges and tomorrow of withdrawal, voting to confirm General Petraeus and then voting for a course that guarantees defeat. But in the end, they know the war in Iraq is part of a larger struggle, a war of moderation and stability against the forces of violence and extremism.

They recognize that if we simply pack up and leave, the war does not end—it merely gets harder.

Finally, I would like to give a couple of quotes. General Lynch, who is the third ID commander of the U.S. forces, says:

> Pulling out before the mission was accomplished would be a mess. We find the enemy regaining ground, reestablishing sanctuaries, building more IEDs and the violence would escalate.

GEN Anthony Zinni, one of my particular heroes, who opposed the war in Iraq, said:

> . . . that we cannot simply pull out of Iraq, as much as we may want to. The consequences of a destabilized and chaotic Iraq, sitting in the center of a critical region of the world, could have catastrophic implications. . . .There is no short-term solution. It will take years to stabilize Iraq. How many? I believe at least five to seven.

In the Baker Hamilton report, there is a lot of selective quoting. But I would like to point out that they said:

> Because of the importance of Iraq, the potential for catastrophe in the role and the commitments of the United States in initiating events that have led to the current situation, we believe it would be wrong for the United States to abandon the country through a precipitous withdrawal of troops and support. A premature American departure from Iraq would almost certainly produce greater sectarian violence and further deterioration of conditions, leading to a number of adverse consequences outlined above. The near-term results would be a significant power vacuum, greater human suffering, regional destabilization, and a threat to the global economy. Al-Qaeda would depict our withdrawal as a historic victory. If we leave and Iraq descends into chaos, the long-range consequences could eventually require the United States to return.

That is page 30 of the Iraq Study Group report.

Finally, I understand, I believe very well, how difficult this issue is for many of our Members. I know the sorrow and the frustration that they and their constituents feel. If I knew a great option as to how we could preserve our Nation's security and withdraw and stop the unfortunate casualties that are incurred by these brave young people, I would embrace it tomorrow.

Part of this debate is going to be proposals that people have made about how we can best leave. I intend to engage in vigorous discussion and debate. I would like to again begin this debate by pointing out I respect the views of my colleagues on this issue.

I understand their frustration. I intend to be respectful of their views, and I hope we can have a debate and discussion on this issue, as we consider various amendments, that will better inform the American people of both points of view. I hope over time somehow we can find a way to come together in this body and in this Nation because this war has divided this Nation in the most terrible way.

I saw it once before. I saw it once before, a long time ago, and I saw a defeated military, and I saw how long it took a military that was defeated to recover. I saw a divided nation beset by assassinations and riots and a breakdown in a civil society. That is why we need, in my view, to try to come together—and I do not know how we do that—beginning with respecting each other's views so we can come together and hopefully end the tragedy of Iraq and at the same time ensure America's security.

I will be saying a lot more on this issue as we continue the debate. I say again, I respect the views of my colleagues. Then, finally, I again pay my compliments to the distinguished chairman of the committee, who put together, as is his wont, a bipartisan package that will ensure our Nation's security in the future, as exemplified again by a unanimous vote of the committee in reporting out the Defense authorization bill.

I yield the floor.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The Senator from Michigan is recognized.

Mr. LEVIN. Madam President, let me first thank Senator MCCAIN for his great generosity in terms of his comments about the committee and the operations of our committee. As he well knows, our committee has had a great tradition of bipartisanship. He has made a major contribution, always, to that tradition. As ranking member, he has more than continued that tradition. He has made a major contribution to it and to the bill that is before us and to the bipartisan flavor of that bill.

While there obviously are and will be differences—which are understandable and appropriate—as he well points out, this is a bill that had unanimous support in the committee. We, in the next week or so, will be hearing differences on issues, including Iraq, and that is totally what we are all about: to express our feelings in a civil way and in a strong way.

But I add my thanks to him for his contribution for so many decades going back. When he speaks about the situation we are in in Iraq, he speaks with not only great feeling but also with great experience, and I think every Member of this body treasures our relationship with Senator MCCAIN and the

experience he brings to this debate. He has the commitment, I hope, of everybody in this body that the debate, as we proceed relative to Iraq or any other issues in this week and next, will proceed in a very civil way.

This issue requires all of the wisdom we can muster, all of the experiences of the various Members, and he has my assurance, and I think he would have the assurance of every Member of this body, that the tone he sets and wants us to maintain will indeed be maintained by this Senate. I am confident of that, and thank him again for his remarks and for his great contribution to this bill.

Madam President, I ask unanimous consent that the Congressional Budget Office cost estimate of the Senate version of the National Defense Authorization Act for Fiscal Year 2008, which was not available when the report on that bill, S. 1547, was filed, be printed in the RECORD.

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

S. 1547—NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

Summary: S. 1547 would authorize appropriations totaling $629 billion for fiscal year 2008 for the military functions of the Department of Defense (DoD), for activities of the Department of Energy (DOE), and for other purposes. That total includes $128 billion for military operations in Iraq and Afghanistan. In addition, S. 1547 would prescribe personnel strengths for each active-duty and selected reserve component of the U.S. armed forces. CBO estimates that appropriation of the authorized amounts would result in additional outlays of $621 billion over the 2008–2012 period.

Including outlays from funds previously appropriated, spending for defense programs authorized by the bill would total about $599 billion in 2008, CBO estimates. The bill also contains provisions that would both increase and decrease costs of discretionary defense programs in future years. Most of those provisions would affect force structure, compensation, and benefits. In total, such provisions would raise costs by $9 billion in 2008 (this amount is included in the above total of $629 billion specifically authorized for that year) and by $4 billion to $6 billion annually over the 2009–2012 period.

The bill contains provisions that would both increase and decrease direct spending from changes to TRICARE For Life, the foreign currency fluctuation account, combat-related special compensation, and other programs. We estimate that those provisions combined would decrease direct spending by $309 million in 2008, $714 million over the 2008–2012 period, and $2.1 billion over the 2008–2017 period. Those totals include estimated net receipts from asset sales of a little under $0.6 billion over the 2008–2017 period. (Under current scorekeeping rules and conventions, asset sale receipts are recorded as a credit against direct spending as long as such sales would not result in a net financial cost to the government—as determined on a present value basis.) In addition, enacting the bill would have a negligible effect on revenues.

Section 4 of the Unfunded Mandates Reform Act (UMRA) excludes from the application of that act any legislative provisions that enforce the constitutional rights of individuals. CBO has determined that section 1022 would fall within that exclusion because it would amend the authority of the President to employ the armed services to protect individuals' civil rights. Therefore, CBO has not reviewed that section of the bill for mandates.

Other provisions of S. 1547 contain both intergovernmental and private-sector mandates as defined in UMRA but CBO estimates that the annual cost of those mandates would not exceed the thresholds established in UMRA ($66 million for intergovernmental mandates in 2007 and $131 million for private-sector mandates in 2007, adjusted annually for inflation).

The bill also contains several provisions that would benefit state and local governments. Some of those provisions would authorize aid for certain local schools with dependents of defense personnel and convey certain parcels of land to state and local governments. Any costs to those governments would be incurred voluntarily as a condition of receiving federal assistance.

Estimated cost to the federal government: The estimated budgetary impact of S. 1547 is summarized in Table 1. Most of the costs of this legislation fall within budget function 050 (national defense).

Basis of estimate: For this estimate, CBO assumes that S. 1547 will be enacted near the start of fiscal year 2008 and that the authorized amount will be appropriated for that year. The estimated outlays from authorizations of regular appropriations are based on historical spending patterns.

TABLE 1.—BUDGETARY IMPACT OF S. 1547, THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008 [a]

	By fiscal year, in millions of dollars					
	2007	2008	2009	2010	2011	2012
SPENDING SUBJECT TO APPROPRIATION						
Spending Under Current Law for Programs Authorized by S. 1547:						
Budget Authority [b]	617,085	0	0	0	0	0
Estimated Outlays	551,703	219,217	79,329	27,802	10,589	4,277
Proposed Changes:						
Authorization of Regular Appropriations for 2008:						
Authorization Level	0	501,033	0	0	0	0
Estimated Outlays	0	320,660	116,444	39,156	12,588	4,993
Authorization of Appropriations for 2008 for Military Operations in Iraq and Afghanistan:						
Authorization Level	0	128,226	0	0	0	0
Estimated Outlays	0	59,054	45,470	15,961	4,751	1,648
Spending Under S. 1547:						
Authorization Level [b]	617,085	629,259	0	0	0	0
Estimated Outlays	551,703	598,931	241,243	82,919	27,928	10,918
CHANGES IN DIRECT SPENDING (INCLUDING ASSET SALES) [c]						
Estimated Budget Authority	0	−112	−138	84	26	54
Estimated Outlays	0	−309	−287	−72	−62	14

[a] Enactment of S. 1547 would have an insignificant effect on federal revenues.

[b] The 2007 level is the amount appropriated for programs authorized by the bill. That figure includes $99.3 billion that was recently provided in Public Law 110–28, the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007. The 2007 level shown here is slightly lower than the comparable figure presented in CBO's cost estimate for H.R. 1585, the National Defense Authorization Act for Fiscal Year 2008, as passed by the House, because H.R. 1585 would authorize appropriations for some existing programs that would not be authorized by S. 1547.

[c] In addition to the direct spending effects shown here, enacting S. 1547 would have additional effects on direct spending after 2012 (see Table 4). The estimated changes in direct spending (including asset sales) would reduce outlays by $2.1 billion over the 2008–2017 period.

Note—For 2008, the authorization levels under "Proposed Changes" include amounts specifically authorized by the bill. As discussed in footnote 1 of the "Summary" to this estimate, the $629 billion that would be authorized by the bill does not include $11 billion in TRICARE For Life accrual payments that will be made under current law. (For additional information on those payments, see the discussion under "Previous CBO Estimates.") The bill also implicitly authorizes some activities in 2009 through 2012; those authorizations are not included above (but are shown in Table 3) because funding for those activities would be covered by specific authorizations in future years.

Spending subject to appropriation: The bill would specifically authorize appropriations totaling $629 billion in 2008 (see Table 2). Nearly all of that amount falls within budget function 050 (national defense), while a small portion—$62 million for the Armed Forces Retirement Home—falls within budget function 600 (income security).

Of the $629 billion in funding for 2008 authorized by the bill for the costs of defense programs, $128 billion of that amount would be for DoD costs associated with continuing operations in Iraq and Afghanistan.

The bill also contains provisions that would both increase and decrease various costs, mostly for changes in end strength, military compensation, and health benefits, that would be covered by the fiscal year 2008 authorization and by authorizations in future years. Table 3 contains estimates of those amounts.

Multiyear procurement. Multiyear procurement is a special contracting method authorized in title 10, United States Code, section 2306b that permits the government to enter into contracts covering acquisitions for more than one year but not more than five years, even though the total funds required for every year are not appropriated at the time the contracts are awarded. As part of such a contract, the government commits to purchase all items specified at the time the contract is signed, including those to be produced and paid for in subsequent years. Because multiyear procurement allows a contractor to plan for more efficient production, such a contract can reduce the cost of an acquisition compared with the cost of buying the items through a series of annual procurement contracts.

Such contracts frequently include provisions that require DoD to pay for unrecovered fixed costs in the event that the contract is canceled before completion. DoD does not budget for, obtain, or obligate funds sufficient to pay for those contractual commitments at the time they are incurred. Authorizing DoD to initiate a multiyear procurement program with such unfunded cancellation liabilities provides contract authority—a form of budget authority—because it allows the department to incur that liability in advance of appropriations. CBO believes that the full cost of such liabilities

should be recorded in the budget at the time they are incurred. The failure to request funding for cancellation liabilities may distort the resource allocation process by understating the cost of decisions made for the budget year and may require future Congresses to find the resources to pay for decisions made today.

TABLE 2.—SPECIFIED AUTHORIZATIONS IN S. 1547

Category	By fiscal year, in millions of dollars—				
	2008	2009	2010	2011	2012
Authorization of Regular Appropriations:					
Department of Defense:					
Military Personnel:					
Authorization Level [a]	109,352	0	0	0	0
Estimated Outlays	103,409	5,411	175	25	0
Operation and Maintenance:					
Authorization Level	166,618	0	0	0	0
Estimated Outlays	127,463	31,030	4,824	1,723	727
Procurement:					
Authorization Level	110,731	0	0	0	0
Estimated Outlays	32,226	41,476	22,272	7,451	3,126
Research and Development:					
Authorization Level	74,208	0	0	0	0
Estimated Outlays	41,037	26,828	4,553	1,051	297
Military Construction and Family Housing:					
Authorization Level	21,784	0	0	0	0
Estimated Outlays	3,037	7,332	6,759	2,488	919
Revolving Funds:					
Authorization Level	2,395	0	0	0	0
Estimated Outlays	1,760	476	86	50	24
General Transfer Authority:					
Authorization Level	0	0	0	0	0
Estimated Outlays	1,000	−200	−400	−200	−100
Subtotal, Department of Defense:					
Authorization Level [a]	485,088	0	0	0	0
Estimated Outlays	309,932	112,353	38,269	12,588	4,993
Atomic Energy Defense Activities [b]:					
Authorization Level	15,883	0	0	0	0
Estimated Outlays	10,676	4,082	887	0	0
Armed Forces Retirement Home:					
Authorization Level	62	0	0	0	0
Estimated Outlays	52	9	0	0	0
Subtotal, Authorization of Regular Appropriations:					
Authorization Level	501,033	0	0	0	0
Estimated Outlays	320,660	116,444	39,156	12,588	4,993
Authorization of Appropriations for Military Operations in Iraq and Afghanistan:					
Military Personnel:					
Authorization Level	12,922	0	0	0	0
Estimated Outlays	12,190	689	17	2	0
Operation and Maintenance:					
Authorization Level	78,117	0	0	0	0
Estimated Outlays	36,478	30,588	7,581	1,940	904
Procurement:					
Authorization Level	32,803	0	0	0	0
Estimated Outlays	8,069	12,685	7,908	2,714	725
Research and Development:					
Authorization Level	1,950	0	0	0	0
Estimated Outlays	1,117	683	111	23	6
Military Construction:					
Authorization Level	753	0	0	0	0
Estimated Outlays	8	309	286	98	38
Revolving Funds:					
Authorization Level	1,681	0	0	0	0
Estimated Outlays	947	569	128	27	10
Special Transfer Authority:					
Authorization Level	0	0	0	0	0
Estimated Outlays	245	−53	−70	−53	−35
Subtotal, Iraq and Afghanistan:					
Authorization Level	128,226	0	0	0	0
Estimated Outlays	59,054	45,470	15,961	4,751	1,648
Total Specified Authorizations:					
Authorization Level [a]	629,259	0	0	0	0
Estimated Outlays	379,714	161,914	55,117	17,339	6,641

[a] As discussed in footnote 1 of the ''Summary'' to this estimate, this figure does not include the effect of an estimated $11 billion in TRICARE For Life accrual payments that will be made under current law. For additional information, see the discussion under ''Previous CBO Estimates.''

[b] These authorizations are primarily for atomic energy activities within the Department of Energy.

TABLE 3.—ESTIMATED AUTHORIZATIONS OF APPROPRIATIONS FOR SELECTED PROVISIONS IN S. 1547

Category	By fiscal year, in millions of dollars				
	2008	2009	2010	2011	2012
FORCE STRUCTURE					
Army and Marine Corps Active-Duty End Strengths	6,683	4,821	4,257	3,292	2,930
Navy and Air Force Active-Duty End Strengths	−583	−935	−966	−1,000	−1,033
Reserve Component End Strengths	306	71	50	52	53
Reserve Technicians	−7	−15	−15	−16	−16
Grade Structure	97	182	248	257	265
COMPENSATION AND BENEFITS (DOD)					
Pay Raise	311	425	439	454	469
Expiring Bonuses and Allowances	2,127	916	370	185	180
Hardship Duty Pay	79	56	33	23	23
Leave Carryover	4	21	22	23	23
Accession Bonus for Health Professional Scholarship	15	15	15	15	15
Special Pays for Medical Officers	8	9	10	10	10
Dental Officer Special Pay	8	8	8	8	8
Loan Repayment for Reserves	1	2	3	4	5
DEFENSE HEALTH PROGRAM					
Discount Drug Pricing	−300	−330	−360	−390	−430
OTHER					
Defense Acquisition Workforce Development Fund	300	725	1,150	1,600	1,625

Notes.—For every item in this table, the 2008 levels are included in Table 2 as amounts specifically authorized to be appropriated by the bill. Amounts shown in this table for 2009 through 2012 are not included in Table 1, because authorizations for those amounts would be covered by specific authorizations in future years.

Figures shown here may not add to numbers in the text because of rounding.

This bill would authorize the Department of Defense to enter into multiyear procurement contracts for three programs: enhancements to the Abrams tank, upgrades to the Bradley Fighting Vehicle, and new Virginia class submarines.

Section 111 would authorize the Army to enter a multiyear contract for up to five years to acquire a number of improvements to M1A1 Abrams tanks over a five-year period. If granted this authority, the Army plans to enter a contract for the 2008–2012 period to modify 577 tanks at a total cost of $1,595 million; it has requested $639 million in 2008 to upgrade 241 tanks. The Army estimates that a multiyear procurement contract for those tank modifications would cost $178 million less than a series of annual procurement contracts for those systems.

Section 112 would authorize the Army to enter a multiyear contract to acquire a number of improvements to the Bradley Fighting Vehicle. According to budget documents provided by the Army, the service would use this authority to enter a contract for the 2008–2011 period to modify 965 vehicles at a total cost of $2,310 million; it has requested $1,151 million in 2008 to upgrade 525 vehicles. The Army estimates that a multiyear procurement contract for those modifications would cost $131 million less than a series of annual procurement contracts for those systems.

Section 131 would authorize the Navy to enter a multiyear contract for Virginia-class submarines beginning in fiscal year 2009. The Navy plans to enter a contract for the 2009–2013 period to purchase seven submarines at a total cost of $19.1 billion; it has requested $703 million in 2008 to buy certain components in economic quantities and to order items that have lengthy production times. The Navy estimates that a multiyear procurement contract would cost $2.9 billion less than a series of annual procurement contracts for those vessels.

Force structure. The bill would affect force structure by setting end-strength levels for the various military services and by increasing the number of personnel in higher pay grades.

Military end strength. Title IV would authorize end-strength levels in 2008 for active-duty personnel and personnel in the selected reserves of about 1,370,000 and 850,000, respectively. Of those selected reservists, about 76,000 would serve on active duty in support of the reserves. In total, active-duty end strength would increase by about 4,000 and selected-reserve end strength would decrease by about 5,000 when compared to levels authorized for 2007.

Section 401 would authorize increases to the active-duty end strengths of the Army and Marine Corps relative to the personnel levels authorized for 2007. CBO estimates that those increases—13,000 additional personnel for the Army and 9,000 for the Marine Corps—would increase costs to DoD by about $7 billion in 2008 and about $22 billion over the 2008–2012 period. Those costs include the pay and benefits of the additional personnel, as well as costs for operation and maintenance, procurement, and construction.

Section 401 also would decrease the Navy's active-duty end strength by 12,300 and the Air Force's active-duty end strength by 5,600. CBO estimates that, combined, those decreases in end strength would cut costs for salaries and other expenses by about $580 million in the first year and about $1 billion annually in subsequent years.

Sections 411 and 412 would authorize the end strengths for the reserve components, including those full-time reservists who serve on active duty in support of the reserves. Under this bill, the selected reserve would experience a net decrease in end strength of 4,900, with the Navy Reserve and Air Force Reserve losing personnel while the Army Reserve and National Guard would see an increase. However, the cost savings from that net decrease would be more than offset by the cost of an increase of 1,900 in the number of reservists who serve on active duty in support of the reserves. CBO estimates that the net result of implementing those provisions would be an increase in costs for salaries and other expenses for selected reservists of $306 million in 2008 and about $50 million a year thereafter as compared to the authorized end-strength levels for 2007. Costs would be higher in 2008 and 2009 than in later years as a result of the need to procure new equipment for the additional Army National Guard personnel.

In addition, sections 413 and 414 would authorize the minimum end-strength level for military technicians, who are federal civilian personnel required to maintain membership in a selected reserve component as a condition of their employment. Under this bill, the required number of technicians would decrease by 128 relative to the levels currently authorized. CBO estimates the savings in civilian salaries and expenses that would result from fewer military technicians would be about $7 million in 2008 and about $15 million annually thereafter, as compared to the minimum end-strength levels for technicians in 2007.

The bill also would authorize an end strength of 10,000 servicemembers in 2008 for the Coast Guard Reserve. Because this authorization is the same as that under current law, CBO does not estimate any additional costs for this provision.

Grade structure. Sections 501, 502, and 521 would increase the number of servicemembers in certain grades. Sections 501 and 502 would increase the number of officers authorized to serve as majors in the Army and as lieutenant commanders, commanders, and captains in the Navy. Section 521 would allow the services to increase the percentage of personnel serving in the pay-grade of E–9 from 1 percent of the enlisted force to 1.25 percent. Those changes would not increase the overall end strength, but would result in more promotions to those ranks. CBO estimates that the additional pay and benefits associated with promoting personnel to those higher grades would be about $100 million in 2008 and $1 billion over the 2008–2012 period.

Compensation and benefits. S. 1547 contains several provisions that would affect military compensation and benefits for uniformed personnel. The bill would specifically authorize regular appropriations of $109 billion and additional appropriations for operations in Iraq and Afghanistan of $13 billion for costs of military pay and allowances in 2008.

Pay raise. Section 601 would raise basic pay for all individuals in the uniformed services by 3.5 percent, effective January 1, 2008. CBO estimates the total cost of a 3.5 percent raise in 2008 would be about $2.2 billion. Because the pay raise would be above that projected under current law (under current law a 3 percent across-the-board increase would go into effect on January 1, 2008), CBO estimates that the incremental cost associated with the larger pay raise would be about $311 million in 2008 and $2.1 billion over the 2008–2012 period.

Bonuses and allowances. Sections 611 through 614 would extend DoD's authority to pay certain bonuses and allowances to military personnel. Under current law, most of these authorities are scheduled to expire in December 2007. The bill would extend these authorities for another year. Based on data provided by DoD, CBO estimates that: Authorities to make special payments and give bonuses to certain health care professionals would cost $26 million in 2008 and $15 million in 2009; special payments for aviators and personnel qualified to operate and maintain naval nuclear propulsion plants would cost $104 million in 2008 and $72 million in 2009; retention and accession bonuses for officers and enlisted members with critical skills would cost $95 million in 2008 and $42 million in 2009; payment of reenlistment bonuses for active-duty and reserve personnel would cost $1.2 billion in 2008 and $451 million in 2009; and enlistment bonuses for active-duty and reserve personnel would cost $638 million in 2008 and $330 million in 2009.

Most of these changes would result in additional, smaller costs in subsequent years because many payments are made in installments. In total, extending authority for the expiring bonus and allowances would cost about $2.1 billion in 2008 and $3.8 billion over five years.

Hardship duty pay. Section 617 would increase the maximum allowable amount of hardship duty pay from $750 per month to $1,500 per month. The Army reports that it would use this additional authority as part of its ''Warrior Pay'' program, which would provide extra incentives to military personnel who make frequent deployments to combat zones. Based on information from the Army, CBO estimates the total cost of implementing this section would be $79 million in 2008 and $214 million over the 2008–2012 period. Costs would be lower in later years because CBO expects overseas deployments will decrease.

Leave carryover. Section 591 would allow servicemembers to carry up to 90 days of leave from one year to the next and also would allow members to sell accumulated leave in excess of 120 days back to the government. Under current law, members may carryover a maximum of 60 days of leave at the end of each fiscal year, unless they have recently participated in a contingency operation, in which case they can carry over up to 120 days of leave. Section 591 would increase the maximum carryover allowed to 90 days for members who have not participated in a contingency operation.

When members reenlist or separate, they are currently allowed to sell up to 60 days of leave back to the government. However, increasing the amount of leave carried over from year to year would increase the average amount of leave sold back to the government, even within the 60-day buyback limit. According to data from DoD, in 2006, almost 150,000 personnel were each paid for an average of 19 days of leave at a total cost of about $250 million. Based on an analysis of current leave balances provided by the Defense Finance and Accounting Service, CBO estimates that increasing leave carryover to 90 days would increase the average amount of leave sold back to the government by about 7 percent. This would increase the annual cost of payments for unused leave by about $17 million beginning in fiscal year 2009.

In addition, section 591 would allow members to sell accumulated leave in excess of 120 days back to the government. Based on data from DoD, CBO estimates that, each year, about 2,000 servicemembers will have leave in excess of 120 days—about 131 days of leave, on average, for that group. The cost to DoD to buy back those extra days would be about $155 per person per day, so that the cost would be about $4 million in 2008 and $21 million over the 2008–2012 period. When combined with the increase in leave carryover, CBO estimates the total cost of implementing section 591 would be $4 million in 2008 and $93 million over the 2008–2012 period.

Accession bonus for health professions scholarship. Section 624 would allow DoD to

award accession bonuses of up to $20,000 to students who enroll in the Health Professions Scholarship and Financial Assistance Programs. Those programs pay the tuition and stipends of medical students who agree to serve in the armed forces upon completion of their studies. Because the armed forces are having difficulty recruiting medical professionals, CBO believes that DoD would use the maximum amount of this authority if funding were made available. Based on data from DoD, CBO estimates about 750 students would enroll in the program and receive this bonus each year, and that the total cost of implementing section 624 would be $15 million in 2008 and $74 million over the 2008–2012 period.

Special pay for medical officers. Section 615 would increase the maximum allowable amounts for both incentive special pay and the multiyear retention bonus for medical officers from $50,000 to $75,000 for each year the officer agrees to remain in the armed forces. There are currently only three medical specialties that are paid at, or near, the current maximum amounts: neurologists, radiologists, and anesthesiologists. The total number of personnel in those specialties is currently about 630, although to qualify for incentive special pay medical officers must first complete their initial service agreements with DoD, and to qualify for the retention bonus an officer must have at least eight years of service. Based on DoD data, CBO estimates that about 50 percent of those 630 people would be eligible for the increased incentive special pay and about 15 percent would receive the higher retention bonus. CBO estimates the total cost of implementing this section would be $8 million in 2008 and $48 million over the 2008–2012 period.

Dental officer special pay. Section 616 would increase additional special pay for dental officers with less than 10 years of service by $6,000 per year. Currently, those personnel receive either $4,000 or $6,000 per year depending on their seniority. This section would increase those amounts to $10,000 and $12,000. Based on data from DoD, CBO estimates about 1,350 dentists would receive the increase in additional special pay if this section were enacted, for a cost of $8 million in 2008 and $41 million over the 2008–2012 period.

Loan repayment for reserves. Section 672 would expand DoD's education loan repayment program to include officers in the selected reserve. Enlisted reservists are currently eligible to receive benefits under this program. Assuming that officer enrollment in this program would be proportionate to that of enlisted members with college degrees, CBO estimates that DoD would initiate loan repayment for about 620 reserve officers each year if this authority were enacted. CBO estimates the average amount of the loan repayments would total about $7,000 per person and would be paid over six years in annual increments of about $1,200, so that the total cost of this section would be $1 million in 2008 and $14 million over the 2008–2012 period.

Discount drug pricing. Under current law, DoD is one of several federal agencies that receives from pharmaceutical makers a significantly reduced price for drugs on the Federal Supply Schedule (FSS). Through this program, DoD is able to procure at a discount the drugs that it provides to beneficiaries through its hospital pharmacies and mail-order program. However, under DoD's TRICARE programs, beneficiaries can also fill prescriptions at retail pharmacies. Many drug manufacturers have refused to provide discounted prices to DoD for medications provided to beneficiaries in that manner.

Section 701 would require drug manufacturers to provide FSS pricing on purchases covered by TRICARE at retail pharmacies. Based on information from DoD about prescriptions filled at retail pharmacies by active-duty dependents and retirees and their dependents under age 65, CBO estimates that implementing this section could result in savings of about $300 million in 2008 and about $1.8 billion over the 2008–2012 period. This estimate is based on the difference between what DoD currently pays drug manufacturers for prescriptions filled at retail pharmacies and the FSS prices for those drugs. The estimate takes into account price inflation, projected increases in drug usage, and a growing active-duty population, resulting in increased savings in future years. (See the discussion in the ''Direct Spending'' section for CBO's evaluation of this provision on the mandatory TRICARE For Life program.)

Defense acquisition workforce development fund. Section 844 would establish the Defense Acquisition Workforce Development Fund to dedicate funding for recruiting, training, and retaining acquisition personnel in excess of the levels DoD is currently using for those purposes. Military services and defense agencies would be required to deposit into the fund in each fiscal year a percentage of the funds expended in that year on contracts for services, other than services related to research and development or construction. That percentage would increase in even steps from 0.5 percent of such expenditures in 2008 to 2 percent in 2011 and thereafter.

Based on information from the Federal Procurement Data System, CBO estimates that DoD will expend approximately $75 billion to $80 billion each year on contracts for services covered under this provision. The required deposit would be in addition to the amounts necessary to pay for the performance of the services contracts. CBO estimates that implementing section 844 would increase personnel and training costs by about $5.5 billion over the 2008–2012 period. Most of the deposits to the fund would be related to expenditures of future appropriations. Those discretionary costs would total $300 million in 2008 and $5.4 billion over the 2008–2012 period. The remainder of the deposits, which would be related to the expenditure of funds that were appropriated in fiscal year 2007 and in prior years, would constitute direct spending. Those costs are described later in this estimate.

Direct spending: The bill contains provisions that would increase and decrease direct spending from changes to TRICARE For Life, the foreign currency fluctuation account, combat-related special compensation, and other programs. S. 1547 also would increase receipts from asset sales, as discussed in the following section. We estimate that those provisions combined would decrease direct spending by $309 million in 2008, $714 million over the 2008–2012 period, and $2,088 million over the 2008–2017 period (see Table 4).

TABLE 4.—DIRECT SPENDING, ASSET SALES, REVENUES

[By fiscal year, in millions of dollars]

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Total 2008–2012	Total 2008–2017
CHANGES IN DIRECT SPENDING (EXCLUDING ASSET SALES)												
Discount Drug Pricing:												
Estimated Budget Authority	−360	−390	−420	−460	−500	−540	−580	−630	−680	−740	−2,130	−5,300
Estimated Outlays	−360	−390	−420	−460	−500	−540	−580	−630	−680	−740	−2,130	−5,300
Transfers to Foreign Currency Account:												
Estimated Budget Authority	200	300	500	500	500	0	0	0	0	0	2,000	2,000
Estimated Outlays	100	200	400	450	500	250	100	0	0	0	1,650	2,000
Combat-Related Special Compensation:												
Estimated Budget Authority	7	70	98	65	67	69	72	74	76	79	308	678
Estimated Outlays	7	70	98	65	67	69	72	74	76	79	308	678
Aviation War Risk Insurance:												
Estimated Budget Authority	−80	−160	−120	−60	−10	30	200	240	210	150	−430	400
Estimated Outlays	−80	−160	−120	−60	−10	30	200	240	210	150	−430	400
Multiyear Contracts for Renewable Electricity:												
Estimated Budget Authority	80	80	80	80	80	80	0	0	0	0	400	480
Estimated Outlays	8	16	24	32	40	48	48	48	48	48	120	360
Early Reserve Retirement:												
Estimated Budget Authority	*	2	6	11	16	20	28	35	43	52	35	213
Estimated Outlays	*	2	6	11	16	20	28	35	43	52	35	213
Defense Acquisition Workforce Development Fund:												
Estimated Budget Authority	90	30	20	0	0	0	0	0	0	0	140	140
Estimated Outlays	65	45	20	10	0	0	0	0	0	0	140	140
Spending of Reimbursements from Palau:												
Estimated Budget Authority	*	*	*	*	*	*	*	*	*	*	1	3
Estimated Outlays	*	*	*	*	*	*	*	*	*	*	1	2
Extension of FEGLI for Reservists:												
Estimated Budget Authority	1	*	*	*	*	*	*	*	*	*	1	1
Estimated Outlays	1	*	*	*	*	*	*	*	*	*	1	1
Subtotal:												
Estimated Budget Authority	−62	−68	164	136	153	−341	−280	−281	−351	−459	325	−1,385
Estimated Outlays	−259	−217	8	48	113	−123	−132	−233	−303	−411	−305	−1,506
ASSET SALES												
National Defense Stockpile:												
Estimated Budget Authority	−50	−70	−80	−110	−99	−70	−60	−43	−0	−0	−409	−582
Estimated Outlays	−50	−70	−80	−110	−99	−70	−60	−43	−0	−0	−409	−582
Total Changes:												
Estimated Budget Authority	−112	−138	84	26	54	−411	−340	−324	−351	−459	−84	−1,967

TABLE 4.—DIRECT SPENDING, ASSET SALES, REVENUES—Continued

[By fiscal year, in millions of dollars]

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Total 2008–2012	Total 2008–2017
Estimated Outlays	−309	−287	−72	−62	14	−193	−192	−276	−303	−411	−714	−2,088

Notes.—FEGLI = Federal Employees' Group Life Insurance.
* = less than $500,000.
Components may not sum to totals because of rounding.

Discount drug pricing. Under current law, DoD is one of several federal agencies that receives from pharmaceutical makers a significantly reduced price for drugs on the Federal Supply Schedule (FSS). Through this program, DoD is able to procure at a discount the drugs that it provides to beneficiaries through its hospital pharmacies and mail-order program. However, under DoD's TRICARE programs, including the TRICARE For Life program for retirees and their dependents age 65 and over, beneficiaries can also fill prescriptions at retail pharmacies. Many drug manufacturers have refused to provide discounted prices to DoD for medications provided to beneficiaries in that manner.

Section 701 would require drug manufacturers to provide FSS pricing on purchases covered by TRICARE at retail pharmacies. Based on information from DoD about prescriptions filled at retail pharmacies by retirees and their dependents age 65 and over, CBO estimates that implementing this section could reduce direct spending by about $360 million in 2008, $2.1 billion over the 2008–2012 period, and $5.3 billion over the 2008–2017 period. This estimate is based on the difference between what DoD currently pays drug manufacturers for prescriptions filled at retail pharmacies and the FSS prices for those drugs. The estimate takes into account price inflation and projected increases in drug usage, resulting in increased savings in future years. (See the above discussion under ''Spending Subject to Appropriation'' for CBO's evaluation of this provision on the discretionary TRICARE program for active-duty dependents and those retirees and their dependents under age 65.)

Transfers to the foreign currency account. Section 1007 would enhance DoD's ability to use expired appropriations to cover the costs of certain contracts and projects which are financed using foreign currencies. CBO estimates that section 1007 would increase direct spending outlays by $100 million in 2008, $1.7 billion over the 2008–2012 period, and $2 billion over the 2008–2017 period.

Under current law, most appropriations are available for obligation for a specified number of years and, after that time, they expire and cease to be available for new obligations. Once expired, however, those balances can be used during the following five years to record, adjust, or liquidate existing obligations. At the end of that five-year period, any remaining balances are cancelled. Appropriations for military personnel and for operation and maintenance generally are available for obligation for one year, except as discussed below.

Current law also contains another use for certain DoD funds that have expired. Title 10 of the U.S. Code, section 2779, allows DoD to transfer expired appropriations from its military personnel and operation and maintenance accounts into its Foreign Currency Fluctuations, Defense (FCF,D) account, provided that the transfer occurs within two years of when the applicable appropriation expired, and that the account balance does not exceed $970 million at the time the transfer is made. Funds in the account can then be transferred back to the military personnel and operation and maintenance accounts and be obligated to cover ''losses'' that occur when actual exchange rates are less favorable than the exchange rates that DoD used in formulating its budget. If those transfers—to cover such losses—prove to exceed DoD's requirements, the department can once again transfer funds back to the FCF,D account within a corresponding two-year period. In addition, if actual exchange rates prove more favorable than DoD's forecast, the department can transfer those ''gains'' into the FCF,D account.

Section 1007 would extend—from two years to five years—the time period that DoD could transfer expired balances from the military personnel and operation and maintenance accounts to the FCF,D account. This would result in a reappropriation of funds by allowing existing appropriations that are currently expired—or that will otherwise expire under current law—to become newly available for obligation.

Under section 1007, DoD would have access to a larger pool of balances that could be transferred into the FCF,D account because under the existing two-year limit, DoD's program managers are reluctant to allow such transfers when those balances may ultimately be needed to adjust or liquidate obligations in later years. Under section 1007, once the life of the balances approach the end of the applicable five-year period, managers would likely allow almost all such balances to be transferred because those funds would otherwise be cancelled.

During the 2002–2006 period, transfers of expired balances ranged from $0.6 billion to $1.9 billion annually. Based on DoD's past use of expired balances to cover currency losses, on the expanded pool of balances that would be available to cover currency losses, and considering the inherent uncertainty in forecasting exchange rates, CBO estimates that enacting this section would result in reappropriations of about $200 million in 2008 and about $2 billion over the 2008–2012 period. Outlays would total about $100 million in 2008, $1.7 billion over the 2008–2012 period, and roughly $2 billion over the 2008–2017 period.

Under current law almost all applicable balances from appropriations provided in 2007 and prior years will be cancelled after 2012. Therefore, CBO estimates that no balances would be reappropriated in 2013 or in later years. However, when the Congress provides DoD with appropriations for 2008 and future years, DoD would ultimately spend a higher percentage of those funds if section 1007 is enacted into law. That added spending is not reflected in Table 4 because those outlays would be subject to future appropriation actions.

Combat-Related Special Compensation (CRSC). Currently, disabled servicemembers who are allowed to retire with less than 20 years of service see their retirement annuity offset or reduced by any amount of disability compensation that they receive from VA. Retirees who have served 20 or more years in the service and whose VA-rated disability is related to combat, hazardous duty, or military training are eligible to receive CRSC. This compensation replaces part or all of the portion of their retirement annuity that is offset by VA disability compensation. Section 653 would allow disability retirees with less than 20 years of service to receive CRSC. Based on information from DoD, CBO estimates that enacting this provision would increase direct spending by $7 million in 2008, $308 million over the 2008–2012 period, and $678 million over the 2008–2017 period.

Aviation war-risk insurance. Under current law, the Federal Aviation Administration (FAA) offers a commercial aviation insurance program that, for a premium, insures air carriers and certain manufacturers against liabilities arising from losses caused by terrorist events. The FAA also offers a non-premium insurance program to air carriers that participate in the Civil Reserve Air Fleet (CRAF). The FAA's authority to operate both of those programs is scheduled to expire on March 30, 2008. Section 353 would extend those programs through December 31, 2013. CBO estimates that extending the CRAF program through 2013 would have no significant budgetary impact; however, extending the FAA's authority to offer commercial aviation insurance through 2013 would reduce net direct spending by $80 million in 2008 and $430 million over the 2008–2012 period, but would increase net direct spending by $400 million over the 2008–2017 period.

Those long-term net costs result because CBO assumes that the FAA would continue to offer commercial aviation insurance at rates that would not fully offset the government's cost of providing that coverage. Based on information from the FAA about current rates, CBO estimates that increased offsetting receipts from premiums (which are credited against direct spending) would total $1.1 billion over the 2008–2014 period. CBO also estimates, however, that payments for expected losses under section 353 would cost $1.5 billion over the next 10 years, with residual spending after 2017.

CBO cannot predict how much insured damage terrorists might cause to air carriers and manufacturers in any specific year. Instead, our estimate of the cost of commercial aviation insurance under section 353 represents an expected value of payments from the program—a weighted average that reflects the probabilities of various outcomes, from zero damages up to very large damages caused by possible future terrorist attacks. The expected value can be thought of as the amount of an insurance premium that would be necessary to just offset the risk of providing this insurance; indeed, our estimate of the expected cost of implementing section 353 is based on actual premiums for terrorism insurance that have been paid by non-U.S. air carriers that must purchase such insurance from the private sector. Our estimate also recognizes that some costs faced by private insurance firms are not borne by the federal government. While this cost estimate reflects CBO's best judgment on the basis of available information, such future costs are a function of inherently unpredictable future terrorist attacks. Actual costs could fall anywhere within an extremely broad range.

Multiyear contracts for renewable energy. Section 826 would allow DoD to enter contracts for a term of up to 10 years to purchase electricity from renewable sources such as wind or solar power generators. Based on information from DoD, CBO expects that the department would commit to

purchasing a guaranteed amount of electricity as part of those contracts, to encourage producers to invest in renewable energy generation equipment and to enable them to acquire financing at favorable interest rates.

When the government enters a contract with a guaranteed purchase amount, it incurs a legal obligation for the full cost of those purchases. However, when DoD has used other multiyear contracting authorities in the past, it has typically obtained budget authority and recorded obligations only for the payments that were due in the first year of the contract, even though its actual contractual obligation exceeded that amount. That method of implementing multiyear procurement authority provides DoD with contract authority—a form of budget authority—because it allows the department to incur an obligation in excess of available appropriations. Budget authority for the full cost of such contracts should be recorded at the time it is signed and outlays should be recorded over the term of the contracts as payments are made for the electricity consumed.

Under current law, DoD is required to obtain 7.5 percent of its electricity from renewable energy sources by 2013. It currently gets about 4 percent of its electricity from such sources. If section 826 were enacted, CBO estimates that DoD would use multiyear contracts to purchase half the additional renewable electricity it needs—nearly 500,000 megawatt hours per year—to meet that requirement. The cost of renewable energy would vary based on the mix of wind, solar, and biomass power generators that were used; CBO estimates that DoD would pay roughly $100 per megawatt hour of renewable electricity. CBO assumes that over a six-year period, DoD would initiate a series of 10–year contracts for even increments of additional electricity at a cost of $80 million per year until it was acquiring 500,000 megawatt hours of electricity from renewable sources by 2013. Under such contracts, direct spending would increase by $8 million in 2008, $120 million over the 2008–2012 period, and $360 million over the 2008–2017 period. The first group of multiyear contracts that would be initiated in 2008 would expire after 2017. At that time, the department would need to enter new contracts for renewable electricity to continue to satisfy the requirement in current law. CBO estimates that in total, such contracts would increase direct spending by about $50 million each year after 2017.

Early reserve retirement. Under current law, members of the reserve components may not receive retirement annuities for their service until they reach 60 years of age. Section 655 would allow retired reservists to receive such annuities earlier if they were called to active duty as a reservist and served for at least 90 days. Under this proposal, for every 90 days a reservist is activated after passage of S. 1547, they would be eligible to begin receiving their retirement annuities 90 days earlier than they otherwise would. Relatively few reservists would be able to take advantage of this provision in the near future. As most reservists stop active participation in the reserves well before their 60th birthday, few reservists nearing retirement over the next decade will have served on active duty during that decade. Therefore, the full annual costs of this provision would occur more than 10 years after enactment and are not reflected in this estimate. Based upon information from DoD, CBO estimates that enacting this provision would have an insignificant effect on direct spending in 2008, and would increase direct spending by about $35 million over the 2008–2012 period and $213 million over the 2008–2017 period.

Defense Acquisition Workforce Development Fund. Section 844 would establish the Defense Acquisition Workforce Development Fund to dedicate funding for recruiting, training, and retaining acquisition personnel in excess of the levels DoD is currently using for those purposes. Deposits to the fund would be based on a percentage of expenditures on contracts for services in a given year. CBO estimates that over the 2008–2010 period more than $23 billion will be expended on such contracts from funds that have already been appropriated.

Most contracts for services are paid from appropriations for operation and maintenance, which generally are available for obligation for only one year. For the following five years, those funds—now expired—are available only to record, adjust, or liquidate existing obligations to the account. At the end of that five-year period, any remaining balances are cancelled. (Over $1 billion in unexpended balances of operation and maintenance funds are cancelled each year.) Expired, unobligated balances are available to pay for an increase in the cost of contracts for which funds were obligated during the period of availability. CBO expects that the department would treat the requirement to make deposits into the Fund as an increase in the cost of the contracts on which such deposits are based, thus allowing it to use expired, unobligated balances to make the required deposits for expenditures of funds that were appropriated prior to enactment of this bill. Thus, this section would make those expired balances available for expenditure, resulting in a reappropriation of those funds. CBO estimates that those reappropriations would increase direct spending by $65 million in 2008 and $140 million over the 2008–2011 period. (This section would also require DoD to make deposits based on the expenditure of funds that have yet to be appropriated. Those deposits are discretionary costs and are discussed above in the section on ''Spending Subject to Appropriation.'')

Spending of reimbursements from Palau. Section 1213 would allow DoD to spend reimbursements from the government of Palau. Under current law, Palau reimburses the United States for the cost of providing military civic action teams and those receipts—about $250,000 annually—are deposited into the U.S. Treasury. CBO estimates that enacting section 1213 would cost less than $500,000 in every year, and would cost a total of $1 million over the 2008–2012 period and $2 million over the 2008–2017 period.

Extension of Federal Employees Group Life Insurance (FEGLI) for reservists. Civilian employees of the federal government are entitled to purchase life insurance under the FEGLI program. Under current law, that insurance coverage may be continued for up to 12 months for reservists who are called to active military service. Section 1103 would extend FEGLI coverage for up to 24 months of active military service. This extension of coverage would initially increase net outlays from the Employees Life Insurance Fund because private insurers would most likely increase the premiums they charge the federal government. However, in later years, the Employees Life Insurance Fund would offset those additional costs by increasing the amount participating employees are required to contribute to the fund. CBO estimates that the net cost of implementing this section would be $1 million in 2008 and $1 million over the 2008–2017 period.

Housing leases in Korea. DoD has authority under title 10 of the U.S. Code, section 2828, to lease 2,800 family housing units in Korea, at a maximum cost of $35,000 per unit per year. Under current law, that cost limit is adjusted for the change in the consumer price index since 2003, and for the change in the foreign currency exchange rate since 1988. Section 2812 would increase the unadjusted cost limit to $35,050 per unit.

The department has requested that the cost limit on the authority in current law be increased so that it can acquire family housing through build-to-lease contracts. In a build-to-lease agreement, the government contracts with a developer to build a specified number of housing units in a specified location for use by military personnel. According to DoD, the military services often agree to a fixed lease term—currently limited to a maximum of 15 years in Korea—with renewal options for additional periods of time. Those renewal options can extend the duration of the lease term to 30 years or more. Based on the government's commitment to lease the housing, the developer borrows money to pay for construction of the units, using the promised payments from the government to demonstrate to lenders a reliable source of income for debt service.

CBO believes that acquiring military housing through a build-to-lease contract is a governmental activity that uses a private-sector intermediary to serve as an instrument of the federal government by borrowing funds to finance the construction of housing on the government's behalf. Those build-to-lease agreements should be considered acquisitions rather than leases for several reasons. First, the housing would be constructed at the request of the government to fill an enduring need for housing for DoD personnel. Second, because the government would agree to lease the housing for up to 15 years, and may extend the lease term for additional years under renewal options, the government would likely consume most of the useful economic life of the housing. Third, the need for at least 15 years of government commitment to obtain financing indicates that there may not be a private-sector market for the new housing. Finally, the government would be the dominant or only source of income for such projects. Lease payments are made directly by the government to the housing developer. If the lease is terminated before the end of the fixed term, or before the end of any exercised lease options, the government is liable for early termination costs, which, under DoD's current practice, are not funded in the budget when the lease is signed. The federal government also agrees to pay rent on all the units it leases, regardless of whether they are occupied by DoD personnel or are vacant.

The acquisition cost of the housing that would be acquired using the authority is determined by calculating the present value of 15 years of lease payments less the portion of those payments needed for operating and maintenance costs. That amount should be recorded as budget authority in the year the lease is signed, and outlays should be recorded over the construction period. Instead, DoD treats such arrangements as operating leases, by recording each year's lease payments on an annual basis. (The department may not record any obligations in the year it enters a contract for the housing because such housing takes more than one year to build and the first payment would not be due until construction was completed.) By using the authority to incur an obligation in advance of appropriations, current law provides contract authority, which is a form of direct spending.

According to DoD, the lease payment under the current cost limit calculation do not provide enough income for housing developers in Korea to recover their construction costs during the initial 15-year term of the lease. Because it increases the cost limit by only $50 per unit, CBO believes that section 2812 is unlikely to facilitate additional build-to-lease contracts in Korea, and thus would have no effect. If such contracts were feasible under the increased limit, DoD could acquire housing worth $575 million, CBO estimates.

Other provisions. The following provisions would have an insignificant budgetary impact on direct spending:

Section 504 would clarify the maximum age of service for certain general and flag officers.

Section 534 would set to 38 the maximum years of service for reserve officers in the grade of lieutenant general or vice admiral, aligning such limit with that for the active duty force.

Section 652 would allow guardians or caretakers of dependent children to be designated beneficiaries under the Survivor Benefit Plan.

Section 682 would change the treatment of overseas residence relating to certain immigration benefits for military spouses and children.

Section 825 would extend by five years the authority for the Defense Advanced Research Projects Agency (DARPA) to provide services to nongovernmental organizations and enter into unconventional cooperative agreements with private contractors for research relating to the development of advanced weapons systems. This provision also would extend the authority for DARPA to collect and spend reimbursements for any services rendered.

Section 934 would authorize DoD to operate a Western Hemisphere Center for Excellence in Human Rights. This provision would allow the center to accept and spend donations to help defray operating costs.

Section 1024 would make permanent the authority of the Secretaries of the Army, Navy, and Air Force to accept gifts on behalf of members of the Armed Forces and of civilian employees of DoD who are injured in the line of duty.

Section 1030 would prohibit DoD from selling parts for the F–14 fighter aircraft, except to museums or to other organizations in the United States that work to preserve F–14 fighter aircraft for historical purposes. (DoD can spend the proceeds from any such sales without future appropriation action.)

Asset sales—National Defense Stockpile: Enacting the bill would lead to increased receipts from the sale of material in the National Defense Stockpile. Those additional sales would reduce direct spending by $409 million over the 2008–2012 period and by $582 million over the 2008–2015 period.

Section 1413 would increase by $129 million the target contained in the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; later revised by Public Laws 108–136 and 109–163) for continual sales of chromium and beryllium from the National Defense Stockpile. CBO estimates that the additional sales would begin in 2010 and that there would be sufficient quantities of those materials in the stockpile to complete those additional sales by 2012. Thus, CBO estimates that this section would increase receipts from stockpile sales by $129 million over the 2010–2012 period.

Section 1413 also would increase by $453 million the target contained in the National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; later revised by Public Laws 106–398, 107–107, 108–375, 109–163, and 109–364) for continual sales of tungsten from the National Defense Stockpile, and it would extend sales through fiscal year 2015. CBO estimates that there would be sufficient quantities of tungsten in the stockpile to achieve additional receipts of $50 million in 2008, $280 million over the 2008–2012 period, and $453 million over the 2008–2015 period.

In addition to the increased targets, section 1413 initially would limit the sales of ferromanganese from the National Defense Stockpile to no more than 50,000 tons in 2008. Additional sales of up to 50,000 tons of ferromangenese would be allowed if the market demand was sufficient. Based on recent sales, CBO estimates that the provision would not reduce sales because market demand would be sufficient to allow for the continued sales of ferromangenese at planned levels.

Section 1413 also would allow for additional sales of 500 tons of chrome metal (up from planned levels of 500 tons) if the market demand was sufficient. CBO estimates that this provision would have no significant budgetary effect because recent sales suggest that those additional sales would not occur.

Revenues: Sections 934 and 1024 would allow DoD to accept and spend gifts. Such donations are classified as revenues. CBO expects, however, that enactment of those sections would not have a significant effect on revenues.

Intergovernmental and private-sector impact: Section 4 of the Unfunded Mandates Reform Act excludes from the application of that act any legislative provisions that enforce the constitutional rights of individuals. CBO has determined that section 1022 would fall within that exclusion because it would amend the authority of the President to employ the armed services to protect individuals' civil rights. Therefore, CBO has not reviewed that section of the bill for mandates.

Other provisions of S. 1547 contain both intergovernmental and private-sector mandates as defined in UMRA but CBO estimates that the annual cost of those mandates would not exceed the thresholds established in UMRA ($66 million for intergovernmental mandates in 2007 and $131 million for private-sector mandates in 2007, adjusted annually for inflation).

Increasing the end strength of the armed services: Sections 401 and 412 would increase the costs of complying with existing intergovernmental and private-sector mandates as defined in UMRA by increasing the number of servicemembers and reservists on active duty. Those additional servicemembers would be eligible for protection under the Servicemembers Civil Relief Act (SCRA) including the right to maintain a single state of residence for purposes of state and local personal income taxes and the right to request a deferral in the payment of certain state and local taxes and fees. SCRA also requires creditors to reduce the interest rate on servicemembers' obligations to 6 percent when such obligations predate active-duty service and allows courts to temporarily stay certain civil proceedings, such as evictions, foreclosures, and repossessions. Extending these existing protections would constitute intergovernmental and private-sector mandates and could result in additional lost revenues to government and private-sector entities.

The number of active-duty servicemembers covered by SCRA would increase by less than 1 percent in fiscal year 2008. CBO expects that relatively few of these servicemembers would take advantage of the deferrals in certain state and local tax payments; the lost revenues to those governments would be insignificant.

CBO does not have sufficient information to estimate precisely the increase in costs of existing private-sector mandates. Servicemembers' utilization of the various provisions of the SCRA depends on a number of uncertain factors, including how often and how long they are deployed. Nonetheless, because the increase in the number of active-duty servicemembers covered by SCRA would be less than 1 percent, CBO expects that the increased costs to the private sector caused by those new servicemembers utilizing SCRA would be small.

Prohibiting the sale by Department of Defense of parts for F–14 fighter aircraft: Section 1030 contains a private-sector mandate as defined by UMRA because it would prohibit the sale of any parts of the F–14 aircraft by the Department of Defense. It also would prohibit the United States government from issuing an export license for sale of F–14 aircraft parts. Those prohibitions would be a mandate upon U.S. persons or entities that purchased F–14 parts legally from the Department of Defense with the intention to resell the aircraft parts.

The cost of the mandate to the private sector, if any, would be the amount certain United States persons and entities have already paid to purchase the F–14 parts from the Department of Defense added to the foregone profit attributable to the prohibition of resale of the F–14 parts. From April 2006 to December 2006, F–14 parts were sold for a total of $38,000. As a result, CBO estimates that the cost, if any, to comply with that mandate would be minimal.

Providing benefits to state and local governments: This bill contains several provisions that would benefit state and local governments. Some of those provisions would authorize aid for certain local schools with dependents of defense personnel and convey certain parcels of land to state and local governments. Any costs to those governments would be incurred voluntarily as a condition of receiving federal assistance.

Previous CBO estimates: On April 12, 2007, CBO transmitted a cost estimate for H.R. 1441, the Stop Arming Iran Act, as ordered reported by the House Committee on Foreign Affairs on March 27, 2007. Section 1030 of S. 1547 is similar to H.R. 1441 and the estimated costs are the same for both provisions.

On May 14, 2007, CBO transmitted a cost estimate for H.R. 1585, the National Defense Authorization Act for Fiscal Year 2008, as reported by the House Committee on Armed Services. On June 12, CBO transmitted a cost estimate for H.R. 1585, the National Defense Authorization Act for Fiscal Year 2008, as passed by the House. Differences in the estimated costs of S. 1547 and the House-reported and House-passed versions of H.R. 1585 reflect differences in the legislation, as well as different treatments of TRICARE For Life accrual payments, as discussed below.

S. 1547 and H.R. 1585 as passed by the House, would authorize different levels of appropriations but they nevertheless envision a similar overall level of funding—roughly $640 billion—for 2008. Specifically, S. 1547 would authorize appropriations totaling $629 billion, while the House-passed version of H.R. 1585 would authorize about $12 billion more than that figure, or $641 billion. The $12 billion difference, however, does not reflect a vastly different level of recommended funding. Rather, it primarily reflects different treatments of $11 billion in TRICARE For Life accrual payments that are part of DoD's budget; S. 1547 does not contain an authorization of appropriations for those payments, while H.R. 1585 implicitly does.

Those accrual payments, which are categorized as military personnel spending, will be made under current law regardless of whether or not they are authorized on an annual basis. Furthermore, the payments will be charged to the House and Senate Appropriations Committees and will count against their discretionary allocations as set forth in the most recent budget resolution.

Despite envisioning similar levels of overall defense funding, there is a notable difference in the authorizations in S. 1547 and H.R. 1585 as passed by the House. S. 1547 would authorize $128 billion for DoD's costs of military operations in Iraq and Afghanistan, or about $13 billion less than the amount in the House-passed act (which is about equal to the President's request.) In authorizing the lower amount, the Senate Committee on Armed Services states that it

reallocated requested war-related authorizations—which the committee believes are not directly related to operations in Iraq and Afghanistan—into authorizations for DoD's ''base budget accounts.'' As a result, the authorizations in S. 1547 for DoD's base budget are about $13 billion higher than in the House-passed version of H.R. 1585 (after making adjustments for the TRICARE For Life accrual payments discussed above.)

Estimate prepared by: Federal Costs: Defense Outlays: Kent Christensen; Military and Civilian Personnel: Matthew Schmit; Military Construction and Multiyear Procurement: David Newman; Military Retirement and Education: Mike Waters; Health Programs: Michelle S. Patterson; Aviation War-Risk Insurance: Megan Carroll; Stockpile Sales: Raymond J. Hall; Operation and Maintenance: Jason Wheelock; Foreign Affairs: Sam Papenfuss; Impact on State, Local, and Tribal Governments: Neil Hood; Impact on the Private Sector: Victoria Liu.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

Mr. LEVIN. Madam President, I ask unanimous consent that following the remarks of the Senator from Hawaii, on this side of the aisle, the order then be Senator BIDEN and Senator BOXER.

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

The Senator from Hawaii is recognized.

Mr. AKAKA. Madam President, I thank Chairman LEVIN and Ranking Member MCCAIN for their leadership and working in a bipartisan fashion to unanimously pass the National Defense Authorization Act for Fiscal Year 2008 out of committee. I also thank my ranking member of the Subcommittee on Readiness, Senator ENSIGN, and the members of that committee for their work in bringing this about.

This bill exemplifies what can be achieved through the spirit of bipartisan cooperation to address a number of important defense priorities. As our distinguished chairman has already highlighted, this bill includes a 3.5 percent across-the-board pay raise for all uniformed personnel, adds $4 billion to the President's budget for mine resistant vehicles to protect our troops in Iraq and Afghanistan. It also authorizes fiscal year 2008 end strengths for the Army and Marine Corps, of 525,400 and 189,000 respectively, an increase of 13,000 for the Army and 9,000 for the Marine Corps, and it supports the transformation of our Armed Forces to meet the threats of the 21st century.

As chairman of the Readiness Subcommittee, both Ranking Member ENSIGN and I worked with our colleagues to continue the subcommittee's strong commitment to increasing the readiness of the Armed Forces. In this legislation, we are providing support to projects and programs that are important to the readiness of the Army, Navy, Air Force, and Marines, both active and reserve components. In this regard, $188.4 billion is authorized to meet the services' operation and maintenance requirements to support the combat operations, improve the readiness of deploying and nondeployed forces, and to support the Army and Marine Corps plans to increase their fiscal year 2008 end strengths.

I believe all of us in the Senate are concerned that our military forces have what they need to be trained and ready, but I am particularly concerned about the readiness of our ground forces. This legislation before us today fully funds the Army and Marine Corps request for depot level maintenance. I am encouraged that neither the Army nor Marine Corps identified a shortage of funds for depot maintenance. While the Chief of Naval Operations did bring to this committee's attention a funding shortfall for Navy aircraft depot maintenance, we approved an increase of $77 million. In addition, we included $4.8 billion for the procurement of ammunition of all types to support the services' war fighting, training, and war reserve requirements.

With regard to the Department of Defense's management and acquisition policy, I am particularly pleased this bill includes a provision requiring, for the first time, that the Department of Defense have a chief management officer. The Comptroller General has told the members of this committee on numerous occasions that the Department needs to do this to ensure that the Department's many high-risk areas get the top-level management attention they deserve.

Other important acquisition reform provisions included in this bill are as follows: a provision that would provide the resources that DOD needs to address the shortcomings in its acquisition workforce; a series of provisions that would tighten DOD management of contract services; a provision that would ensure that our commanders on the battlefield have the authority they need to establish rules for armed contractors in an area of combat operations; a provision establishing guidelines for DOD to use in determining whether savings are ''substantial'' for the purpose of justifying multiyear contracts; and a provision that would require that each of the Assistant Secretaries for Acquisition in the military departments be assisted by a three-star military deputy who has significant acquisition experience. I believe these provisions, taken together, will lead to substantial improvements in the DOD acquisition process.

I am particularly pleased this year's authorization bill includes a provision to establish a Director of Corrosion Control Policy and Oversight, and funding for corrosion prevention and control programs. Corrosion is a costly problem. In fact, it is one of the largest costs in the life cycle of weapons systems. In addition, corrosion reduces military readiness, as the need to repair or replace corrosion damage increases the downtime of critical military assets. Consequently, I firmly believe that cohesive corrosion control programs are integral to maintaining military readiness. This critical maintenance activity increases the life of multimillion dollar weapons systems and ensures their availability during times of crisis. Effective corrosion control should be made a key component of the Department of Defense's resetting strategy and funds should be allocated accordingly.

This legislation also includes my legislation to establish a National Language Council to develop a long-term and comprehensive language strategy and oversee the implementation of that strategy. This will ensure that the administration's current efforts to promote foreign language competency will develop into an organized and concerted effort to improve the Nation's foreign language capabilities.

We also make a valuable and important investment in our infrastructure by providing an additional $461 million above the budget request to repair, replace, and modernize our aging defense facilities and improve the quality of life and the productivity of our military. Furthermore, we make a true commitment to provide quality health care for all beneficiaries, including authorizing $24.6 billion for the Defense Health Program, authorizing the use of Federal pricing for drugs dispensed through the TRICARE retail program. In addition, we reject the administration's proposal to give DOD broad authority to increase TRICARE program cost-sharing amounts for military retirees and their dependents.

As chairman of the Veterans' Affairs Committee and a member of the Armed Services Committee, I am able to look at the issue of seamless transition from military to civilian life from two different perspectives and, at the appropriate time, I will be offering an amendment to the underlying bill to improve care specifically for veterans. My friend and colleague Chairman LEVIN and I have worked together on these issues. We held a joint hearing on April 12 and have developed a thoughtful set of provisions to deal with the VA's response to traumatic brain injuries, also known as TBI and also known as invisible wounds. The amendment I will be offering includes provisions recently approved by the Committee on Veterans' Affairs at our markup on June 27. In fact, this amendment is a direct product of the committee's work to address seamless transition issues and is the corresponding piece to S. 1606, the Dignified Treatment for Wounded Warriors Act.

At the heart of my amendment are the improvements to TBI care. Ranking Member CRAIG and I worked on these traumatic brain injury provisions and they have garnered the support of many organizations, including the American Academy of Neurology, the Brain Injury Association of America, and the Disabled American Veterans. The VA was caught flat-footed by the large number of devastating TBI cases resulting from the conflicts in Iraq and Afghanistan. My amendment would go a long way toward resolving the difficulties faced by soldiers afflicted with TBI by providing comprehensive TBI

legislation. It would require individual rehabilitation plans for veterans with traumatic brain injury and authorizes the use of non-VA facilities for the best TBI treatment available. The amendment also requires much more research and education for severe TBI. We have even developed a pilot program for assisted living services for veterans with TBI.

My amendment would also extend the period of automatic eligibility for VA health care from 2 to 5 years for servicemembers returning from combat. It would ensure access to care for conditions that may not be apparent when a servicemember first leaves active duty and would contribute to a seamless transition from military to civilian life. In addition, this amendment requires a preliminary mental health evaluation be conducted within 30 days of a servicemember's request. VA must be prodded to ensure timely access to mental health care. I thank Senator OBAMA for working with me on this important provision.

Finally, our ongoing global operations have utilized the reserve components on an unprecedented scale. When these citizen soldiers redeploy, it is essential that VA include them in their outreach efforts. To recognize the importance of the National Guard and Reserve and to acknowledge their contributions to the Nation's efforts, my amendment redefines the VA's definition by specifically including them in the outreach program.

The Senate Armed Services Committee has taken bold and necessary steps in this legislation that will provide the necessary funds and management reforms required to support our service men and women while allowing the military to continue to meet our Nation's future defense needs.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Madam President, Senator BIDEN was to be recognized next. I don't see him on the floor at this moment, so I will note the absence of a quorum for a few moments, and if he does not arrive, then I will give my remarks on the Webb amendment.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. BOXER. Parliamentary inquiry: I understand I am supposed to speak after Senator BIDEN, but he told me before he left the floor that if he weren't here, I could reverse the order. I wonder if Senator LEVIN would give me permission to do that.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Madam President, I thank my good friend from California, and I have no objection at all.

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

Mrs. BOXER. Madam President, this is a very important week for this country as we bring the issue of Iraq back to the Senate floor and listen to the American people, who are very clear. They want this war to end. They want the troops to come home. They know our service men and women have given everything there is to give, and more. They know the policies we have followed in Iraq since day one have backfired. They are looking to us.

If I might say where we are in this debate in this Senate, in my opinion, is between talk and action. It is very easy to talk and say: Oh, we need a change. We must have a change. It is important that we have a change, and call press conferences and say we need a change. It is time for change. But let's see how people vote. Will they vote for a sense of the Senate that has absolutely no force of law, which says it is the sense of the Senate we should change course, or will they vote to start redeploying our troops out of the middle of a civil war, out of chaos?

My colleagues know I represent the largest State in the Union, and we are taking a major hit. We have lost hundreds and hundreds of soldiers. We see thousands injured from our State. We see a National Guard that doesn't have the equipment it has to have. Some reports are the equipment is down 50 percent. What does that mean? It means if, God forbid, there is an earthquake, a fire, all the things we have to deal with in my beautiful State, who is going to protect the people? How much longer can we afford the bloodshed? The dollars—we are now told $12 billion a month is being spent in Iraq and Afghanistan.

The Presiding Officer and I share a lot of common interests. One of them is, for example, to make sure our kids can go to afterschool care, because that is the time they get in trouble. That is a high-risk time. Do my colleagues know what it would cost to fund afterschool care to the level that it is supposed to be, according to No Child Left Behind? It would cost $3 billion a year. We are funding it at $1 billion. Millions of kids are on the street. We spend $12 billion in Iraq and Afghanistan in 1 month, but we cannot find a couple of billion in a year for our children. We can't find the money to insure our children, to protect their health. Oh, no. We don't have the money for that. The President is going to veto this bill and veto that bill. He can't help the farmers. We can't do this, we can't do that, but $12 billion in Iraq and Afghanistan—no problem. No problem to save his reputation, to save him from having to prove to the world he was wrong. Well, it is one thing to have an argument with someone and have pride and say: You know, I am not going to admit I made a mistake. It is another thing when people are dying because of your mistake—every day.

Now, in November of 2006, the American people voted against the Iraq war. They elected Democrats. They want this war to end. They want this mission to end. They don't want our troops in the middle of a civil war, getting killed and getting maimed, getting post-traumatic stress, getting brain injuries that are the signature injury of this war.

We will be dealing with the problems of this war for decades to come. Anyone who lived through Vietnam knows that if you go on the streets today and look at who the homeless are, you know who they are. A third of them are veterans, most of them from Vietnam who never got over the experience. That is why Senator LIEBERMAN and I have worked together to try and get the people who are coming back the mental health care they need. Senator LIEBERMAN and I do not agree on this war. We are polar opposites on this war. But let me tell my colleagues, we are working together to get these troops the mental health care they need. Their marriages are breaking up. They can't sleep at night. They are having trouble with their employers. We have so many problems, and the American people expect us to fix it.

I see my friend Senator BIDEN is on the floor, and I will tell him I will speak for about another 10 minutes.

Now that my friend is on the floor, Senator BIDEN is the Senator who has looked ahead, who has said there is a light at the end of the tunnel. He has put forward a plan, and he put it forward a long time ago, for a diplomatic solution here, because there is no military solution. How many more explosive devices are going to blow up in the faces of our troops before we start bringing them home? How many more Iraqis are going to die—women, children? How many more faces are we going to look at on the front page before we get the guts to do the right thing?

The President doesn't listen. He didn't listen after the election. Oh, he said he did. He said he had a new strategy. What was it? The surge. The surge is not a new strategy. It is a military tactic, and it isn't working. Here is what the President said after he sent in more than 20,000 additional troops. He said:

> Over time, we can expect to see . . . fewer brazen acts of terror, and growing trust and cooperation from Baghdad's residents. When this happens, daily life will improve, Iraqis will gain confidence in their leaders, and the Government will have the breathing space it needs to make progress in other critical areas.

Wrong. The President was wrong again. The Washington Post reported on Sunday:

> The Iraqi government is unlikely to meet any of the political and security goals or time lines President bush set for it in January. . . .

And today the AP, Associated Press, reports:

> Iraq fails to meet all reform goals.

Not even one goal was met, and our people are dying. They cannot meet

one goal. The violence continues unabated.

Since the President made his speech on January 10, after the election, when he said there was going to be a new strategy, 590 U.S. service men and women have been killed, 107 of whom did not live to see their 21st birthday. What kind of change is that this President brought?

The average number of daily attacks by insurgents and militias has not dropped below 150 per day. In Baghdad alone, there has been an average of 50 insurgent attacks a day. Over the weekend, more than 150 Iraqis were killed in one single bombing. These bombings are not isolated events. In June alone, there were 39 bombings in Iraq that resulted in multiple fatalities. The number of suicide attacks more than doubled in Iraq since the surge began—from 26 in January to 58 in April. What kind of new strategy is that? If that is a new strategy, it is worse than the other one. The average number of Iraqi civilians killed has risen to more than 100 per day.

The administration is failing on the security front; they are failing on the political front. They don't listen to Senator BIDEN, chairman of the Foreign Relations Committee. They don't listen to Senator LUGAR, the ranking member. They are all saying you have to have a political solution.

The administration is failing on the reconstruction front. Iraqis living in Baghdad still receive an average of 5.6 hours of electricity a day. The President can't even keep the lights on, let alone succeed in this surge.

Yesterday, Tony Snow said:

> The President wants to withdraw troops based on the facts on the ground, not on the matter of politics.

Well, I say to Tony Snow, elections have consequences, and you lost in 2006. The issue was Iraq and the policies on the ground are not working; they are failing. So whether you listen to politics or what is happening on the ground, the answer is the same.

On February 1, Tony Snow described the surge in this way:

> We are talking about significant economic development efforts; we're talking about significant political reconciliation. These are the kinds of things we expect to see.

Well, they have not seen them. We know the President is going to address the American people. I say to the President, tell the truth to the American people. Lay out what you expected, and then lay out the reality, and start getting the troops home. We have not seen improvements. Now our military is at the breaking point. Listen to retired generals. They don't have to toe the line. They tell the truth. Nearly 90 percent of Army National Guard units in the U.S. are rated ''not ready''—largely as a result of shortfalls in equipment that jeopardize their capability to respond to crises at home and abroad. In my State, our equipment is down 50 percent. So who will be responsible when we have a disaster, I say to the President? Who is going to be responsible? The same people who have brought us Iraq are going to bring us a crisis in our States. We already saw what happened in Katrina from incompetence. Let's match incompetence and lack of equipment and see what happens then.

What about Iraqi forces? On January 11, Secretary Gates said:

> We are going to know pretty early on whether the Iraqis are meeting their military commitments. . . .

He said we would know early on. The answer is they are not meeting their military commitments. After this weekend's violence, senior Iraqi officials called on Iraqi civilians to arm themselves and fight insurgents. That is from their Government. They are not telling the people this Government will protect you; that the Americans have trained 300,000 of us and we are ready to protect you. No. The answer is to arm yourselves so that when insurgents break down your door, you can kill them before they kill you. What a situation.

The Iraqi Vice President said:

> The people have no choice but to take up their own defense.

We need to chart a new course on Iraq today. As Senator LUGAR said:

> Persisting indefinitely with the surge strategy will delay policy adjustments that have a better chance of protecting our vital interests over the long term.

But the administration doesn't seem willing to chart a new course. As stated on the front page of today's Washington Post, ''GOP Dissent Spurs Change in Message But Not Course.'' That is another way of, I think, confusing the subject. Get up and give a great speech and then you vote against anything that has any teeth in it. You vote for something that says it is the sense of the Senate that things are not going well, rather than it is time to change this mission and get our troops out of the middle of a civil war, and make sure what we are doing is training the Iraqi soldiers, and that is fine, and going after al-Qaida, which is fine, protecting our forces, and that is fine, but get most of them out of there.

A change in message will not prevent the deaths of more Americans and will not salvage the President's failed policy. Over the next 2 weeks, we will have the opportunity to debate several amendments that will mandate a change of course on Iraq. I urge my colleagues, as strongly as I can, as someone who has stood up here time and time again and said we are making mistakes, to finally admit it—but not just admit it, do something about it. That is what we have to do. We have to change the reality of what is happening.

As the experts have told us over and over again, what are we doing here? We are in the middle of a civil war; we are neglecting the war on terror. We say we are fighting the terrorists there and we will stop them from coming here. That is what Tony Blair said, but it didn't stop anything. This is a recruitment tool for al-Qaida. Iraq is a recruitment tool for al-Qaida. Peter Bergman said that a long time ago when we went into Iraq. He is an expert on the Middle East. I don't want to recruit al-Qaida; I want to go after them. I voted to go after them after 9/11. I didn't vote to change course and go in another direction for regime change based on faulty information, faulty intelligence.

This week and next week, we will find out who talks in the Senate and who is willing to take action in the Senate. I hope the American people will look at the amendments we are voting on and, at the bottom line, understand which ones are just talk and which ones will actually result in redeployment of the troops out of a civil war—who walks the walk versus who talks the talk. Action means a deadline. Action means you change the mission. Action means you start bringing the troops home. Action doesn't mean a change in message, but a change of course. Reshuffling the chairs on the deck of the Titanic is not what we should be doing. We need to change course.

I have spoken with mothers and fathers who have lost sons and daughters. They have begged me in the most tearful way to spare other families what they are going through. If this war was working, that would be one thing. But there is no military solution here. We need to listen to what our chairman of the Foreign Relations Committee is saying about a political solution, about separating the warring parties, about bringing in the nations of the region, and doing it now—before another soldier is blown up or breaks up with his wife because of the stress, or before another child has no dad or mom. The time is now.

I am so glad we are going to be doing the Defense authorization bill and have our opportunity to actually put our ideas into action. I will be supporting every single amendment that will result in a change of course, accountability, starting to bring the troops home.

I thank the Chair and I thank the Senator from Delaware for allowing me to go before he goes.

I yield the floor at this time.

[Applause in the Gallery.]

The PRESIDING OFFICER. The Sergeant-at-Arms will restore order in the gallery. The expression of approval or disapproval is not permitted.

The Senator from Arizona is recognized.

Mr. MCCAIN. Madam President, I certainly appreciate the passion of the Senator from California and her concern for the men and women serving in the military and those who have sacrificed a great deal already. The fact is, according to Lee Hamilton and Henry Kissinger, General Zinni, and according to literally almost every—not all—respected national security expert in this country, it is acknowledged that we will have a lot more casualties.

The Senator's concern is emotional and well-founded and very moving. I am also moved by the fact that Henry Kissinger and Lee Hamilton say Congress should drop fixed deadlines for the withdrawal of U.S. forces. As Commander in Chief, the President needs flexibility on troop withdrawals. He will accept no bill that has a timeline or a fixed date for withdrawal. Lee Hamilton says:

> The American people have the war in Iraq figured out. They know American troops cannot settle Iraq's sectarian conflict, and they want to withdraw responsibly. They do not want a messy or sudden withdrawal to prompt wider sectarian strife and an escalating humanitarian disaster.

To some degree, I have seen this movie before. I remember when the debate was going on on the floor of the Senate on our withdrawal from Cambodia on December 15, 1970. Mr. Gravel, now one of the candidates for President of the United States, said:

> We come back to the argument of protecting American forces. It is simple. Take the forces out and we do not have any problem. It is simple. Do not get into Cambodia. Do not get involved. Then we do not get into anything.

Yes, there was an argument on the floor of the Senate about withdrawal. There was an argument that prohibited the United States from being involved in Cambodia. Three million people were slaughtered—one of the great acts of genocide in modern history. Yes, we cared about American casualties after Vietnam and we withdrew. The North Vietnamese attacked and millions of people got on boats, thousands were killed in reeducation camps, and thousands were executed. I have seen this movie before. I have seen this movie before from the liberal left in America, who share no responsibility for what happened in Cambodia when we said, no, as I quote Senator Gravel:

> We come back to the argument of protecting American forces. It is simple. Take the forces out and we do not have any problem. It is simple. Do not get into Cambodia. Do not get involved. Then we do not get into anything.

Mrs. BOXER. Madam President, will the Senator yield for a question?

Mr. McCAIN. I would like to finish my comments, and then I will be glad to yield to the Senator from California.

Continuing to quote Senator Gravel:

> What would happen if Cambodia fell tomorrow? It may well fall. . . . Obviously, it would become communistic. We would have some gnashing of teeth, but life would go on. We would have our traffic jams and everything else.

There were no traffic jams in Phnom Penh, Madam President, not a one. In fact, all of the people were killed or told to walk out of the city.

> Life would go on. Basically, that would increase the casualties of Americans in South Vietnam. That would be the difference, except the American people are going to get up and say, ''We do not want Americans getting killed at that rate.''
>
> . . . it means we are going to put more money in, and if there is a danger that Cambodia will be overrun 6 months from now, we would have to escalate to the next higher step, and they will devise some way of getting American troops in there. Or they would go the mercenary route until they butcher enough of those people.

Interesting.

> This, to my mind, is wrong, and adds nothing to our security. Supposing South Vietnam fell, and became totally Communist tomorrow, and then Cambodia fell and became totally Communist; would that appreciably change the life of my colleague from Kansas? Would that change his life?

The debate goes on and on. It is very worthwhile reviewing the debate that went on about Cambodia and Vietnam, not to mention, as I mentioned earlier, the impact of losing a war on America, our military, and others.

The Senator from California and I am sure the Senator from Delaware will speak very movingly about the strain on the families of the men and women and the strain on our troops.

By the way, we do in this authorization bill before us increase the size of the Marine Corps and the Army, and we need to increase it even more because of the challenges around the world—something that some of us have sought to achieve for a long period of time.

But the fact is, when you lose a war, the consequences of failure are far, far more severe on the military than the strain that is put on the military when they are fighting. It is a fact. It is a fact of military history. It is a fact of the war that we lost in Vietnam, which took us well over a decade to restore any kind of efficiency in our military.

I will be glad to yield to the Senator from California.

Mrs. BOXER. Madam President, I thank the Senator for yielding. The Senator made the point that the liberal left wants us out of Iraq. I want to make sure the Senator is aware that the latest polls show 70 percent of the American people want us to have a strategy to leave. And my question is, A, is the Senator aware of that? And, B, the followup to that question is, has the Senator read the various proposals, the Levin-Reed proposal, which I strongly support? There is no precipitous withdrawal.

I think the Senator is setting up a straw man, if you will, here. The fact is, those of us who want to leave want to do it in the right way——

Mr. McCAIN. I ask for the regular order.

Mrs. BOXER. And we also change the mission to continue training the troops, and so on. I want to make sure the Senator is aware of that point.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Madam President, I thank the Senator from California for that thoughtful question. The fact is, I do read the polls, and if the Senator from California had paid attention to my opening statement, she would have known that I made it very clear that I understand the frustration and sorrow of the American people. I also know a lot of us are not driven by polls. A lot of us are driven by principle, and a lot of us do what we think is right no matter what the polls say.

So I appreciate the concern of the Senator from California about whether I read the polls. I appreciate that greatly. But I do know also that when you send a signal, and I appreciate the Senator's concern—I was talking about the liberal left addressing the war in Cambodia, is what I was speaking of. The record is clear, and I will be glad to provide other quotes of a similar nature. But I do also know that those of us who study history, those of us who spend time in Iraq, those of us who spend time with various leaders, such as General Zinni, such as General Scowcroft, such as Secretary of State Baker, such as many others, we all know what the consequences of a date for withdrawal will be. And it isn't my opinion alone. It is shared by a broad variety of national security experts in this field.

I also point out that it does have an effect on the troops in the field when they see effort after effort after effort to withdraw, to force them to be withdrawn and, obviously, a failure of their mission.

I welcome this debate, as I said earlier. I think it is important to inform the American people. I think it is important to have a respectful exchange of views. And I will continue to respect the views of the Senator from California, but I will tell her that I have seen this movie before, and I have seen what happens when we have a defeated military and we have people who assure us that a withdrawal is without consequences.

I believe, as Henry Kissinger as recently as a few days ago said:

> . . . precipitate withdrawal [from Iraq] would produce a disaster. It would not end the war but shift it to other areas, like Lebanon or Jordan or Saudi Arabia. The war between the Iraqi functions would intensify. The demonstration of American impotence would embolden radical Islamism and further radicalize its disciples from Indonesia and India to the suburbs of European capitals.

Natan Sharansky says the same thing. A person who knows about oppression, who knows about freedom, who served as a beacon to me and a hero in my entire life says:

> A precipitous withdrawal of U.S. forces could lead to a bloodbath that would make the current carnage pale by comparison.

All of these are statements by people for whom I have the greatest respect. I hope we will heed some of their admonitions.

Madam President, I yield the floor.

The PRESIDING OFFICER (Mrs. BOXER). The Senator from Delaware is recognized.

Mr. BIDEN. Madam President, I was interested in the last exchange. Let me just say that one of my heroes is the Senator from Arizona. I mean this sincerely. We use the phrase around here ''my friend.'' I consider him my friend. I believe if neither he nor I were Senators and I picked up a phone and

called him and said: I need you to show up at such-and-such a place, I can't tell you why, he would be there. I do not pretend to be his best friend in the world, but I admire him.

But I think I should point out a couple of things. No. 1, the Senator from California is not poll-driven. As I remember it, when the whole of the country was clamoring to go to war, the Senator from California stood up and voted against going to war. If I am not mistaken, it was viewed as political suicide at that time. I know the Senator from California, and I know she needs no defense, but I know her. If I know anybody who is not poll-driven, it is the Senator from California, No. 1.

No. 2, Henry Kissinger, Lee Hamilton, and Baker—all these people mentioned—they all say get out. None of them think the policy of this President makes any sense. So let's start off where they are. Henry Kissinger has endorsed the Biden plan and the Boxer plan and all the rest who have done it. They need a political solution.

I remind everybody that the Baker-Hamilton report set a date of March 2008 as a goal to get the majority of our troops out, if not all of them out. They talked about drawing down our troops. The President rejected that policy.

I don't know a serious person—there probably are—I don't know of any in the international community, I don't know of anybody in the foreign policy establishment in the United States of America, from Colin Powell, a former Secretary of State, to former Secretaries of State and Secretaries of Defense in Republican administrations, who thinks this policy makes any sense.

Madam President, I say to my colleagues, to quote Gravel—I was here in 1972 while my friend JOHN MCCAIN, God love him, was in a prisoner-of-war camp. I was a 29-year-old Senator. Nobody agreed with Gravel. Give me a break. Quoting Gravel as the voice of the left—he was the voice of his voice. God love him, as my mother would say, and he still is the voice of his voice. Who agrees with Gravel? Maybe somebody does. But to quote him as if it was the Democratic position on Cambodia—go count the votes, how many votes Gravel got. That is not representative of even the left. This is a man who, God love him, nominated himself for Vice President. Come on. Come on.

And who is calling for a precipitous withdrawal? If I am not mistaken, the distinguished chairman of the Armed Services Committee is not voting for a precipitous withdrawal. This is what we call, in the law business, which I have been practicing 34 years, a red herring.

The question is, Do we continue to send our kids into the middle of a meat grinder based on a policy that is fundamentally flawed? I don't think there are a dozen Republicans on that side of the aisle who agree with the President's strategy, nor do I believe, if the President had followed the recommendation of the Senator from Delaware and then the Senator from Arizona back before there was a civil war to put enough troops in to solidify the situation on the ground, we might not be here. The rationale he offered and I offered, if I am not mistaken, was: Mr. President, you don't have a strategy. Secretary of Defense, these are not a bunch of dead-enders, they are not a bunch of thugs. They are thugs, but you have a big problem, Mr. President.

If I am not mistaken, I heard the Senator from Arizona make those speeches 4 years ago. I heard him, along with me, call for more troops back then in order to get out sooner. We predicted there would be a civil war if we didn't gain control. Surprise, surprise, surprise. We have a civil war.

Look, I understand the political dilemmas in which we find ourselves: We have a President of our own party we have a problem with. I have been there. It never kept me from speaking up. If my colleagues recall, my friend from California, who is presiding, remembers, to use the trite expression, I beat President Clinton up and about the head, as they say in the neighborhood where I come from, to use force in Bosnia, to end a genocide. The President didn't agree with me. I was told: Calm down, don't put him in that spot. I am accustomed to taking on Presidents in my own party, and I know it is hard. It is hard. But I tell you what, name me any one of the people who were quoted here who thinks the policy we are pursuing now makes any sense.

Ever since the Democrats took control of the Congress back in January, we have been working to build pressure on the administration and, quite bluntly, on our Republican colleagues to change course in Iraq because I have reached a point where I think the President is impervious to information. There is a great expression, I believe it was Oliver Wendell Holmes referring to prejudice—and the President is not prejudiced, but I make the point. He said prejudice is like the pupil of the eye: the more light you shine upon it, the more tightly it closes. This administration is like the pupil of the eye: the more hard facts you give them to prove their policy is a failure, the tighter it closes and the less inclined to change they are. More and more Republicans—more and more Republicans—have stopped backing the President and started looking for ways to work with us to bring our soldiers home in a responsible way so we don't merely trade a dictator for chaos.

Let me say something I am going to be reminded of, I am sure, again and again and again. Having been here for 34 years, I know you should not make statements I am about to make lightly, but I am reminded of it by the comments made about Cambodia. On this, we have a sell-by date. You know when you buy milk, it says sell by a certain date or it turns sour? There is a sell-by date here, folks, for us to change policy. Because if we do not change policy in a radical way in this calendar year, I believe we will be left with one of two alternatives.

We have a chance now to change policy and maybe salvage—maybe salvage—a circumstance in Iraq, whereas we gradually leave, and we will not have traded a dictator for chaos and the possibility of a regional war. That is alternative one. I think that alternative two is Saigon revisited. We will be lifting American personnel off the roofs of buildings in the green zone if we do not change policy and pretty drastically.

There is not a single person in here that knows anything about the military who can tell me they think there is any possibility of us sustaining 160,000 forces in Iraq this time next year. What my friend from Arizona did not say—and he knows a great deal about this—is that leading generals in the military say straightforward that we are breaking—let me emphasize that—breaking the U.S. military—breaking the U.S. military. Let me put it another way. We have more professionally trained academy graduates, such as my friend from Arizona, leaving the military after 5 years than we have had any time in the last 30-plus years. The cream of the crop are being broken by this failed—this failed policy in Iraq.

What is worse is not that it is a failed policy, but it is impervious to recommendations made by the most informed people in both political parties inside and outside Government. What did the President do with the Baker-Hamilton Commission? Picked it up, gave it real lip service, and flipped it on the shelf. Who was on that commission? Two former Secretaries of State, who were Republicans; the present Secretary of Defense; some of the leading conservative voices in America on military matters; along with mainstream Democratic leaders. What did they do? What did they do? They blew it off. Now they are revisiting it. Now press reports are that maybe we have to have a plan B.

Look, it matters profoundly how we end this war. It matters to our soldiers, it matters to the Iraqis, and it matters to America's future security. As I said before, I don't want my son, a captain in the Army, going to Iraq, but he will go, if called. But I also don't want my grandson going. How we leave will determine whether my grandson goes. So far this President has offered absolutely no political solution to Iraq. None.

What does he say? He says surge troops. Why? To give the Iraqis breathing room. Why? So the Iraqis will get together and form a unity government that can be trusted by all the Iraqi people to govern the nation, allowing us to leave.

Not in the lifetime of anyone on this floor, including these talented young pages, will there be a unity government in Baghdad that has the confidence of all the Iraqi people, able to

maintain security, provide opportunity, and have a stable unity government. It will not happen.

I had a proposal over a year ago—and I have been roundly criticized for it, except for the Presiding Officer and a few others—wherein I laid out—and not because I am so smart; I happen to be chairman of the Foreign Relations Committee because I have lasted longer than others—but I laid out a comprehensive proposal. What does everybody say in this body? Everybody says, in and out of Government, that there is no military solution to Iraq, only a political solution. Name me a single person who has offered a political solution, except the Senator from California, myself, and the Senator from Kansas, Mr. BROWNBACK. Name me anyone. What is the political solution? What is the political solution my friend is offering? What is it?

The political solution is that somehow the Iraqis will have an epiphany—and I know Muslims don't have epiphanies; that is a Christian thing—they will have an epiphany and all of a sudden they are going to get together, realizing what is at stake, and form this unity government that can deliver.

I met with al-Maliki last year. I have been to Iraq and Afghanistan eight times. I am heading over there again shortly. I sat with al-Maliki, and when I came back, the President asked my views. He was kind enough to ask what I thought. I said, I don't think al-Maliki has it in his bone marrow, in his heart or his brain to desire to reconcile with the Sunnis. Even if he did, he doesn't have the capacity.

What have we rested everything on here? We are about to have a report that was going to be filed this June 15, pointing out the Iraqis haven't met a single benchmark. Isn't that strange? What did we do? Every opportunity we had to help them along, we walked away from. I remember after they voted on their Constitution. I was there for the official vote, I stuck my finger in the ink that does not come off your finger. I went to the polling places. The Iraqis voted overwhelmingly for a constitution. Know what it says? I wish somebody would read it once in a while. It says, I believe it is article 1, we are a decentralized federal system. Then in articles 15, 16, 17, and 18, if I am not mistaken—this is from memory—it lays out how any 1 of the 18 governates, political subdivisions, basically, in Iraq can become a region, vote for their own constitution, and have their own local security. It also implies there will be an allocation of the oil resources through a constitutional amendment.

I remember immediately after that vote, coming back from my third or fourth trip, then meeting with the administration and saying: What are you going to do? And being told: Oh, it is too premature to push any of that. I said: Whoa, let me get this straight. How are you going to bring these folks together unless you help them implement the Constitution? No, no, too tough now—too tough.

This administration has not made, when given a choice, a single correct decision on Iraq. Hear me. That is a bold statement. I cannot think of a single decision when they have been faced with a choice that they have made the right choice. I cannot think of one. Way back, when the President asked me why I was calling for Rumsfeld's resignation, and the Vice President was in the room, in the Oval Office, I said: With all due respect, Mr. President, Mr. Vice President, if, Mr. Vice President, you were not a constitutional officer, I would call for your resignation too. He looked at me and said: Why? I said: Because, Mr. President, name me one piece of advice either Rumsfeld or CHENEY have given you in Iraq that has turned out to be right. Name me one. One. One. It is not about retribution, Mr. President, it is about competence. If all the advice you have been given is bad, don't you think it is a good idea to look for new advice—new advisers?

Look, I believe there is a comprehensive strategy to end this war responsibly and it has three parts. First, is a roadmap to bring most of our troops out and home by early next year. Two, is a detailed plan for what we leave behind, a political solution. Three, is the commitment that so long as there is a single American—a single American soldier—in Iraq, we should do everything in our power to protect them.

Let me go through this very briefly. First, bringing our troops home. Instead of escalating the war with no end in sight, we have to start to bring our troops home now and withdraw most by next year. This was the Baker-Hamilton recommendation.

The PRESIDING OFFICER. I wish to remind the Senator that we had an order to recess after him speaking for 10 minutes. What is the pleasure of the Senator?

Mr. BIDEN. Madam President, I ask unanimous consent to proceed for 10 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered, and then we will recess for the lunch hour.

Mr. BIDEN. If we don't start bringing home combat forces within the next few months, get them out of the midst of a civil war, we will have so soured the American people on the ability to do even the things that need be done that this President and the next President will be left with absolutely no option—absolutely no option—but to withdraw totally from that area and let the chips fall where they may.

You know, that is exactly what we started to propose, the Senator from California and others, Senator LEVIN, in the Biden-Hagel-Snowe-Levin resolution opposing the surge back in January and of the Biden-Levin provision in the Iraqi supplemental bill, the very thing the President vetoed. The common denominator in all these efforts has been to transition our troops to a more limited mission so we can start to bring them home and set the groundwork for being able to leave behind a political solution.

That is exactly what Senator LEVIN is doing today. He is taking the Biden-Levin amendment, now called the Levin-Reed amendment, and he is going back at it. I compliment him for it because we have to keep pushing in order to change the minds of our Republican friends by keeping pressure on them to start to vote for the troops and not the President.

The second thing is getting our troops out of Iraq is necessary, but it is not sufficient. We also need a plan for what we are going to leave behind so we don't trade a dictator for chaos. What happens matters and how it happens. About everyone agrees there is no purely military solution. A political solution. Our plan is getting more bipartisan support—the so-called Biden-Brownback-Boxer-Hutchison-Nelson-Smith amendment—and that is we recognize the fundamental problem in Iraq is the self-sustaining cycle of sectarian violence.

I would respectfully suggest that history shows these cycles of sectarian violence end in only one of four ways. One, a bloodletting that leaves one side victorious and both sides exhausted. In the case of Iraq, that would take years, and I believe it would generate a Sunni-Shia revival of hatred from the Mediterranean to the Himalayas.

Second, is an open-ended foreign occupation for a generation or more. That is not in America's DNA. It is not what we do. We are not the Ottoman Empire.

Third, a return to a strong man, one who is not on the horizon. Even if there were, wouldn't it be the ultimate tragic irony that the United States replaced Saddam Hussein with another dictator?

The fourth way they have ended is a political agreement to form a decentralized federal government that separates the warring factions, gives them breathing room in their own regions. That is what we did a decade ago in Bosnia. We have had over 24,000 NATO troops there for 10 years and not one has been killed. The sectarian violence has stopped, the genocide is over, and they are trying to become part of Europe. The plan we put forward has five pieces. I will not take the time to go into it now, but one is in order to maintain a unified Iraq we have to decentralize it, with a limited central government that has common concerns of guarding the border and distributing oil revenues.

Second, we have to secure support from the Sunnis by giving them a guaranteed piece of the oil revenues because they have nothing in that triangle.

Third, we have to increase, not diminish, aid to rebuild that country, and we should look to the gulf states who have an overwhelming interest and overflow of dollars to do that.

Fourth, since we have lost all credibility in the region, this has to be a consequence, this idea—it has to have an international imprimatur on it. It must come out of the Security Council. They must call an international conference. It must involve the stamp of the United Nations and a regional conference, where the international community pursues this—and they are ready to do it. I will not take the time to go into why.

Last, we have to begin to draw down. We have to have military plans to draw down our combat forces by 2008, leaving behind a small force to take on terrorists and train Iraqis, assuming there is a political settlement. If there is no political settlement, mark my words, the public will insist they all come home. If they come home it means everything comes home. The idea that we are going to be able to leave an embassy there with thousands of people without 10,000 or more American soldiers to guard it is a joke. If we fail to make federalism work, if there is no political accommodation at the center, violent resistance will increase, the sectarian cycle of revenge will continue to spiral out of control, and we will not have this country break into three neat pieces. You will watch it fragment into multiple pieces, creating incredible difficulties for the entire region.

The Bush administration, though, has another vision. Their vision for Iraq, their entire premise, as I said, is based on a fundamentally flawed premise that they can build a competent, popular, supported government based upon a consensus among the three parties, and it reside in Baghdad. That is the central flaw in their strategy. It cannot be sustained. The hard truth is that absent a foreign occupation or a dictator, Iraq cannot be run from the center. The sooner we understand that, as Secretary Kissinger does and all the people quoted today—the sooner we understand that, the faster we will get this thing resolved and the fewer American casualties there will be.

The last part of this strategy is, so long as we have a single soldier in Iraq, it is our most sacred responsibility to give him or her the best protection this country can provide. Two months ago I called upon the President and Secretary Gates to make building of Mine Resistant Ambush Protected vehicles, so-called MRAPs, the Nation's top priority. Roadside bombs are responsible for 70 percent of the 25,000-plus injuries and 70 percent of the roughly 3,600 deaths. It is hard to keep count, unfortunately; 70 percent. Yet if we transition our troops from those flat-bottomed, up-armored HMMWVs to these V-shaped-bottom MRAPs, the facts show that somewhere between 66 percent and 80 percent of the casualties will be avoided.

An article on the front page of USA Today last Friday pointed out a military person saying if we built these when we were supposed to, there would be, I think, 731 fewer deaths.

These are our sons, our daughters, not somebody else's—all of ours. These are the people. These are the kite strings upon which our whole national ambition is lifted aloft. What are we doing? What are we doing? We are spending $10 billion a month in Iraq, and I get push-back for wanting to spend $20 billion to build these vehicles? I find it obscene.

I fought to front load money in the emergency spending bill for these vehicles. As a result we will get 2,500 more of these vehicles to Iraq by the end of the year than we otherwise would have. That is why I voted for the bill.

But I also insisted that the administration tell us by June 15 whether it would need even more of these vehicles so that we make sure the money is there to get them built.

Last week the Army concluded that it would need seven times the number of mine-resistant vehicles it had originally requested—some 17,700, up from 2,500. When you factor in all the service requests, the total need for mine-resistant vehicles jumps from the 7,774 vehicles now planned to nearly 23,000 vehicles.

But the Joint Chiefs have not yet made the Army request a ''clear and urgent'' requirement.

And there is no plan to budget for and build these vehicles over the next 6 months, as well as proven technology that protects against so-called explosively formed projectiles—EFP—that strike from the side.

We need a commitment from the administration—now—to build every last one of these vehicles as soon as possible.

We can't wait till next year or the year after. Our men and women on the front lines need them now.

I will offer an amendment to the Defense bill to make it clear—with absolutely no ambiguity—that Congress will provide every dollar needed and every authority necessary to build these vehicles as quickly as possible.

Every day we delay is another life lost.

The war in Iraq must end. That is what the American people want. And that is where America's interests lie.

I conclude by saying that in Congress we have a tremendous responsibility to turn the will of the American people into a practical reality. It is long past time we meet this responsibility head on, and it is long past time our Republican colleagues join us in what I believe they know to be right—forcing this President to radically change course in Iraq.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 this afternoon.

Thereupon, the Senate, at 1:06 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008—Continued

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent the pending amendment be laid aside so that an amendment by Senator SPECTER and myself be in order for discussion, with the understanding that then that amendment will eventually be set aside so we can go back to the prior amendment.

Mr. BROWNBACK. I object on behalf of another Senator.

The PRESIDING OFFICER. Objection is heard.

Mr. LEAHY. I withdraw my request, but I would note that the Senate this week is considering the National Defense Authorization Act. Senator SPECTER and I will introduce an amendment at such a point as we do not receive objection from the Republican side. What we will introduce will be the Habeas Corpus Restoration Act of 2007.

I want to, first and foremost, thank and actually praise Senator SPECTER for his strong and consistent leadership on this issue. It is not just leadership this year, it has been leadership in past years. I hope all Senators, both Republicans and Democrats, join us in restoring basic American values and the rule of law while making our Nation stronger.

Last year, Congress committed a historic mistake by suspending the great writ of habeas corpus. They did this not only for those confined at Guantanamo Bay but for millions of people who are legally residents in the United States.

We held a hearing on this, the Senate Judiciary Committee did, in May. That hearing illustrated broad agreement among people of very diverse political views and backgrounds, that the mistake committed in the Military Commissions Act of 2006 has to be corrected. The Habeas Corpus Restoration Act of 2007 has 25 cosponsors, and the Senate Judiciary Committee passed it last month with a bipartisan vote.

Habeas corpus was recklessly undermined in last year's Military Commissions Act. Like the internment of Japanese Americans during World War II, the elimination of habeas rights was an action driven by fear, and it has been a stain on America's reputation in the world. In many places around the world where we had been so admired in the past, they have asked why would America turn its back on one of its most basic rights.

We are at a time of testing. Future generations will look back to examine the choices we made during a time when security was too often invoked as a watchword to convince us to slacken our defense of liberty and the rule of law.

The great writ of habeas corpus is the legal process that guarantees an

opportunity to go to court and challenge the abuse of power by the Government. It is enshrined in the Constitution, and as stalwart a Republican conservative as Justice Antonin Scalia has recently referred to it as ''the very core of liberty secured by our Anglo-Saxon system of separation of powers.''

The Military Commissions Act rolled back these protections by eliminating that right permanently for any non-citizen labeled an enemy combatant. In fact, a detainee does not have to be found to be an enemy combatant; it is enough for the Government to pick up someone, hold that person with no charges, and say: They are awaiting determination. When we make up our mind this year, or next year, or 10 years from now, then we may label them an enemy combatant. In the meantime, they do not even have the power to say to a court: They picked up the wrong guy. They don't even have my name right. They picked me up by mistake. You can't even do that.

Is this America? Is this America?

The sweep of this habeas provision goes far beyond the few hundred detainees currently held at Guantanamo Bay, and it includes an estimated 12 million lawful permanent residents in the United States today. Under this law, the people who can be picked up are people who work and pay taxes, who abide by our laws, and should be entitled to fair treatment.

Under this law, any of these people can be detained forever without any ability to challenge their detention in court. Stanford Professor Mariano-Florentino Cuellar called this an issue about which the Latino community, which encompasses so many of the Nation's legal permanent residents, must be concerned.

Giving the Government such raw, unfettered power should concern every American. Since last fall, I have been describing a nightmare scenario about a hard-working, legal permanent resident who makes an innocent donation to, among other charities, a Muslim charity, that the Government secretly suspects of ties to terrorism. I suggested that on the basis of this donation, and perhaps a report of suspicious behavior of an overzealous neighbor or a cursory review of library records, this permanent resident can be brought in for questioning, can be denied a lawyer, and confined indefinitely. Such a person would have no recourse in the courts for years, or for decades, or forever.

When I said this, some people thought this nightmare scenario was fanciful. I wish it were, but it was not. In November that scenario was confirmed by our Department of Justice in a legal brief submitted in a Federal court in Virginia. They asserted that the Military Commissions Act allows the Government to detain any non-citizen designated an enemy combatant without giving that person any ability to challenge his detention in court. This is true, the Justice Department said, even for someone arrested and imprisoned in the United States. In other words, we could do what we always condemned other countries for doing, countries behind the then-Iron Curtain, where they would pick up somebody, hold them indefinitely, and that person had no recourse in court.

Rightly so, Republican and Democratic Presidents condemned those countries for doing that. Now we have given ourselves the same power. The Washington Post wrote that the brief ''raises the possibility that any of the millions of immigrants living in the United States could be subject to indefinite detention if they are accused of ties to terrorist groups.'' I might add, this accusation can be totally erroneous.

This is wrong; it is unconstitutional. But more than that, it is truly un-American. It is designed to ensure that the Bush-Cheney administration will never again be embarrassed by court decisions that review their unlawful abuses of power.

The conservative Supreme Court, with seven of its nine members appointed by Republican Presidents, has been the only check in this administration's lawlessness. The Supreme Court and other conservative Federal courts, and recently even military judges, have repeatedly overturned the lawless systems set up by this administration governing detainees. Many have hoped the courts will come to the rescue again on the issue of habeas corpus. With the continued drift of the Supreme Court toward endorsing greater executive power, we cannot count on the intervention of this conservative, activist court. Besides, are we going to pass the buck? Congress cannot and must not outsource its moral responsibility.

We all want to make America safe from terrorism. We come to work proudly every day, in a building that was targeted by those criminals who hijacked planes on 9/11. We do not hesitate to come to work here. We do it proudly. I implore those who support this change to think about whether eliminating habeas corpus truly makes America safe from the world. Does it make us any safer in this building? Does it comport with the values and liberties and legal traditions we hold most dear?

Top conservative thinkers such as Professor Richard Epstein and David Keene, head of the American Conservative Union, agree this change betrays centuries of legal tradition and practice. Professor David Gushee, head of Evangelicals for Human Rights, submitted a declaration calling the elimination of habeas rights and related changes ''deeply lamentable'' and ''fraught with danger to basic human rights.''

GEN Colin Powell recently advocated habeas corpus rights for detainees, asking:

> Isn't that what our system's all about?

General Powell has it right.

But probably the most powerful for me was the testimony of RADM Donald Guter, who was working in his office in the Pentagon as Judge Advocate General of the Navy. He was working there on September 11, 2001. He saw firsthand the effects of criminality and terrorism. He saw his colleagues killed by the plane that crashed into the Pentagon. I believe his credibility is unimpeachable when he says that denying habeas rights to detainees endangers our troops and undermines our military efforts. In testimony to the committee, Admiral Guter wrote:

> As we limit the rights of human beings, even those of the enemy, we become more like the enemy. That makes us weaker and imperils our valiant troops, serving not just in Iraq and Afghanistan, but around the globe.

The admiral was right. Whether you are an individual soldier or a great and good nation, it is difficult to defend the higher ground by taking the lower road. The world knows what our enemies stand for. The world also knows what this country has tried to stand for and live up to in the best of times but especially in the worst of times.

Now as we work to reauthorize the many programs that comprise our valiant Armed Forces, it is the right time to heed the advice of Admiral Guter and so many of our top military lawyers who tell us that eliminating basic legal rights undermines our fighting men and women, it does not make them stronger. Elimination of basic legal rights undermines, not strengthens, our ability to achieve justice.

It is from strength that America should defend our values and our way of life. It is from the strength of our freedoms and our Constitution and the rule of law that we shall prevail. I hope all in the Senate, Republican and Democrat alike, will join us in standing up for a stronger America, for the America we believe in, and support the Habeas Corpus Restoration Act of 2007.

That is why I am proud to be here with the distinguished senior Senator from Pennsylvania. We have worked together. You know, every one of us serves here only for a certain time. When we leave, we have to ask ourselves: If we had the privilege of being only 1 of 100 people to get to represent 300 million in America in this great body, what do we do to make America better? If we leave this blight—if we leave this blight—on our laws, we have not made it better, we have made it weaker.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I thank my distinguished colleague from Vermont, the chairman of the Judiciary Committee, for his generous remarks. I compliment him on his leadership on the committee and for his work generally, but especially on our efforts to restore habeas corpus.

The Great Writ has been the law since 1215 for Great Britain, and it has been the law of the United States of America since the founding of the Constitution. That writ allows someone in

detention to receive evidence of a reason for detention before the detention can continue. Regrettably, the legislation in the Military Commissions Act, passed last year, eliminated the writ of habeas corpus. I offered an amendment last September, which was defeated narrowly 48 to 51, and then on December 5, 2006. Again on January 4 of this year, with the new Congress, I reintroduced legislation to bring back the writ of habeas corpus.

We have on the detainees in Guantanamo a procedure on what is called the Combat Status Review Board. The procedures there are fundamentally unfair in not establishing any colorable reason for detention. That has been demonstrated in a variety of contexts.

One which I would quote at the outset is an opinion which appears in 355 F. Supp. 443, in a case captioned ''In re Guantanamo Detainee Cases,'' where the court comments about the procedures in the case captioned ''Boumediene v. Bush.'' This involves an individual, a detainee, who was charged with associating with al-Qaida. This is what the transcript says.

Detainee: Give me his name.
Tribunal President: I do not know.
Detainee: How can I respond to this?

Then the detainee goes on to comment about his inability to respond to the charges that he associated with someone from al-Qaida because he does not have any way to identify the individual with whom he was supposed to have associated. Nobody could even give him his name.

At one point the detainee comments about his difficulty in responding to a charge when there is no charge, and as the opinion says, everyone in the tribunal laughs. The court notes the laughter reflected in the transcript is understandable. This exchange might have been truly humorous had the consequences of the detainee's enemy combatant status not been so terribly serious and had the detainee's criticism of this process not been so piercingly accurate.

But here is a case reported where the Combat Status Review Board upheld detention when they could not even tell the detainee the identity of the person who was supposedly an al-Qaida person with whom he was supposed to have been associated.

There has been considerable comment about the fundamentally unfair tactics in the Combat Status Review Board, but none came into sharper focus than the declaration of LTC Stephen Abraham, who worked on the Combat Status Review Board, and who found, with some substantial detail, the process was fundamentally flawed. Results were influenced by pressure from superiors rather than based on concrete evidence.

I ask unanimous consent, Mr. President, that the text of the declaration of LTC Stephen Abraham be printed in the RECORD at the end of my remarks to permit me to abbreviate the length of this floor statement.

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

(See exhibit 1.)

Mr. SPECTER. The Court of Appeals for the District of Columbia came down with the decision in the Boumediene case saying that the act of Congress was effective in eliminating habeas corpus, but in so doing, the Court of Appeals for the District of Columbia really ignored the decision of the Supreme Court of the United States in Rasul v. Bush.

To read the opinion of the Court of Appeals, for a student of the law, is not hard to understand; it is impossible to understand. I think a fair reading of the circuit opinion, simply stated, is that they flagrantly disregarded the holding of the Supreme Court of the United States, which under our system of laws they are obligated to uphold. They analyzed Rasul and said Rasul was based on the statute providing for habeas corpus and not on the constitutional mandate that habeas corpus is a part of the Constitution of the United States.

There can be no doubt that habeas corpus is a constitutional mandate because the Constitution explicitly states that habeas corpus may be suspended only in time of invasion or rebellion, and no one contends that we have either invasion or rebellion. The opinion of Rasul is explicit.

Mr. President, I ask unanimous consent that relevant portions of the Rasul opinion be printed in the RECORD following my statement—

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

(See exhibit 2.)

Mr. SPECTER. Without taking the time to read them into the RECORD now because they are apparent on their face that the opinion by Justice Stevens goes through the chronology of the writ, starting with King John at Runnymede in 1215 and running through the adoption of the constitutional provision in the U.S. Constitution.

Now, it is true there is also a statute which provides for a writ of habeas corpus. The Court of Appeals said the portion of Justice Stevens' opinion as to the constitutional basis for habeas corpus was dictum and that the holding involved the statute. The Court of Appeals says since the holding involved the statute, the statute could be changed. It is true the statute was changed by the Congress of the United States, but the Congress of the United States, by statute, cannot change the constitutional mandate of habeas corpus.

For the Court of Appeals for the District of Columbia to say the constitutional basis for habeas corpus in Rasul was not the holding but only the statute was the holding is, simply stated, ridiculous. It is insulting to the Supreme Court of the United States for what the Court of Appeals for the District of Columbia did. Pretty harsh words, but accurate words, and I say them with respect for every court. But as a lawyer who has worked with the Constitution for a number of decades, it was hard for me to comprehend how the District of Columbia Court of Appeals could come to that conclusion. But they did. Well, I think it is about to be corrected.

There has been a curious history on the petition for a writ of certiorari to review the decision by the Court of Appeals for the District of Columbia. There were only three votes for the original petition for a writ of certiorari, which surprised people because Justice Stevens did not vote for certiorari. But, instead, he joined with Justice Kennedy in an opinion saying they would await another appeal from the Combat Status Review Board. The speculation by the analysts was that Justice Stevens was reluctant to see certiorari granted because Rasul might be overruled.

But then after the declaration of LTC Stephen Abraham appeared in the public press, there was a petition for reconsideration of the writ of certiorari. On this occasion, it was granted in a very unusual procedure. It made the front pages. I have studied the Constitution for a long time, and I did not know that a petition for reconsideration on a writ of certiorari takes five votes. Perhaps my distinguished colleague from Vermont knew that. I asked that question of quite a few lawyers. I have not found one yet, and some very learned in constitutional law who knew if you petition for reconsideration on a writ of certiorari, it takes five votes.

Mr. LEAHY. Mr. President, if the Senator will yield on that point, when I saw that in the press I went and looked it up too. It was a surprise to me. It will be interesting to see what might come out of it, but I think it goes back, though, to what the Senator and I have talked about. We should not have to be bucking this to the Supreme Court for them to decide. We should correct the error here.

I will be leaving the floor at this moment, Mr. President, but I want to assure the Senator from Pennsylvania, when they do allow our amendment to come up, I will be here with him proudly side by side on this issue. We can correct what otherwise would become a historic mistake. With his help, his leadership, we will do that.

Mr. SPECTER. Mr. President, I thank my colleague from Vermont for those comments. I do not think there is a more important issue to come before this body. What happens in Iraq, obviously, is of enormous importance. But if we lose the basic fundamental rights to require evidence before somebody is held in detention, if we lose the right of habeas corpus, it is a very sad day in America.

But, in any event, now the Supreme Court of the United States has granted certiorari in the Boumediene case. The speculation is that Justice Kennedy was the fifth vote, along with Justice Stevens. They do not tell you who the

five votes are, but we know there were three votes initially from Justice Souter and Justice Breyer and Justice Ginsburg granting it, voting to grant certiorari before, and Justice Stevens and Justice Kennedy writing a separate opinion, and the other four Justices voting to deny certiorari.

So I think this case is headed to the Supreme Court of the United States for reversal by the opinion by the Court of Appeals for the District of Columbia. But I believe the Congress should act in the interim. That is why Senator LEAHY and I are pressing this issue on the Department of Defense authorization bill. I hope it will not be cited as grounds for veto if we are successful in putting this amendment through. We cannot offer it yet because there is an amendment pending, and the request to set the amendment aside, which requires unanimous consent, was objected to. But this is a very important amendment. The procedures in Guantanamo under the Combat Status Review Board are woefully inadequate, do not satisfy the requirements of the Supreme Court of the United States in having a collateral proceeding which is adequate to protect the rights of someone who is in detention. So when we are permitted to offer the amendment, we will do so. But I ask my colleagues to consider the background as to what has happened here, the importance of it and its abrogation, what is happening with Guantanamo, the disrepute there, and what is happening with the Combat Status Review Board so that the Congress can correct what I consider to be an error made last year and stand up and not await a decision by the Supreme Court of the United States.

I thank the Chair, and I yield the floor.

EXHIBIT 1

DECLARATION OF STEPHEN ABRAHAM, LIEUTENANT COLONEL, UNITED STATES ARMY RESERVE, JUNE 15, 2007

I, Stephen Abraham, hereby declare as follows:

1. I am a lieutenant colonel in the United States Army Reserve, having been commissioned in 1981 as an officer in Intelligence Corps. I have served as an intelligence officer from 1982 to the present during periods of both reserve and active duty, including mobilization in 1990 (''Operation Desert Storm'') and twice again following 9-11. In my civilian occupation, I am an attorney with the law firm Fink & Abraham LLP in Newport Beach, California.

2. This declaration responds to certain statements in the Declaration of Rear Admiral (Retired) James M. McGarrah (''McGarrah Dec.''), filed in *Bismullah* v. *Gates*, No. 06–1197 (D.C. Cir.). This declaration is limited to unclassified matters specifically related to the procedures employed by Office for the Administrative Review of the Detention of Enemy Combatants (''OARDEC'') and the Combatant Status Review Tribunals (''CSRTs'') rather than to any specific information gathered or used in a particular case, except as noted herein. The contents of this declaration are based solely on my personal observations and experiences as a member of OARDEC. Nothing in this declaration is intended to reflect or represent the official opinions of the Department of Defense or the Department of the Army.

3. From September 11, 2004 to March 9, 2005, I was on active duty and assigned to OARDEC. Rear Admiral McGarrah served as the Director of OARDEC during the entirety of my assignment.

4. While assigned to OARDEC, in addition to other duties, I worked as an agency liaison, responsible for coordinating with government agencies, including certain Department of Defense (''DoD'') and non-DoD organizations, to gather or validate information relating to detainees for use in CSRTs. I also served as a member of a CSRT, and had the opportunity to observe and participate in the operation of the CSRT process.

5. As stated in the McGarrah Dec., the information comprising the Government Information and the Government Evidence was not compiled personally by the CSRT Recorder, but by other individuals in OARDEC. The vast majority of the personnel assigned to OARDEC were reserve officers from the different branches of service (Army, Navy, Air Force, Marines) of varying grades and levels of general military experience. Few had any experience or training in the legal or intelligence fields.

6. The Recorders of the tribunals were typically relatively junior officers with little training or experience in matters relating to the collection, processing, analyzing, and/or dissemination of intelligence material. In no instances known to me did any of the Recorders have any significant personal experience in the field of military intelligence. Similarly, I was unaware of any Recorder having any significant or relevant experience dealing with the agencies providing information to be used as a part of the CSRT process.

7. The Recorders exercised little control over the process of accumulating information to be presented to the CSRT board members. Rather, the information was typically aggregated by individuals identified as case writers who, in most instances, had the same limited degree of knowledge and experience relating to the intelligence community and intelligence products. The case writers, and not the Recorders, were primarily responsible for accumulating documents, including assembling documents to be used in the drafting of an unclassified summary of the factual basis for the detainee's designation as an enemy combatant.

8. The information used to prepare the files to be used by the Recorders frequently consisted of finished intelligence products of a generalized nature—often outdated, often ''generic,'' rarely specifically relating to the individual subjects of the CSRTs or to the circumstances related to those individuals' status.

9. Beyond ''generic'' information, the case writer would frequently rely upon information contained within the Joint Detainee Information Management System (''JDIMS''). The subset of that system available to the case writers was limited in terms of the scope of information, typically excluding information that was characterized as highly sensitive law enforcement information, highly classified information, or information not voluntarily released by the originating agency. In that regard, JDIMS did not constitute a complete repository, although this limitation was frequently not understood by individuals with access to or who relied upon the system as a source of information. Other databases available to the case writer were similarly deficient. The case writers and Recorders did not have access to numerous information sources generally available within the intelligence community.

10. As one of only a few intelligence-trained and suitably cleared officers, I served as a liaison while assigned to OARDEC, acting as a go-between for OARDEC and various intelligence organizations. In that capacity, I was tasked to review and/or obtain information relating to individual subjects of the CSRTs. More specifically, I was asked to confirm and represent in a statement to be relied upon by the CSRT board members that the organizations did not possess ''exculpatory information'' relating to the subject of the CSRT.

11. During my trips to the participating organizations, I was allowed only limited access to information, typically prescreened and filtered. I was not permitted to see any information other than that specifically prepared in advance of my visit. I was not permitted to request that further searches be performed. I was given no assurances that the information provided for my examination represented a complete compilation of information or that any summary of information constituted an accurate distillation of the body of available information relating to the subject.

12. I was specifically told on a number of occasions that the information provided to me was all that I would be shown, but I was never told that the information that was provided constituted all available information. On those occasions when I asked that a representative of the organization provide a written statement that there was no exculpatory evidence, the requests were summarily denied.

13. At one point, following a review of information, I asked the Office of General Counsel of the intelligence organization that I was visiting for a statement that no exculpatory information had been withheld. I explained that I was tasked to review all available materials and to reach a conclusion regarding the non-existence of exculpatory information, and that I could not do so without knowing that I had seen all information.

14. The request was denied, coupled with a refusal even to acknowledge whether there existed additional information that I was not permitted to review. In short, based upon the selective review that I was permitted, I was left to ''infer'' from the absence of exculpatory information in the materials I was allowed to review that no such information existed in materials I was not allowed to review.

15. Following that exchange, I communicated to Rear Admiral McGarrah and the OARDEC Deputy Director the fundamental limitations imposed upon my review of the organization's files and my inability to state conclusively that no exculpatory information existed relating to the CSRT subjects. It was not possible for me to certify or validate the non-existence of exculpatory evidence as related to any individual undergoing the CSRT process.

16. The content of intelligence products, including databases, made available to case writers, Recorders, or liaison officers, was often left entirely to the discretion of the organizations providing the information. What information was not included in the bodies of intelligence products was typically unknown to the case writers and Recorders, as was the basis for limiting the information. In other words, the person preparing materials for use by the CSRT board members did not know whether they had examined all available information or even why they possessed some pieces of information but not others.

17. Although OARDEC personnel often received large amounts of information, they often had no context for determining whether the information was relevant or probative and no basis for determining what additional information would be necessary to establish a basis for determining the reasonableness of any matter to be offered to the CSRT board

members. Often, information that was gathered was discarded by the case writer or the Recorder because it was considered to be ambiguous, confusing, or poorly written. Such a determination was frequently the result of the case writer or Recorder's lack of training or experience with the types of information provided. In my observation, the case writer or Recorder, without proper experience or a basis for giving context to information, often rejected some information arbitrarily while accepting other information without any articulable rationale.

18. The case writer's summaries were reviewed for quality assurance, a process that principally focused on format and grammar. The quality assurance review would not ordinarily check the accuracy of the information underlying the case writer's unclassified summary for the reason that the quality assurance reviewer typically had little more experience than the case writer and, again, no relevant or meaningful intelligence or legal experience, and therefore had no skills by which to critically assess the substantive portions of the summaries.

19. Following the quality assurance process, the unclassified summary and the information assembled by the case writer in support of the summary would then be forwarded to the Recorder. It was very rare that a Recorder or a personal representative would seek additional information beyond that information provided by the case writer.

20. It was not apparent to me how assignments to CSRT panels were made, nor was I personally involved in that process. Nevertheless, I discerned the determinations of who would be assigned to any particular position, whether as a member of a CSRT or to some other position, to be largely the product of ad hoc decisions by a relatively small group of individuals. All CSRT panel members were assigned to OARDEC and reported ultimately to Rear Admiral McGarrah. It was well known by the officers in OARDEC that any time a CSRT panel determined that a detainee was not properly classified as an enemy combatant, the panel members would have to explain their finding to the OARDEC Deputy Director. There would be intensive scrutiny of the finding by Rear Admiral McGarrah who would, in turn, have to explain the finding to his superiors, including the Under Secretary of the Navy.

21. On one occasion, I was assigned to a CSRT panel with two other officers, an Air Force colonel and an Air Force major, the latter understood by me to be a judge advocate. We reviewed evidence presented to us regarding the recommended status of a detainee. All of us found the information presented to lack substance.

22. What were purported to be specific statements of fact lacked even the most fundamental earmarks of objectively credible evidence. Statements allegedly made by percipient witnesses lacked detail. Reports presented generalized statements in indirect and passive forms without stating the source of the information or providing a basis for establishing the reliability or the credibility of the source. Statements of interrogators presented to the panel offered inferences from which we were expected to draw conclusions favoring a finding of ''enemy combatant'' but that, upon even limited questioning from the panel, yielded the response from the Recorder, ''We'll have to get back to you.'' The personal representative did not participate in any meaningful way.

23. On the basis of the paucity and weakness of the information provided both during and after the CSRT hearing, we determined that there was no factual basis for concluding that the individual should be classified as an enemy combatant. Rear Admiral McGarrah and the Deputy Director immediately questioned the validity of our findings. They directed us to write out the specific questions that we had raised concerning the evidence to allow the Recorder an opportunity to provide further responses. We were then ordered to reopen the hearing to allow the Recorder to present further argument as to why the detainee should be classified as an enemy combatant. Ultimately, in the absence of any substantive response to the questions and no basis for concluding that additional information would be forthcoming, we did not change our determination that the detainee was not properly classified as an enemy combatant. OARDEC's response to the outcome was consistent with the few other instances in which a finding of ''Not an Enemy Combatant'' (NEC) had been reached by CSRT boards. In each of the meetings that I attended with OARDEC leadership following a finding of NEC, the focus of inquiry on the part of the leadership was ''what went wrong.''

24. I was not assigned to another CSRT panel.

I hereby declare under the penalties of perjury based on my personal knowledge that the foregoing is true and accurate.

STEPHEN ABRAHAM.

EXHIBIT 2

(CITE AS: 542 U.S. 466, 124 S.CT. 2686

[1] Congress has granted federal district courts, ''within their respective, jurisdictions,'' the authority to hear applications for habeas corpus by any person who claims to be held ''in custody in violation of the Constitution or laws or treaties of the United States.'' 28 U.S.C. §§2241(a), (c)(3). The statute traces its ancestry to the first grant of federal-court jurisdiction: Section 14 of the Judiciary Act of 1789 authorized federal courts to issue the writ of habeas corpus to prisoners who are ''in custody, under or by colour of the authority of the United States, or are committed for trial before some court of the same.'' Act of Sept. 24, 1789, ch. 20, §14, 1 Stat. 82. In 1867, Congress extended the protections of the writ to ''all cases where any person may be restrained of his or her liberty in violation of the constitution, or of any treaty or law of the United States.'' Act of Feb. 5, 1867, ch.28, 14 Stat. 385. See *Felker* v. *Turpin*, 518 U.S. 651, 659–660, 116 S.Ct. 2333, 135 L.Ed.2d 827 (1996).

Habeas corpus, is, however, ''a writ antecedent to statute, * * * throwing its root deep into the genius of our common law.'' *Williams* v. *Kaiser*, 323 U.S. 471, 484, n. 2, 65 S.Ct. 363, 89 L.Ed. 398 (1945) (internal. quotation marks omitted). The writ appeared in English law several centuries ago, became ''an integral part of our common-law heritage'' by the time the *474 Colonies achieved independence, *Preiser* v. *Rodriguez*, 411 U.S. 475, 485, 93 S.Ct. 1827, 36 L.Ed.2d 439 (1973), and received explicit recognition in the Constitution, which forbids suspension of ''[t]he Privilege of the Writ of Habeas Corpus * * * unless when in Cases of Rebellion or Invasion the public Safety may require it,'' Art. I, §9, cl. 2.

As it has evolved over the past two centuries, the habeas statute clearly has expanded habeas corpus ''beyond the limits that obtained during the 17th and 18th centuries.'' *Swain* v. *Pressley*, 430 U.S. 372, 380, n. 13, 97 S.Ct. 1224, 51 L.Ed.2d 411 (1977). But ''[a]t its historical core, the writ of habeas corpus has served as a means of reviewing the legality of Executive detention, and it is in that context that its protections have been strongest.'' *INS* v. *St. Cyr*, 533 U.S. 289, 301, 121 S.Ct. 2271, 150 L.Ed.2d 347 (2001). See also *Brown* v. *Allen*, 344 U.S. 443, 533, 73 S.Ct. 397, 97 L.Ed. 469 (1953) (Jackson, J., concurring in result) (''The historic purpose of the writ has been to relieve detention by executive authorities without judicial trial''). As Justice Jackson wrote in an opinion respecting the availability of habeas corpus to aliens held in U.S. custody:

''Executive imprisonment has been considered oppressive and lawless since John, at Runnymede, pledged that no free man should be imprisoned, dispossessed, outlawed, or exiled save by the judgment of his peers or by the law of the land. The judges of England developed the writ of habeas corpus largely to preserve these immunities from executive restraint.'' *Shaughnessy* v. *United States ex rel. Mezei*, 345 U.S. 206, 218–219, 73 S.Ct. 625, 97 L.Ed. 956 (1953) (dissenting opinion).

Consistent with the historic purpose of the writ, this Court has recognized the federal courts' power to review applications for habeas relief in a wide variety of cases involving executive detention, in wartime **2693 as well as in times of peace. The Court has, for example, entertained the habeas petitions of an American citizen who plotted an attack on military installations during the Civil War, Ex parte *475 *Milligan*, 4 Wall. 2, 18 L.Ed. 281 (1866), and of admitted enemy aliens convicted of war crimes during a declared war and held in the United States, *Ex parte Quirin*, 317 U.S. 1, 63 S.Ct. 2, 87 L.Ed. 3 (1942), and its insular possessions, *In reo Yamashita*, 327 U.S. 1, 66 S.Ct. 340, 90 L.Ed. 499 (1946).

The question now before us is whether the habeas confers a right to judicial review of the legality of executive detention of aliens in a territory over which the United States exercises plenary and exclusive jurisdiction, but not ''ultimate sovereignty.''

Application of the habeas statute to persons detained at the base is consistent with the historical reach of the writ of habeas corpus. At common law, courts exercised habeas jurisdiction over the claims of aliens detained within sovereign territory of the realm, [FN11] as well as the claims of **2697 persons *482 detained in the so-called ''exempt jurisdictions,'' where ordinary writs did not run, [FN12] and all other dominions under the sovereign's control. [FN13] As Lord Mansfield wrote in 1759, even if a territory was ''no part of the realm,'' there was ''no doubt'' as to the court's power to issue writs of habeas corpus if the territory was ''under the subjection of the Crown.'' *King* v. *Cowle*, 2 Burr. 834, 854–855, 97 Eng. Rep. 587, 598–599 (K.B.). Later cases confirmed that the reach of the writ depended not on formal notions of territorial sovereignty, but rather on the practical question of ''the exact extent and nature of the jurisdiction or dominion exercised in fact by the Crown.'' *Ex parte Mwenya*, [1960] 1 Q.B. 241, 303 (C.A.) (Lord Evershed, M. R.).

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, I rise today in support of and as a cosponsor of amendment No. 2012. I salute Senator WEBB and my colleagues who joined in this effort which would set a standard for how much time our troops get at home between deployments. We owe it to our troops and to our families to have a rational and reasonable troop rotation policy that allows our fighting forces to be at their best.

The ever-quickening operational tempo over the last 4 years of combat in Iraq and Afghanistan has stretched our military beyond reason and endangered our national security. Continuing to shorten the time our troops

are able to spend at home while extending deployments is simply not a sustainable policy. It is bad for operational readiness, it is bad for retention, it is bad for morale, and it is bad for the health of our military members and their families. We must do better to protect our national security, and this amendment moves us in the right direction.

In the time I have spent with our servicemembers in Iraq and Afghanistan, at Fort Carson and at the many military installations around Colorado, I have always found our servicemembers to be serving proudly and honorably. They rarely look at you and talk about the sacrifices they are being asked to make or of the effects that failed policies are having on them and on their families. But you can still see in their eyes the evidence of the strain that the operational tempo is placing on them and on their families. You see the strain at installations all around the country.

In my State at Fort Carson where I have visited often over the last several years, the families of the 2nd Brigade of the 2nd Infantry Division learned earlier this year that their soldiers' tours of duty in Iraq are being extended by 3 months, so that they will stay in the theater for a total of 15 months rather than the 12 months they anticipated when they went to Iraq. The 2nd Brigade is currently today in a block-by-block battle with insurgents in eastern Baghdad. The 2nd Brigade lost 6 soldiers over the Fourth of July week, and they have lost 37 since they arrived in Iraq last October. The brigade was supposed to be returning this fall. They were supposed to be returning this fall, but now it will be winter before they might be able to come home.

The 3rd Brigade, also at Fort Carson, returned from Iraq late last fall after a full year deployment. They could well be sent back to Iraq before they have the time they need here to recuperate, to train, and to prepare for a new deployment. They deserve some consistency and certainty in their deployment cycle.

We see the impacts of the current operational tempo in our Guard and Reserve units as well. We have come to rely on the Guard and Reserve to an unprecedented degree in Iraq. At one point in 2005, the Army National Guard contributed nearly half of the combat brigades on the ground in Iraq. These troops, once thought of as ''weekend warriors,'' have been shouldering burdens similar to their Active-Duty counterparts and are facing the same extended deployments and the same shortened time at home.

We are quickly learning about the impacts of this operational tempo on the health and well-being of our troops. The impacts and the facts here are beyond dispute. A study at Fort Carson showed that around 18 percent of returning soldiers had traumatic brain injuries. These are soldiers who have come back to Fort Carson after having served in Iraq. They need time to recover from those injuries. A recent service-wide report of the DOD's Task Force on Mental Health showed that 38 percent of soldiers, 31 percent of marines, and 49 percent of the National Guard report psychological problems following combat deployments. The prevalence of psychological problems increases with increased frequency of deployment and with longer deployments. Our troops need more time at home to recuperate and readjust with their families.

Amendment No. 2012 is a sensible and much needed rotation policy for our troops. I can think of no better author for this amendment than Senator JIM WEBB who has had a long and storied history of service to our country and who has an intimate understanding of the military and knowing what it takes to have a strong military for the United States of America.

For our regular forces, the amendment requires that if a unit or a member is deployed to Iraq or Afghanistan, they will have equal time at home before being redeployed. That is to say, if they are deployed for 6 months, they must be at home for at least 6 months before being sent back into combat. For the National Guard and Reserve, no unit or member could be redeployed to Iraq or Afghanistan within 3 years of their previous deployment.

The amendment includes an important provision that I hope my colleagues on the other side of the aisle pay attention to. It is an important provision that allows the President to waive these limitations. The President can waive these limitations if he certifies to Congress that the deployment is necessary in response to an operational emergency posing a vital threat to the national security of the United States of America. So the President can waive the requirements of this readiness legislation we are proposing in the Chamber today. Another waiver would authorize the Chief of Staff of each branch to approve requests by volunteers to deploy.

This is an amendment which supports our troops and their families who have been called upon to make ever-increasing sacrifices in the course of this war. It is an amendment which I ask my colleagues to support and which I hope we will pass on behalf of our troops and their families.

I wish to conclude by simply stating my appreciation to the leaders who have put together the DOD authorization legislation which is before the Senate. The Senator from Michigan, the chairman of the Armed Services Committee, CARL LEVIN, is often referred to by me and I know many of the Members of this Chamber, as a Senator's Senator because he is one of those people who are here for absolutely the right reason—their devotion to this country. His standing up for our military is something which is a great example of a Senator who puts purpose above the politics that sometimes typify Washington perhaps too much of the time. He, in his work with the distinguished Senator from Virginia, Mr. WARNER, who was also the key coauthor of this legislation, exemplifies the best of what there is here in this Senate Chamber. I just wanted to publicly state my appreciation to Senator LEVIN and his staff and to Senator WARNER and his staff for the great work they have done on this legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who seeks time?

The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, first let me thank my dear friend, Senator SALAZAR, for his comments. They are particularly meaningful coming from somebody who as much as anybody in this body strives to bring Members together in common causes. I want to tell him how grateful I am for his comments but also, even more importantly, how grateful we all are for the effort he makes to cross the aisle and bring Senators together on important issues of the day.

Last night, I was not able to be present when our bill came to the floor. I was chairing a subcommittee meeting which I could not leave. I asked a number of colleagues on the Armed Services Committee if they could fill in for me, and very graciously and, as always, very competently, Senators BEN NELSON and BILL NELSON fulfilled that role and responded to that request, and I am very grateful to them for having done so. I wasn't able then to present the bill, as a bill of this magnitude should be presented, and I will take a few minutes at this time to do that.

The Defense Authorization Act for fiscal year 2008 would fully fund the fiscal year 2008 budget request of $648.8 billion for national security activities of the Department of Defense and the Department of Energy.

The Senate Armed Services Committee has a long tradition of setting aside partisanship and working together in the interest of the national defense. That tradition has been maintained this year. I am pleased that our bill, S. 1547, was reported to the Senate on a unanimous 25-to-nothing vote of our committee. Additionally, S. 1606, the Dignified Treatment of Wounded Warriors Act, which we will be taking up either as part of this bill or as a freestanding measure, was also reported by the committee on a unanimous 25-to-nothing vote. These votes stand as a testament to the common commitment of all of our Members to supporting our men and women in uniform.

Our bill contains many important provisions that will improve the quality of life of our men and women in uniform, provide needed support and assistance to our troops on the battlefields of Iraq and Afghanistan, make the investments we need to meet the

challenges of the 21st century, and require needed reforms in the management of the Department of Defense.

The bill before us, perhaps most importantly, continues the increases in compensation and quality of life that our service men and women and their families deserve as they face the hardships imposed by continuing military operations around the world. For example, the bill contains provisions that would authorize a 3.5-percent across-the-board pay increase for all uniformed military personnel, which is a half a percent more than the administration's request. Our bill authorizes increases in the end-strength of the Army and the Marines—13,000 for the Army and 9,000 for the Marines. Our bill authorizes payment of over 25 types of bonuses and special pay aimed at encouraging the enlistment, reenlistment, and continued service by Active-Duty and Reserve military personnel. Our bill authorizes payment of combat-related special compensation to servicemembers medically retired for a combat-related disability. We reduce the cost of pharmaceuticals to Department of Defense personnel by authorizing the use of Federal pricing for pharmaceuticals dispensed through the TRICARE retail program.

The bill also includes important funding and authorities needed to provide our troops with the equipment and support they will continue to need as long as they remain in Iraq and Afghanistan. For instance, the bill contains provisions which would add $4 billion above the amount requested by the administration for Mine Resistant Ambush Protected Vehicles, so-called MRAPs, which improve protection for our troops exposed to improvised explosive devices, or IEDs. Our bill fully funds the budget request of $4.5 billion for the Joint Improvised Explosive Device Defeat Office, while directing that office to invest at least $50 million in blast injury research and over $150 million for the procurement of IED jammers for the Army.

We invest more than $70 million in research and new technologies to enhance the force protection of deployed units, including advanced materials for vehicle and body armor, active protection systems that shoot down incoming rocket-propelled grenades, and sniper detection systems. And we add $2.7 billion for items needed by the Army but not contained in the President's budget, including $775 million for reactive armor and other Stryker requirements, $207 million for aviation survivability equipment, $102 million for combat training centers, and funding for explosive ordnance disposal equipment, night-vision devices, and machine guns.

The bill would also enhance our national security by aggressively addressing the risk of proliferation of weapons of mass destruction. In this regard, the bill would increase funding over the administration's request for Department of Energy nonproliferation programs by $87 million, increase funding for the Department of Defense Cooperative Threat Reduction Program, CTR, by $100 million, eliminate funding restrictions that limit the use of CTR funds, and we expand the CTR Program to countries outside of the former Soviet Union.

The bill contains a number of provisions that will help improve the management of the Department of Defense and other Federal agencies. For example, the bill contains provisions that would establish a Chief Management Officer, finally, for the Department of Defense to provide continuous top-level attention to the high-risk management problems of the Department as recommended by the Comptroller General. I note that our Presiding Officer is a member of the committee which takes a particular interest in management issues, and the committee on which we both serve, the Homeland Security and Governmental Affairs Committee, has been interested in this subject for years, as long as probably both of us, the Presiding Officer and I, have been here together. We need a chief management officer for the Department of Defense and we would establish that office.

We would establish an acquisition workforce development fund to enable the Department of Defense to increase the size and quality of its acquisition workforce as needed to address systematic deficiencies in the Department's purchases of products and services.

We would tighten the rules for Department of Defense acquisition of major weapons systems and subsystems, components, and spare parts to reduce the risk of contract overpricing, cost overruns, and failure to meet contract schedules and performance requirements.

Our bill also contains a provision that would require increased competition in large so-called ''umbrella contracts'' awarded by the Department of Defense. The Armed Services Committee held a hearing in April on the Department of Defense's management of the $20 billion LOGCAP contract, under which KBR—until recently a subsidiary of Halliburton—has provided services to U.S. troops in the field. There is a history of highly favorable treatment of that contractor throughout this contract. For example, the company was given work that appears to have far exceeded the scope of the contract. All of this added work was provided to the contractor without competition. There were almost $2 billion of overcharges on the contract, and the contractor received highly favorable settlements on these overcharges.

When asked why the Army had waited 5 years to split the LOGCAP contract among multiple contractors so as to allow for the competition of individual task orders, the Assistant Secretary of the Army for Acquisition, Technology and Logistics responded:

I don't have a good answer for you.

The provision in our bill would avoid these kinds of abuses we get in sole-source contracts by ensuring that future contracts of this type provide for the competition of task and delivery orders unless there is a compelling reason not to do so.

There are far too many provisions in the bill to describe all of them, but there are a few more I wish to put some focus on.

Section 1023 of the bill would protect our troops, uphold our values, and help restore our image around the world by providing a fair process for reviewing the status of the Department of Defense detainees at Guantanamo and elsewhere. This provision would require for the first time that long-held detainees receive legal representation, provide for legal rulings to be made by military judges, and prohibit the use of coerced statements.

Section 871 of the bill would require the Department of Defense to provide much-needed regulation for contractors operating on the battlefield in Iraq and Afghanistan. Over the past 4 years, contractor employees have frequently fired weapons at people and property in Iraq—including insurgents, civilians and, on occasion, even our own coalition forces. Yet we have no consistent system in place for regulating the conduct of these armed contractors, or for enforcing compliance with those regulations that do exist, that are supposed to govern the activities of our contractors we hire. The provision in our bill would ensure that commanders on the battlefield have the authority they have long needed to establish rules of engagement—as well as systems for reporting and investigating incidents involving the use of force—for armed contractors of ours in an area of combat operations.

Finally, shortfalls in the care and treatment of our wounded warriors came to the attention of the Nation in a series in the Washington Post last February. These articles described deplorable living conditions for some servicemembers in an outpatient status. They described a bungled, bureaucratic process for assigning disability ratings that determine whether a servicemember would be medically retired with health and other benefits for himself and for his family. A clumsy handoff was described and exists between the Department of Defense and the Department of Veterans Affairs when a military member transitions from one department to another. The Nation's shock and dismay reflected the American people's support, respect, and gratitude for the men and women who put on our Nation's uniform. They deserve the best, not shoddy medical care and bureaucratic snafus.

I am very proud our Armed Services Committee approved S. 1606, the Dignified Treatment of Wounded Warriors, by a unanimous 20-to-0 vote on June 14. This bill, which we worked on so closely with the Committee on Veterans' Affairs, would address the issues of inconsistent application of disability

standards, disparate disability ratings, substandard facilities, lack of seamless transition from the Department of Defense to the Veterans' Administration, inadequacy of severance pay, care, and treatment for traumatic brain injury and post-traumatic stress disorder. It addresses also medical care for caregivers not eligible for TRICARE, and the sharing of medical records between the Department of Defense and the Department of Veterans Affairs.

In consultation with the leadership and with the Committee on Veterans Affairs, since there is unlikely to be available floor time to bring this critically needed bill to the floor as freestanding legislation, it will be offered instead as an amendment to the bill we have on the floor now. I will be offering this on behalf of a very large bipartisan group of Senators coming from not only both the Armed Services Committee and Veterans' Affairs Committee but from all Senators, just about, who will be offering this amendment. We owe it to our men and women in uniform to take up and pass this important legislation.

As of today, roughly 160,000 U.S. soldiers, sailors, airmen, and marines are engaged in combat and combat support operations in Iraq. Almost 20,000 are engaged in combat and combat support operations in Afghanistan, and tens of thousands more are supporting the war effort through deployments thousands of miles from home.

While many of us believe the time has come to start bringing these troops home, we all know we must provide our troops the support they need as long as they remain in harm's way. We in the Nation are divided on the administration's war policy, but we are united in our determination to support our troops. Senate action on the National Defense Authorization Act for Fiscal Year 2008 will improve the quality of life of our men and women in uniform. It will give them the tools they need to remain the most effective fighting force in the world. Most important of all, it will send an important message that we, as a Nation, stand behind them and we appreciate their service.

Finally, as I did earlier this morning, I note that this bill—a bipartisan bill—would not have been possible without the support and leadership of Senator MCCAIN, my ranking member, and each member of the Senate Armed Services Committee. We owe a special debt of gratitude to those who served as subcommittee chairs and ranking members of the Armed Services Committee. This bill takes a long time to put together and then to mark up. It takes many months to perform those functions and many days in the markup process itself.

I also give a special thank-you to our former chairman, Senator WARNER, who again did yeoman service to make it possible for this bill to come to the floor in a bipartisan manner, which it has. I look forward to working with colleagues to pass this important legislation. I hope we can proceed to the prompt consideration of it, and I hope that as soon as we address the amendment of Senator WEBB, we are going to be able to move on to other amendments.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. CARPER. Mr. President, I feel fortunate that Senator LEVIN was unable to be here yesterday to present the bill from the committee he chairs. As the Presiding Officer a few minutes ago, and now listening for 5 minutes or so, I have become better acquainted with some of the details of a very large and complex piece of legislation. I want to start off by saying a special thanks to him and his staff, to Senator MCCAIN and Senator WARNER and their staffs, and other members of the committee. They have crafted a very difficult bill.

As one who likes to work across the aisle, I applaud them for the way they have done that, bringing near unanimity from your committee in support of this legislation. I especially salute the Senator from Michigan and his team for the work they have done in providing for a chief management officer within the Department of Defense—God knows we need that—along with many other aspects of the bill.

I want to take a moment to talk about the amendment Senator WEBB is offering and has laid down. I know there are folks who have concerns within the Senate and outside of the Senate about this legislation. I want to speak in support of his proposal. You may recall he is calling for us to try to ensure that there is some downtime for active-duty personnel serving in Iraq and Afghanistan—that once they have served in those theaters, they be able to come home, train, rest up, reacquaint with their families, and to prepare to go back, if necessary. He is saying if you are on active duty for 6 months abroad, then they could come home for 6 months. If it is 12 months, there would be a 12-month respite. They would be training and working on readiness and trying to reunite themselves with their families. There is plenty to do during the time they are not deployed.

Also, he would say if they happen to be reservists or National Guard, they should have the opportunity for every year spent abroad to have 3 years downtime. The obvious question that came to mind for me is: What if we get into a jam somewhere in another part of the world and we need somebody who has been promised that 6 months back home, or 2, 3 years back home, and we need them to come back and serve on active duty? What if a member of the Guard or Reserves or active duty wanted to serve sooner again in Afghanistan or Iraq, would they be able to? Those are good questions. It was discussed over lunch with Senator WEBB. I was pleased with his response. Regarding the question about the guardsmen, reservists, and active-duty personnel who want to come back and serve in the theaters again prior to the end of their period of respite, their time at home, they could go back if they express that they want to serve. That request will be honored.

Secondly, if we get into a jam as a country in another part of the world and we need a unit to go there, whether you are Army, Navy, Air Force, or Marine, there is a Presidential waiver included in the Webb amendment that says the President can waive the language in the bill, in the amendment, and direct those forces to serve back in the theater where they are needed. I think those are positive and important aspects of the Webb amendment. We ought to keep them in mind.

Prior to coming to serve in the Senate, I was privileged to be Governor of my State for 8 years. As Governor of Delaware—or of any State, whether it is Pennsylvania, Michigan, or Delaware—you serve as commander in chief of your National Guard.

We had Army Guard and Air Guard who served, and I was honored to be, for those 8 years, their commander in chief. I felt a great affection, a great affinity for them, an allegiance to them and to their families.

When I was in Iraq 3 or 4 weeks ago, I had the opportunity to meet with members of our 198th Signal Battalion of the Delaware National Guard. On the morning I came back from having been in Iraq, I flew into Dulles and hotfooted it up to a place called Delaware City in time to send off the 153rd unit of the Delaware National Guard, a military police unit, who were going to Fort Dix and then on to Iraq. It is a unit we actually created when I was Governor, and I feel a special spot for them in my heart. I wanted to be there when they were sent abroad, sent to Fort Dix and then on to Iraq.

Having talked with a number of them, having been with them and their families literally weeks ago as they prepared to depart, I have a special sense from being overseas in Baghdad with folks from the 198th Signal Battalion for what their concerns are with respect to an extended deployment.

These are people who did not sign up for one, two, three deployments in the war zone. Before I served in the House of Representatives, I was a naval flight officer. I served during the Vietnam war. I wasn't a hero such as JIM WEBB, and I wasn't a hero such as JOHN MCCAIN and some others with whom we serve—DANNY INOUYE. My job in the Vietnam war in P–3 airplanes was to hunt for Red October, track Soviet nuclear submarines. We flew missions off the coast of Vietnam as well.

Interestingly enough, we had other Reserve squadrons come out and fly missions with us during the Vietnam war. Almost without exception, we never gave them difficult jobs to do. Almost without exception, they were not given challenging jobs to do because we didn't want them to mess it

up. We would basically take the harder jobs for ourselves. We were not confident in their ability to take on the tougher missions with which we were burdened, were subscribed to carry out.

That has changed today. Go over to Iraq or Afghanistan where some of us have been recently. Our Guard and Reserve units are doing the toughest work, the most dangerous work, the most demanding work of any Active-Duty Force. They are in harm's way. They are getting shot at, in some cases getting wounded, in other cases dying. They leave behind, particularly those on active duty, Active-Duty Guard and Reserve, not just families in many cases—spouses, children, in some cases dependent parents—in many cases they have businesses they own and run themselves. It is one thing to be away from an employer who would like to have you there, who needs you there and to be away for a month, 2, or 3 months on active duty. But try leaving your business that you may have started, built, and it depends on you being there, and go away for 15 months, come back for a little while to the States to try to get it started again and have to go away again for 15 months.

After 5 years active duty, I served another 18 years as a Reserve naval flight officer. I stayed current on my airplane. I flew with a squadron out of the naval air station at Willow Grove. If members of my unit—and they were great guys, they were all guys, and they loved the Navy, they loved the service, they loved our mission—if you had taken most of us and said: We are putting you on active duty for 15 months, let you come home a little while and put you back for another 15 months on the other side of the world, I am not sure how many would sign up again, reup, renew our commitment. I guess a lot of people said: No, thank you; been there, done that. I served my Nation on active duty and in the Reserve, and we wouldn't have taken on that obligation, at least not with great enthusiasm. Some would have; I suspect others would not.

What Senator WEBB is trying to do is to say: Look, if you have gone over there, if you are on active duty, if you serve in the Army, Navy, Air Force, Marines in the theater for 6 months, we are going to make sure you have a chance to catch your breath, to come back, hopefully, with your unit to retrain here, have downtime to reconnect with your family, to begin to put your personal life together a little bit before we put you back over there in harm's way. To the extent you happen to be a reservist or a member of the National Guard and you have other commitments, you are not on active duty, have your own job, business, family with children, we are going to give you a chance to make sure you can get that business going again, stand it up, strengthen it, reacquaint yourself with your family, make sure your kids and spouse are doing all right, maybe your parents, before we put you back in harm's way again.

I think that makes a whole lot of sense. It is humane, in terms of actually being able to keep people on active duty, Reserve status, and Guard status. I think it will increase our ability to recruit and retain people, when their term of enlistment expires, to reup. It will increase the likelihood they will stick with us.

The other point I wish to make, for those who are not aware of the waiver authority that is granted in this amendment, we say to a President: You can waive these requirements for Active-Duty personnel or for Guard personnel. You can waive them. If we find ourselves in a bind in another part of the world and we need those forces, those assets to be on active duty again, the President can waive those requirements.

Also, if I or any of us happen to be on active duty or in the Reserves and we have done our time and have a chance to come back and we want to go back, we feel an obligation to go back—and God bless them, some of our troops today are serving second and third tours over there—they would have the opportunity to do that, not be barred from doing that. If they chose to take that course, they could.

For those reasons and for others I mentioned today, I believe Senator WEBB's amendment should be supported. It deserves to be enacted. It is one of those deals where the more I learned about it, the more comfortable I have become with it. As a number of my colleagues who actually served active duty, served in the Reserves and had the privilege of leading a State's National Guard, this is one I thought about. This wasn't a knee-jerk reaction, yep, this is the way to do it. I thought it through and put on my hats of earlier roles I played outside the Senate, outside the Congress.

I think the Webb amendment is the right way to go. My hope is, when the votes are cast, it will be adopted and added to this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WEBB. Mr. President, I first express my thanks to the Senator from Delaware for his service and also for his comments on this amendment.

I come to the floor because I heard the other side of the aisle may be deciding to filibuster this amendment. I wish to, first of all, express my surprise that this filibuster might occur which, as the Chair knows, would increase the requirement of 60 votes in order for the amendment to proceed.

This is a very simple and very fair amendment. I would like to express my opinions about some of the comments that have been made, as I was outside listening to different people from the media telling me what some of the reservations from the other side have been on this amendment. The comments that have been made are not accurate.

There are people who are saying this amendment is unconstitutional in the sense that only the Commander in Chief should be able to make decisions regarding the deployment of troops during a war.

First of all, article I, section 8 of our Constitution is very clear on this point. It states that ''The Congress shall have the Power . . . To make Rules for the Government and Regulation of the land and naval Forces. . . .''

This is well within the Constitution. In fact, there is much precedent when people who are opposed to this amendment discuss that it might be tying the President's hands unnecessarily. We can go back to the dark days of the Korean war, where because of the national emergency that was caused from the invasion of South Korea by the North, we didn't have enough troops available, and the administration at the time started sending soldiers into Korea who had not been fully trained and the Congress acted within its constitutional purview and passed a law that said no individual who is brought into the U.S. military can be sent overseas unless they have been in the military for 120 days.

The reason the Congress acted was to protect the well-being of those who served, and that is exactly what we are proposing to do today. We are saying that whatever your beliefs are about this war, whether you want it to end in 5 weeks or whether you want it to go on for the next 10 years, we have to come to some common agreement among the leadership of the United States that we are going to protect the well-being of our troops, the people who step forward to serve in these times.

The minimum we can do is to set a floor that basically says: However long you are deployed, you can have that much time back at home. Or if you are in the National Guard or Reserve, if you have been deployed, you deserve to have three times that much time at home.

The historical standard is if you have been deployed overseas or if you have been deployed on a deployment, you should have twice as much time at home. The Commandant of the Marine Corps earlier this year, when he undertook the duties of being Commandant, said that his goal was to bring in a 2-to-1 rotational cycle for the Marine Corps. Given the requirements of Iraq, 2 to 1. We are now at 1 to 1, with a good portion of that time back home being spent in workups for these units and for these individuals to go back.

The Army, as a result of this surge, now has a policy where they are saying you go to Iraq for 15 months, and we will guarantee you 12 months at home. That is not even 1 to 1.

Our amendment establishes a floor. It is reasonable. It doesn't have anything to do with political objectives of the war downstream. That can be sorted out later. We are simply saying, if you have been gone for a year, you deserve to be back for a year. If you have been gone for 7 months, you deserve to

be back for 7 months, unless you want to go back. If you want to go back, fine. You can volunteer to go back. Our amendment does not stop that. Or if there is an operational emergency where the President certifies there is a requirement, then the President can waive this amendment. We are trying to set a policy of stability so military families can predict what their cycle is going to be and have enough time to truly become involved with their families again, have some downtime, then refurbish, retrain, and go back.

I suggest to the other side that if they believe this is an amendment that is incompatible with military service, they might want to consider a letter I received today from the Military Officers Association of America. This is the largest and most influential association of military officers in the country. It is composed of 360,000 members from every branch of the military. They wrote me today. I will read portions of this letter:

On behalf of the 368,000 members of the Military Officers Association, I am writing to express our support for your amendment. The MOAA is very concerned that steps must be taken to protect our most precious military asset—the all-volunteer force—from having to bear such a disproportionate share of national wartime sacrifice. If we are not better stewards of our troops—

This is the president of the MOAA, VADM Norbert Ryan, U.S. Navy retired, saying this—

If we are not better stewards of our troops and their families in the future than we have been in the recent past, we believe strongly that we will be putting the all-volunteer force at unacceptable risk.

I submit to the President and this body, this is not the kind of statement that would be made from a group of 368,000 military officers unless they believed in the constitutionality and the propriety of what we are attempting to do.

I say to my colleagues, and particularly to my colleagues on the other side of the aisle, I am very disappointed in the notion that an amendment with this simplicity that goes to the well-being of our troops might even be considered as a filibuster. I say to my colleagues on the other side of the aisle that the American people are watching us today, and they are watching closely, with the expectation that we finally can take some sort of positive action that might stabilize the operational environment in which our troops are being sent again and again. The American people are tired of the posturing that is giving the Congress such a bad reputation. They are tired of the procedural strategies designed to protect politicians' accountability and to protect this administration from judgment. They are looking for concrete action that will protect the well-being of our men and women in uniform.

The question on this amendment is not whether one supports the war or whether they do not. It is not whether someone wants to wait until mid-July or September to see where one particular set of benchmarks or summary might be taking us. The situation is simply this: More than 4 years into the ground operation in Iraq, we owe stability and a reasonable cycle of deployment to the men and women who are carrying our Nation's burdens. That is the question.

Mr. DURBIN. Will the Senator from Virginia yield for a question?

Mr. WEBB. I will be glad to yield.

Mr. DURBIN. Mr. President, I would like to commend the Senator from Virginia first for offering this amendment. For those who are new to this debate, it is the first amendment on the Defense authorization bill, and it is about our troops' readiness to go to battle. There is no better author of this amendment than the Senator from Virginia, as one of only two combat veterans who is here, proud combat veterans, serving in the Senate.

I would like to ask the Senator, if I understand his amendment correctly, it says that if we are going to deploy American soldiers into fields of battle, in Iraq and Afghanistan or NATO missions, that they not be deployed any longer than they are given an equal amount of time for rest or dwell time, as they call it, for training and preparation for returning to battle. So if a soldier is being sent to Iraq for 15 months, then he or she should have at least 15 months back home at the end of that period—or reassigned to a peaceful setting—before they can be deployed again, for Active-Duty soldiers. Is that the gist or substance when it comes to active duty?

Mr. WEBB. First, I would say to the Senator from Illinois just for factual clarification that Senator HAGEL and I are the only two ground-combat veterans from Vietnam in the Senate, but I certainly do not want to in any way reduce my respect for the distinguished Senator from Hawaii who won the Congressional Medal of Honor during World War II.

The question the Senator poses is correct. What this basically says is that if you have been gone for a year, you deserve to have a minimum of a year back. And a lot of people misunderstand what dwell time is. Dwell time is not downtime. There is a workup cycle for these units before they go back, which is considerable. So even if we are giving them a 1-to-1 ratio here, this is not equal time down as compared to an equal time deployed. That is why the traditional goal is 2 for 1.

Mr. DURBIN. I would like to ask, if the Senator from Virginia will yield further, it is my understanding when it comes to Guard and Reserve that he also has some protection for the amount of time they will have after they have served. I have been told there is an implicit understanding, for example, with Guard members that they would serve 1 year, for example, and have 5 years before redeployment. In fact, that has not been the case in my home State of Illinois, where over 80 percent of the Illinois Guard units have been deployed into combat during the course of this war, and many have been deployed repeatedly. So, obviously, the promise that was supposed to be kept hasn't been kept, and I ask the Senator from Virginia, how do you protect Guard and Reserve when it comes to redeployment in terms of the time they have?

Mr. WEBB. I would say first to the Senator that I had the privilege of being the Assistant Secretary of Defense for Reserve Affairs for 3 years, where we had oversight of the National Guard and Reserve programs during a very critical time when we were transitioning into what we called the total force concept, and the President's use of the Guard and Reserve is certainly something we were not contemplating in the 1980s.

But this amendment sets a floor for the Guard and Reserve of a 3-to-1 ratio with a goal—a written goal—in the amendment of a 5-to-1 ratio, which is the traditional standard.

Mr. DURBIN. If the Senator from Virginia has not covered it in his floor remarks earlier, what has been the impact of these frequent redeployments on Active Guard and Reserve with regard to retention and recruitment? In other words, if my Guard unit in Illinois knows they are going to be deployed and redeployed within a year or two, it seems to me that for some citizen soldiers it would create a hardship which they couldn't impose on their families for a period of time.

Can the Senator from Virginia point to any specific information he has about retention and recruitment relating to this redeployment?

Mr. REID. Mr. President, may I ask my friend to yield? Senator MCCONNELL and I need to transact some business.

I would ask that the record reflect that we stopped the Senator from Virginia but that he maintain the floor and that the record appear as his having not been interrupted. Will that be okay with the Senator from Virginia?

Mr. WEBB. By all means.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, last night, the Republican leader indicated that he would have an alternative amendment to Senator WEBB's amendment and that we would work out an agreement so we would not need cloture, and I appreciate that very much. But a problem has developed. We do have a side by side from Senator GRAHAM, but what I didn't understand is that there would be a requirement of 60 votes on Senator WEBB's amendment and Senator GRAHAM's amendment. I just don't think it is appropriate that there be a filibuster on this amendment, and that is what it is.

I would be happy to enter into an agreement that would provide for a majority vote on both the Graham and Webb amendments. So I now ask unanimous consent that amendment No. 2013

be withdrawn; that there now be 4 hours equally divided to run concurrently on Senator WEBB's amendment and Senator GRAHAM's amendment, as provided to us this morning—we have that amendment, we have looked at it, we understand it—and that at the conclusion or yielding back of time, the Senate vote on Senator WEBB's amendment, no. 2012, followed by a vote on Senator GRAHAM's amendment.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Reserving the right to object, Mr. President, we have been here before. Every Iraq amendment we have voted on this year—and there have been numerous amendments—in fact, I have sort of lost track of how many we have had—every single one of them, as most things in the Senate that are remotely controversial, requires 60 votes. I believe I am correct in saying that every Iraq amendment we have voted on this year, no matter what the underlying bill was to which the amendment was being offered, was in a 60-vote contest.

What we have frequently done is simply negotiated an agreement to have the 60 votes we know we are going to have anyway, and the reason for that is—well, there are several reasons. No. 1, if a cloture vote were invoked, it would further delay consideration of the bill because potentially 30 more hours could be used postcloture on an amendment. So what we have done, in a rational response to the nature of the Senate in this era, is to negotiate 60-vote votes.

We are perfectly happy to enter into an agreement, as I suggested yesterday, for a vote on the Webb amendment and the alternative that we would have, the Graham amendment, by consent, two 60-vote requirements. That is not unusual in the Senate; it is just common practice in the Senate, certainly for as long as I have been here. So, therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

Mr. REID. I guess rationality is in the eye of the beholder. The real facts here are that, on Iraq, for example, the bill the President vetoed was not filibustered. We sent a measure to the President that he vetoed that had 51 or 52 votes. It was in the majority. That is what we should do here.

It appears to me we are arriving at a point where, even on the Defense authorization bill, amendments leading up to a final vote on the Defense authorization bill, which is so important, are going to be filibustered. It is really wrong. It is too bad. We don't have to have this 60-vote margin on everything we do. That is some recent rule that has just come up in the minds of the minority.

Mr. President, we should move forward on this Webb amendment, move forward on the Graham amendment. We have confidence that a majority of the Senate supports Senator WEBB. I don't know about Senator GRAHAM's amendment. But why don't we let the body work its will and then move on to other things. We have the amendment we are waiting to offer very quickly, which is the one that has been worked on for a long time, which is the Levin-Reed amendment.

So, Mr. President, since there is an objection and based on the filibuster of Senator WEBB's troop readiness amendment, I send a cloture motion to the desk.

CLOTURE MOTION

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

The bill 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, do hereby move to bring to a close debate on the Webb, et al., amendment No. 2012, to H.R. 1585, Department of Defense Authorization, 2008.

Jim Webb, Richard Durbin, Daniel K. Akaka, Jack Reed, Carl Levin, H.R. Clinton, Russell Feingold, Jeff Bingaman, Christopher Dodd, Frank R. Lautenberg, John Kerry, Patty Murray, Jon Tester, Sherrod Brown, Ken Salazar, B.A. Mikulski, Joe Biden, Harry Reid.

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

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

Mr. MCCONNELL. Mr. President, Senator MCCAIN is here and will be seeking recognition momentarily, but let me suggest that this is not the most efficient way to move forward with the bill. We have been down this path before on virtually every measure that comes before the Senate. The most expeditious way to move forward is by agreement, not by the filing of cloture.

Having said that, I hope that once it is clear cloture is not going to be invoked, we can get back to the normal way we handle debate on these matters and therefore have a better chance of processing this very important bill and moving it toward passage.

I don't know if my friend from Arizona wanted to ask a question or wanted to get recognition.

Mr. MCCAIN. Mr. President, I would like to seek recognition, but I see the assistant majority leader is up, and I will be glad to wait on him.

Mr. REID. If I could, Mr. President, Mr. WEBB has the floor. I asked him to yield to me to do this, and that was the agreement.

Mr. WEBB. Mr. President, I would gladly yield the floor, but I don't know to whom I am yielding. Where are we?

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. Mr. President, I would like to first thank the Senator from Virginia for his leadership on this amendment, and I am troubled by what just occurred on the floor. What the Democratic majority leader offered was to allow the Webb amendment, an amendment from the Democratic side—which, incidentally, has bipartisan sponsorship with Senator HAGEL of Nebraska—that it be an up-or-down vote, a majority vote, on whether we will give our troops an opportunity to rest before they are redeployed back into battle. I think the Senator from Virginia has made a compelling argument that it is in the best interest of our military—certainly our soldiers and their families—to give them this chance for rest and recuperation and retraining before they are redeployed.

The fact is, we know many of these soldiers are being deployed and redeployed repeatedly at great personal hardship. We have reports that come in that trouble us about family difficulties many of these soldiers are going through because of these long periods of separation and the fact they are overseas so often.

Secondly, we know many of the soldiers who return after the stress of battle need to sit down and talk to some people, go through some counseling to make sure they are dealing with post-traumatic stress disorder and other issues which in previous wars had never been mentioned and we know now to be very important.

So the Senator from Virginia is saying: For goodness' sakes, don't we owe it to our troops to give them a period of rest before we send them back into battle? So he wanted a vote on his amendment, a majority vote, up or down.

We said to the other side, the Republican side: Do you have an approach you would like to use on this same issue?

They said: Senator GRAHAM of South Carolina has an amendment on the same issue; we would like that to be offered.

So the Democratic majority leader said: Fine, we will treat both amendments exactly the same way—have a limited debate, 4 hours, split up, and then we will vote on them, a majority vote, up or down.

But there was an objection, an objection because the Republican leader now says: For the amendments, even those dealing with the readiness of our troops, we need an extraordinary majority, we want 60 votes, even on an amendment about the readiness of soldiers where we have offered both sides the same opportunity.

What it tells us is that when it comes to the issue of the war in Iraq, I am afraid that the minority—the Republican leader—has made it clear that they are going to filibuster every amendment. They are going to do their best to slow down and stop this debate on the war in Iraq. Instead of coming to the issue in a straightforward and honest way, for an up-or-down vote, they prefer to drag this out, drag it out as long as they can, try to put off the inevitable. We can't put off the inevitable, and the inevitable is this: This is a costly, deadly war. As our debate

winds on day after day and week after week, American soldiers are still in the line of fire. Some of our best and bravest will be falling in battle as we stand and debate. That really is not acceptable.

We owe it to our men and women in uniform to do our duty, and our duty is fair deliberation, open debate, and then an up-or-down vote, and move to the next issue. But according to the Republican side of the aisle, that is not the way it will be. They want to filibuster this debate on the war in Iraq—everything they can do to slow it down. That is unfortunate, and I will tell you something. If they were paying attention to the people back in their home States, the people have lost their patience with Congress caught up in this kind of procedural slowdown. They want us to act, and act decisively; make a decision one way or the other; decide whether an amendment is good or bad, but don't drag it out in this kind of parliamentary maneuver over an amendment which on its face is easily understood, which I think is eminently reasonable, and where the other side, the Republican side, has ample opportunity to put their own idea up for a vote at the same time.

It could not be any more fair, and yet the Republican leader objects. I hope he will reconsider. Now we are going to move from this amendment, the Webb amendment, and the Graham amendment, to substantive important amendments on timetables about bringing American soldiers home—doing it in a reasonable way but to start redeploying our troops out of harm's way. It appears now the strategy on the other side of the aisle is, in every respect, to try to slow this down, delay the ultimate decision.

I think Senator REID, the majority leader, has made it clear. We are going to stay here until our job is done. We are committed to making this national debate on Iraq a meaningful debate, and no use of any procedural tool or tactic is going to stop us from the ultimate decision this Senate has to make. It should be done in an open, honest, courteous, and civilized way. When we made that offer, I am afraid to say the Republican leader objected. I hope we can return to the substance of this debate.

I would like to say that Senator WEBB's amendment is not about the politics of the Iraq war, and it is not about whether we should be there or not be there. It is not about a Republican or Democratic view of the war. It simply is about taking care of our troops. We are going to spend a lot of hours in debate over the next several weeks debating the war policy, but one thing we should not debate is the welfare and safety of our troops.

I believe I can safely say every Senator in this body would agree that no matter what else we do, our first duty is to ensure the welfare and safety of those who are fighting, sacrificing, and even dying in this struggle. This is exactly what the Webb amendment does. Our soldiers, sailors, airmen, and marines have performed their duties gallantly over the past 4-plus years. They have not complained and returned time and time again into battle. We owe them and their families gratitude that no single Member of the Senate could properly express.

But as this war stretches on, it takes its toll. All of us have met with Guard units being deployed, other units that are returning. We know what they have been through, just vicariously, by talking with their families and hearing their stories. Many have returned for second, third, and fourth deployments to Iraq and Afghanistan.

Our soldiers spend 12 months of time in theater, and now they are going to be spending 15 months, by the latest decision of the Pentagon. Is it unreasonable to allow them to spend at least that much time at home before they again put themselves in harm's way? I don't think so. These short turnaround times affect our men and women in uniform professionally and personally. After 15 months in battle we ask them to turn around and be ready to leave again in less than a year. That is just not enough time. Under normal conditions, the preparations and training for deployment can take up to a year. After 15 months in the desert, there are going to be significant tasks our soldiers will have to accomplish to get themselves and their equipment back in fighting condition. After so long away from home base, many individual and unit qualifications and training standards have lapsed. It will take time to correct it, but how can they possibly accomplish these tasks if as soon as they get home they have to begin preparing for the next deployment?

Without a doubt we have the finest military in the world, capable of doing great things. But are we really being fair to them? Are we really preparing them for battle as we should, by squeezing so much into such a short period of time? Are we shortchanging valuable training that will help to keep them alive?

This effect is not limited to their professional performance because, certainly, with this kind of burden at work over such a short amount of time, you can be sure that 12 months at home is really not 12 months at home. Our soldiers don't complain and always put mission accomplishment above all else. So rather than spending time at home with the spouse and children, building the strong families necessary to sustain long separations and deployment, they will spend longer and longer hours at work training.

All we are asking with the Webb amendment is to remember the sacrifices of our soldiers and their families. Soldiers deploy. That is what they do. They know when they sign up. A soldier's family is strong. They persevere and adapt to ever-changing schedules. But the strain these families have been put under in the past few years and will have to face in the future is too much. We are seeing divorce rates skyrocket, and rates of alcohol abuse have been increasing in the military. Pressures of these long deployments and short stays at home are taking their toll, as they would in most every circumstance. It is not fair to ask them to continue to make this kind of sacrifice.

There are many out there who say our Army is near the breaking point. I can't answer whether it is or not. But I certainly can speak for families from Illinois and the families with whom I have spoken, and they are courageous without a doubt, but they are being pushed to the limit. We hear all the time about supporting our troops. What does it mean? Many people say the phrase but do not really know what it means. This amendment is exactly what it means. Our military personnel and their families have borne almost the entire burden of the struggle our Nation has undertaken since September 11, 2001. They have done it spectacularly.

One of the critiques I have heard that I think is fair is, after 9/11 our country was ready to move together. I can't recall a period of greater national unity. Had the President made an appeal for shared sacrifice to fight this war on terrorism, I am certain he would have received resounding support from both sides of the aisle all across the Nation.

But, sadly, that appeal was not made. He has asked for sacrifice from our military and their families, and they have certainly gone above and beyond the call of duty. For the rest of us, life is all but normal every single day. There is hardly any sacrifice because of this war on terror or war in Iraq or Afghanistan. Is it too much to ask in the Webb amendment to at least acknowledge the sacrifices already being made by our soldiers before we push them back into the danger of battle?

There will be an amendment offered by Senator GRAHAM. I read the amendment. I have a great deal of respect for Senator GRAHAM, but in all fairness there are two obvious omissions. First, there is no reference at all in his amendment to the National Guard. I think that is an important consideration, not just Active military and Reserve, but the sacrifice being made by our National Guard. Second, taken in its entirety, the Graham amendment is just a sense of the Senate. It is a little note that is being passed around. It has no impact of law, as the Webb amendment would. A sense of the Senate is not enough. We owe our fighting men and women so much more.

Our soldiers have not asked us to do this, but Senator WEBB, Senator HAGEL, and those who have been in battle, as Senator MCCAIN has been, understand we need to stand up and speak for them even when duty keeps them quiet, when they do not come forward to ask for this helping hand.

I encourage my colleagues to support the Webb amendment. I hope the Republican leadership will reconsider its position and allow these amendments to be voted up or down and get on with this debate after a reasonable period so we can complete this important bill on the Senate floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. I paid attention to the statement of the Senator from Illinois, as well as that of the Senator from Nevada. We may be approaching—not a historic moment in the history of the Senate but certainly one worthy of note; that is, according to my staff, that is not always accurate but is well meaning, we are about, maybe, at least 26 years since we have not had a Defense authorization bill passed by this body. Clearly from this beginning it appears, as on most other issues that have come before this body recently, we will be gridlocked.

Cloture motions will be filed. Votes will be taken. Time passes and, unfortunately, during that period of time, the men and women who are serving in our military will be without their pay increase. They will be without the increase in numbers that are called for in this bill, from 512,000 in the Army to 525,000; from 180,000 in the Marines to 189,000.

The best way, probably, to relieve the stress on the men and women in the military and the overdeployment that, unfortunately, we all regret they have had to bear, their unfair share of sacrifice in defense of this Nation and its security, is to increase the size of the military. That is in this bill.

Frankly, the reason we arrived at these numbers is it is just about as many as can be recruited additionally; otherwise, I think you would see additional numbers.

Instead of the 3.5-percent pay increase, instead of increasing size in the Army and Marine Corps, which we all know is badly needed, some of us, including my friend from Michigan, have known for many years how badly it was needed. One of the many mistakes made by the previous Secretary of Defense was not to call for a dramatic increase in the size of our Marine Corps and Army, for which our military families have paid a very heavy price.

Here we are, gridlocked in a battle whether we are going to have 60 votes and whether we are going to have to file a cloture motion which will ripen after a couple of days and all the arcane things that very few Americans understand. It took me a number of years to finally comprehend some of the procedures around here.

So we are, again, going to probably maintain that historic low in approval that was recently, in a recent Gallop Poll that has been taken for many years—I have forgotten the number now. I think it was in the teens as the approval rating of the Congress on the part of the American people.

Anybody who just watched the proceedings that went on and the exchanges between the two leaders make that disapproval rating far more understandable. The average citizen watching these debates really doesn't understand why we don't just go ahead and take care of the men and women in the military, to give them the arms and ammunition they need, to give them the much needed equipment we have talked about on this list—the $2.7 billion items on the Army Chief of Staff's unfunded requirements list, things like the $4.1 billion for the MRAP, the Mine Resistant Ambush Protected vehicles. We all know how bad the situation is, as far as IEDs are concerned.

What are we going to do? Are we going to sit down and say: Hey, you know what. When the Democrats were in the minority around here they insisted on 60 votes on just about every issue, particularly important ones. We are now insisting on 60 votes, now that we are in the minority. Yet somewhere along the way the issue of c-o-m-i-t-y and the national interest suffers and is abandoned by the wayside of politics.

The Senator from Michigan and I will sit here this afternoon and we will have statements made by various Members as they come to the floor. There are, if my past experience with this bill is accurate, probably 100, maybe more, amendments that will be pending because there are so many issues that are important to Members and important to the defense of this Nation. It is very likely, from this scenario I am seeing, that we will for the first time in at least 26 years not pass a Defense authorization bill—certainly not in a timely manner. We are already into the month of July, and, obviously, we will not spend all 4 weeks on this issue.

I think in days gone by—and we all have a tendency to remember the good parts and not the bad parts—there was a tendency for the managers of the bill and the majority and whatever party was in the minority leaders would sit down and say: OK, we are going to narrow down the amendments. We are going to have agreement for a certain number of amendments and votes, and it would take us a while. I can remember sometimes it taking 2 weeks. That is why we usually bump it up against a recess because one thing in the 20 years I have been here we have never missed is a recess. Now we are going to sit here for this afternoon. It is Tuesday afternoon, and we are going to have various statements. Members on both sides will display their dedication to the men and women in the military. I appreciate that. I appreciate the patriotism of every single Member of this body. But are we really going to do anything for them? Are we really going to try to help them? Or are we going to be locked in combat on an issue that should not be on this bill?

We probably have taken up the issue of the war in Iraq eight or nine times. I don't know exactly how many times. We have amendments, we have debates, we have 60 votes, and then we move on to something else. Meanwhile, we have not done a single appropriations bill, I might add, and we are in the month of July.

Everybody knows, even though I don't happen to agree with it, that September will be a seminal time on the Iraq issue.

General Petraeus will be coming back, and he will be issuing his report, which, by the way, I can predict what it is going to be right now; mixed, some success and some frustration. Then, guess what, in September, we are going to go through another debate. We are going to have amendments, and we are going to have 60 votes again.

Meanwhile, the American people are wondering what in the heck we are all about here, and why in the world, in all due respect to the deputy majority leader, do we have to keep taking up the Iraq issue when we know full well that in September there will be a major debate on this issue?

Meanwhile, the men and women in the military who are serving, to whom I see declaration after declaration of our dedication and devotion to their welfare and benefit, then what is going to equip them? What is going to train them? What is going to give them the pay raise? What is going to take care of them is somehow lost in the rhetoric of 60-vote requirements, which again, most Americans do not understand nor should they be required to, because they expect us to come here and act in their benefit. Certainly they should be asking us to act on an issue, on a piece of legislation such as the Defense authorization bill which has to do with the defense of this Nation.

Well, I could go on for a long time.

I do not want in any way my comments to be construed as a lack of respect and appreciation for the chairman of the committee, and the many years we have worked together, because I am convinced he and I could sit down in a very short period of time and work out the number of amendments and schedule votes and time agreements. But we are not going to do that. We are not going to do that. But please do not come to the floor, I ask my colleagues, and talk about your dedication to the men and women in the military and how difficult it is for them in these times, when we have before us a bill to increase the size of the military, we have before us a bill to give them a pay increase that they deserve, and it probably is not going to be passed by this body, at least before we go out for the August recess. Then we get into September. Then we will get into another fight on the issue of whether we should withdraw troops in Iraq.

I don't think we should be very proud of ourselves. I don't. When the men and women in the military whom we again, as I say, all profess our devotion and dedication to, do not get the equipment they need authorized, do not get the increases in pay, do not get the increases in numbers that we are trying to authorize, then do not be too surprised with the cynicism of the American people and voters and, indeed, the men and

women who are serving, about the way we do business.

I hope the majority leader and the Republican leader can sit down and work this thing out. Look, it is a fact the way the Senate works. It happened when the other side was in the minority, that they required 60 votes on issues of importance. I am sorry they did. I am sorry we did. I wish we could have simple up-or-down votes on all of these amendments. But to claim that somehow we are filibustering, when that was the standard procedure on the other side, I don't think is, frankly, too forceful an argument.

As I say, my staff tells me it has been at least 26 years, probably more, since we have not passed a Defense authorization bill. I hope we will not break that record. I hope we can sit down together and work this out. Again, recognizing these votes on Iraq are votes that will be taken again in the month of September, they will be taken again in the month of September when the President comes, when General Petraeus comes with his report, I would hope we could set the whole issue of Iraq aside, go ahead with the authorization for equipping and training and protection and welfare and benefit of the men and women who are serving us in the military. Unfortunately, I think that is not going to happen.

I yield the floor.

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from Michigan.

Mr. LEVIN. Mr. President, while we disagree on a very critical issue, I as always look forward to working with Senator MCCAIN to work out agreements so we can move this bill forward. I am confident we will pass the authorization bill this year, the way we have every other year, for the reasons Senator MCCAIN gives, which are the critically important provisions in here for the men and women in our military and their families.

The difference is apparently as to whether this is an appropriate place to debate Iraq policy. It is an authorization bill, which, it seems to me, is a very appropriate place to debate policy; in fact, I think is the most appropriate place to debate a policy issue such as Iraq.

I have not wished this to be debated on an appropriations bill, because I don't think we ought to try to have a policy debate and decision when it involves the funding of our troops because I think hopefully all of us want to fund our troops. This is an issue as to whether we should change course in Iraq. This is a debate which is a healthy debate, it is an essential debate. I look forward actually to working with Senator MCCAIN to see if we cannot come up with time agreements on debates on Iraq—on these amendments on Iraq.

There is going to be more than one amendment. There are going to be a number of amendments and hopefully we can come up with time agreements so we can have these debates, have votes on the Iraq issue, and then move on, and move forward and adopt an authorization bill with a lot of other amendments that are pending as well.

I am, as always, an optimist. I am particularly an optimist when I look at Senator MCCAIN, when I realize that we have worked together before, as I have with Senator WARNER, on issues that look intractable but which are not and can be worked out, and hopefully there can be time agreements on these amendments relative to Iraq—which are important amendments.

I cannot think of anything that affects the well-being of our troops or our Nation, frankly, more at this moment than the question of policy in Iraq, as to whether that policy needs to be changed. There are differences as to whether we ought to change course in Iraq, and there are some who feel that apparently the policy is working. There are some of us who feel the status quo is not working, we need to change it.

It is not the debate we should have or can have at this moment. We are in the middle of a discussion on the Webb amendment. But it is appropriate that on this bill, the Senate act. If anything, it has been too long, as far as I am concerned, since the Senate has taken a position on this. The last time we did it 4 months ago, the President vetoed it. We were unable to have our will expressed in a way that was not vetoed.

Waiting until September is not an answer, because there is no reason to believe that an effort in September will not be filibustered. There is no reason why in September, the people who oppose the change in course, the Senators who oppose it, will not get up and say: Well, let's wait until October when there is another report which is due. We cannot simply delay carrying out our responsibility. We cannot delay a debate which is on the most critical subject on the minds of the people of America. Waiting for September, when a general is going to give us a recommendation, and the President is going to give us a recommendation, is a delaying tactic on an issue which is the single most important issue on the minds of Americans today. There is no more appropriate place to debate this issue than on the Defense authorization bill, because it is here where policy issues can and should be debated; a better place than on an appropriation bill where the message which would be sent to our troops has more to do with whether we are going to fund the troops than whether we should continue a policy in Iraq which, so far at least, is not working.

So I am going to continue to be the optimist. I look forward to working with Senator MCCAIN. I think our leaders can continue to work together to try to work on time agreements for the Iraq amendments. I hope and expect we will adopt an authorization bill this year.

There is nothing unique about the Senate having healthy, vigorous debate. That is not unique. Sometimes it looks as though we are not going to be able to get something done and, lo and behold, we are able to get something done because the American people want us—Senator MCCAIN is right—the American people want us to act. We are on the verge of acting on the single most important issue on the minds of the American people. It was an issue which, more than any other, impacted the last election. It was an issue where the Senate spoke in April, and where what we did was vetoed by the President. It is an issue where now we must face an historic decision: Is the course in Iraq working or does it need to be changed? And, if it needs to be changed, what is our responsibility in terms of bringing about that change?

Those are issues we cannot duck. Those are issues we should not avoid. Those are issues which belong on our desks, and require the best possible judgment we can bring.

I yield the floor.

Mr. SESSIONS. Mr. President, we have been blessed in the Armed Service Committee to have outstanding chairmen. I was pleased to serve under Senator MCCAIN and Senator LEVIN. A lot of hard work has gone into the Defense authorization bills each year I have been here. It is remarkable how much we agree on in committee. We come out with very few differences, and those are reasonable differences that we sometimes can bridge and sometimes we have to vote on and let someone decide. Some of the questions are pretty close questions, whether to fund that system or that program or not, and good people can disagree regardless of their political party.

I have been pleased to serve with Senator BILL NELSON on the Strategic Subcommittee. I chaired that when the Republicans were in the majority. He chairs it now that the Democrats are in the majority. We have very few differences. I respect his judgment. He is committed to serving his country.

We have produced a bill that I think, all in all, is a good piece of legislation that will actually strengthen our Department of Defense, the ability of our men and women in uniform to serve their country, and take better care of them. So that is a good thing.

But now we get the bill on the floor, and I guess that group I have been referring to in recent weeks as ''masters of the universe''—somebody up there, up high—decides that this is the time we are supposed to have fights, and we are supposed to utilize this opportunity to push and push and push on various different areas.

Now, of course, it is legitimate to debate our commitment and strategy in Iraq at this time. But I think what Senator MCCAIN is telling us is this, that this bill fundamentally is a bill to deal with and strengthen our military, that we just had debates in April and May and great detail about our Iraq policy, and we decided on that policy.

We all know that we will expect a report from General Petraeus in September. This is not the time to alter the policy we established about 2 months ago. I agree with Senator MCCAIN about that. We can talk about it. We can do those things. But is it the right thing to jeopardize this bill over other issues—over the issues relating to Iraq?

Let me say a couple of things. The fundamental debate we are having here with regard to our Iraq policy, when you boil it down to basics, is whether to reverse the policy we established in May.

That was a decision by an 80-to-14 vote to fund the surge in Iraq, after having voted on it in April. We had another vote back in May, and we funded this operation through the fiscal year, through September 30, if not longer—at least through September 30. And we affirmed and confirmed General Petraeus as the commander of that surge by a 99-to-0 vote. He is a fabulous commander, and he received a bipartisan, unanimous vote in the Senate. That is what we decided, after great debate.

Now, what I will say to my colleagues is this: A great nation has to conduct itself as such. We are not able to flip-flop around week after week and change our minds every few weeks based on this or that event. If a serious situation occurs, we can change our mind at any time. But great nations are more akin to great battleships. They do not dart around similar to a speedboat. They set their course and have to justify it carefully before they act. Once they act, they need to stay that course, subject to any changes that occur.

So what I would say is this: I am worried we are doing what some political consultants would like to see Democratic leadership do and talk about the war because they think that is politically beneficial. We ought to be talking about those soldiers we have committed out there, placed in harm's way, who are, this very day, walking the streets of Baghdad and Al Anbar Province and Tikrit and Mosul, executing the policies we voted 80 to 14, in May, to send them to do. We voted 99 to 0 to send General Petraeus.

At that time, we made clear to him we expected a report in September. I think that is what we are about here, and we ought to be about, that we would go forward—and always subject to our constitutional responsibilities to make any changes that are required—but go forward to allow the general to carry out the surge we told him to carry out.

This surge, let me say to my colleagues, has only reached its full effort—what?—2 weeks ago when the last brigade reached Iraq. So we only reached full capacity of that surge a few weeks ago.

We know it is difficult now. They said: Well, the bombings are occurring outside Baghdad now. Why is that? Well, it is a given that it is tougher for them in Baghdad, so they have gone outside Baghdad to do bombings. What does that suggest? I would suggest that would lead us to conclude the work in Iraq, in Baghdad itself, has already made progress. Indeed, if the capital city of Iraq, the biggest city, cannot maintain order, it is difficult to see how we can have a political settlement all of us wish to occur.

General Petraeus has taken the case to the enemy. He is moving forward aggressively and making military progress. The difficulty—and we all know it—is that the Government of Iraq is not performing at the level it needs to perform. This is a matter we are not able to deny. I know when I traveled to Iraq with Senator LEVIN—and when I was there more recently with Senator BEN NELSON of Nebraska—we raised the importance with the Iraqi people and the Iraqi leaders of having a functioning government.

Senator LEVIN has strongly believed and consistently argued that one way to get them to perform is to threaten to pull out our troops. I have come to believe their failure to perform cannot be altered by threats to pull out troops. I wish it could be. I wish we could do it that way. But it is more difficult than that.

So they are struggling, and I do not know whether they can pull this Government together. I certainly hope so. But I will tell you one thing. Progress is being made in a number of different areas militarily. This gives me some hope they can pull this Government together. That is where we are at this point. I do not see any other way to analyze it, honestly, to the American people. That is what I say to them as best I can.

I believe our military is performing magnificently. I believe the Government in Iraq continues to have serious problems in effectuating the kind of stability and reconciliation they need to effectuate so we can have a better capability of reducing the troop levels we have in Iraq today.

Now, the way this deal went down—and we voted to send General Petraeus there. We talk about making reports back to us. I remember distinctly in the Armed Services Committee, when he was up for confirmation, I asked General Petraeus did he believe we could be successful in Iraq. He said: Yes, sir, I do. General Petraeus had been there when the initial invasion occurred. He commanded the 101st Airborne in Mosul. He came home for, I think, less than a year and went back to take over the training of the Iraqi military. He then came back, wrote the Department of Defense manual on how to defeat an insurgency operation—the very project he executes—and the President has asked him to go back to Iraq to execute a strategy to defeat the insurgency that is going on in that country at this time.

So I asked him, would he tell the American people and the Congress truthfully whatever the situation was when he was there? He previously said this was a difficult but not impossible task he was taking on. He said: Senator, you can count on it.

I asked Secretary Gates, the Secretary of Defense, at a hearing: Secretary Gates, will you tell the American people if this military effort in Iraq cannot succeed and we ought to do something else? He said: Yes, sir, Senator. I feel that is my responsibility as Secretary of Defense.

I will say to you, my colleagues, let's not flip-flop around here every week with another amendment trying to set another strategy, written by a group of us sitting in air-conditioned offices, when we have some of the best military minds this Nation has ever produced, with great depth of experience—by the way, General Petraeus has his Ph.D. from Princeton and was No. 1 in his class at the Command and General Staff College. He is over there right now, and we have it set for him to come back and go through a very deep and serious evaluation of what has happened, where we are, and where we need to go in the future.

So it is all right. I know we are going to have people talk about strategy and alteration in our policy. But I think, in truth, it would be more responsible for us to pass this Defense authorization bill, which will make the lives of our military men and women far better, will make our Defense Department more effective, and will give us a better chance of being successful in Iraq. We need to pass this bill. We will be coming back in September, no doubt, for a very serious debate on how we go from here in Iraq. That is where we are, in my opinion.

I respectfully disagree with some who see it otherwise, who think they have divine strategy—reading a few newspaper articles, I guess, and talking to a few folks and going to Iraq once or twice; I have been there six times—and trying to come back and formulate a policy. I do not think that is wise right now. I urge our colleagues not to go in that direction.

I will take one brief moment to say I respect my colleague from Virginia, Senator WEBB. I recognize the goals and the desires reflected in that amendment—his belief that soldiers ought to have guaranteed time of deployments passed by statute by the Congress of the United States. But I do not agree. I think this is a very significant amendment. I believe it is an amendment that alters the traditional power of the President as Commander in Chief. I think it could put us in very difficult circumstances in the future.

I urge my colleagues to remember the amendment is not limited to Iraq, it covers any military activities we get involved in, in the future, any war now or series of wars we may find ourselves in, in the future. War is very difficult, indeed.

I remember our former colleague, Senator Strom Thurmond, I think at age 40, volunteered to go in the Army.

He had to make them take him. He was a sitting judge. He was not required to go. He was deployed to England. I do not know how long he had been in at the time D–Day occurred. He volunteered to go in on a glider behind enemy lines in the nighttime at the time of the D–Day landing to try to protect the soldiers on the beach from counterattacks.

I remember asking Strom—former chairman of the Armed Services Committee, I will note—I asked: Strom, well, how long did you stay in? Did you stay in until Germany surrendered? He said: Yes, sir, we stayed in until Germany surrendered—there to the day they surrendered. He said: In fact, after Germany surrendered, I was on a train heading across the United States to the Pacific. They were going to send us to Japan when they dropped the bomb on Japan.

I wish to say, I do not know what General Eisenhower, General Marshall, General MacArthur would think about a policy that says, in a time of war, Congress is going to decide how long people are deployed. I do not think it is good policy for a lot of reasons. I would express my objection to the amendment. I know it is well intentioned.

I say this: The military understands it. The military is determined to reduce deployment times in Iraq. Secretary Gates has made that clear. But had he not been able to extend for 3 months those soldiers he extended, it would have required as much as five new brigades to be sent over there. Some of them would not have had their full time at home that he wanted them to have at home. He thought it was better to do it that way than the other way. I believe, under the circumstances, that was a correct decision. People could debate that, but I think he made the right decision there. So it is better to do it that way. To pass a law, sitting here in air-conditioned offices, that is going to direct how the military deploys its troops in times of war is something I think we should not do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I also thank the members of the Armed Services Committee, the Senators from Michigan and Arizona, for all the work they have done on this Defense authorization bill.

I hope the Members of the Senate would have an honest discussion and debate and vote on these amendments and to uphold the 60-vote threshold on something that is as important as this Defense authorization bill, the many amendments that are going to come before us today, I think, takes away from the process, quite honestly.

As far as the air-conditioning goes in this body, I have advocated since I got here, if we shut the air-conditioning down, we would probably be a little more concise and gotten to the point a long time ago.

I rise today in support of an amendment offered by my friend, Senator WEBB. As many colleagues here in this body know, Senator WEBB is a highly decorated marine and Vietnam veteran. I respect his judgment. I trust his counsel enormously on these issues. I am proud to cosponsor his amendment as one part of a strategy to strengthen our military and change course in Iraq.

I also rise today to honor those who have served in Iraq, in honor of those who have been hurt there, and in honor of those 3,600 who never came home. Twenty brave men from my State paid the ultimate sacrifice in Iraq. They are our friends, our neighbors, our brothers, our sisters, our parents, and our children.

The war in Iraq has dominated this country's dialog and conscience for 5 long years. It is now costing us more than $2.5 billion every week; some say it is $3 billion. That is over $100,000 every minute of every hour of every day in Iraq.

Like many of my colleagues in the Senate, one of the most difficult things for me is the struggle in my heart. I balance two seemingly contradictory ideas: I stand here today proud to support our men and women in service, and I also stand here today proud to say that I adamantly oppose this war. I lie awake trying to think of ways to give our troops the resources they need to do their jobs in Iraq but all the while trying to figure out ways to bring them home to their families, friends, and communities.

Let me be clear about this: The men and women fighting this war have my full and unconditional support as a Montanan, as an American, and as a Senator. This country's service men and women have performed their jobs with honor and distinction in the most difficult conditions imaginable. I have supported them since the beginning, and I will continue to support them in the field and, just as importantly, after they come home—something our Nation has fallen behind on doing.

For more than 2 years, I have been asking the President of this great country to develop a plan to get us out of Iraq. I am disappointed to report that I no longer believe President Bush will use any of his remaining 559 days in office to do so. Think of this. We were told in 2003 that we were invading Iraq for the following 3 reasons: to find and destroy weapons of mass destruction, to topple Saddam Hussein's regime, and to give the Iraqi people a chance to establish their own government. While certainly no weapons of mass destruction were found, any infrastructure that may have been in place to create such weapons of mass destruction has been destroyed. Saddam Hussein's government has been dissolved, and an evil dictator has been captured and put to death. The Iraqi people have voted on several occasions on their Government, their Constitution, and their future. I would say our work in Iraq is done. It is time for American troops to stop refereeing a centuries old civil war and come home after a job well done.

The President has not come up with a plan to bring the troops home. Instead, he jeopardized their funding, their equipment, and their training by vetoing legislation that would have funded those vital needs and begun the process of getting them home. The President uses our fighting men and women as pawns in this political game that is dividing our own people at home. That is totally unacceptable. President Bush's intention is clear—to leave our troops in the middle of this bloody civil war until he leaves office. That is why I am announcing I can no longer give the President the benefit of the doubt that he will end the Iraq war.

I am going to take a moment today to share with my colleagues thoughts on a possible three-point plan I hope will bring the Iraq war closer to an end, make our troops safer around the world, and refocus our efforts on those terrorists who attacked this Nation on September 11.

First, we must support the Webb amendment that protects the mental and physical health of our troops. We all know a neighbor or a friend whose son or daughter has been deployed two, three, or even four times with seemingly no rest at home. That is why I am cosponsoring this amendment with Senator WEBB. It deals with troop readiness. His amendment basically says that if you are going to send a unit into war, make sure they are well trained, well rested, and ready for the fight. It is very simple. It is common sense.

More and longer deployments of units with less time to rest and recuperate between means we are going to see more casualties in Iraq, more cases of post-traumatic stress disorder, and more suicides after they get home. According to the Army's own data, soldiers serving repeated deployments are 50 percent more likely than those with only one tour to suffer from post-traumatic stress disorder. Let's think twice before we let the President send a unit to this war or any other of the world's hot spots without the proper training and time between deployments. The strength and long-term health of our Armed Forces is at stake. This war has taken its toll on our readiness. If we don't start now to rebuild and fortify our troops, we will not be able to effectively go after the bad guys who continue to threaten our national security. We need to pass this Webb amendment, period. It is the right thing to do for our troops.

Second, we must redouble our efforts in Afghanistan. Afghanistan threatens to slide back from the progress that was made there immediately following the attacks of September 11. But the war in Afghanistan is rapidly and dangerously becoming a forgotten war, and our lack of effort there helps to explain the rise of al-Qaida in a nuclear and highly volatile Pakistan.

The link between the 9/11 attacks and the current war in Iraq does not exist, period. It never has. Reports confirm that our invasion of Iraq has created more terrorists than it has eliminated. Yet the terrorist who plotted the most deadly attack on U.S. soil, Osama bin Laden, remains at large and ignored by this administration.

The recent news out of England and Scotland is a grim reminder that the threat of world terrorism is still very real. While we pour our resources into policing violence in Iraq, extremists are busy plotting ways to target us and our allies. It is that kind of terrorism, that kind of extremism we need to set our sights on. We need to do it with the full might and vigilance of our military and other security forces, and we must do it while working to regain the trust of so many allies who have become wary of us under the President's leadership. Unlike Iraq, we must not ask the U.S. military to shoulder this entire burden in Afghanistan by themselves. The United States can and should be leaders in the war against terrorism, but we cannot go it alone. We have an obligation to our troops and our families to regain the diplomatic footing we have lost and involve our allies in this effort. We have lost the focus on the war on terrorism and we must regain it.

Finally, I am proud to announce my support for the amendment authored by Senator BYRD deauthorizing the 2002 use-of-force resolution. The resolution Congress passed in 2002 is tragically outdated. The mission in Iraq is not the mission Congress authorized 5 years ago. The President needs to ask Congress and the American people for approval to prosecute what seems to be a very different mission in Iraq.

Proposed legislation to deauthorize the 2002 resolution would make a few things crystal clear. Our current mission in Iraq is over on October 11, 2007. Let me repeat that. The war in Iraq is over on October 11 of this year. After that, the President would have to make a new case for a new mission, one that more accurately reflects what the U.S. troops are now doing in Iraq. If he cannot make that case to Congress and the American people, then our troops need to come home.

Now, we understand al-Qaida is going to try to exploit the situation in Iraq for their own purposes, and there are measures we can take to deal with that. We must not let Iraqi al-Qaida units get a foothold in the country, especially in the western part of Iraq. So I would support a no-fly zone in Iraq, which would ensure that the United States and our allies can keep reconnaissance eyes on efforts to restart terrorist training camps there. To fight the growing number of terrorist camps, we will need warships in the area and aircraft that can reach those al-Qaida targets. We must not hesitate to strike against al-Qaida. The safety of this country and the world depends on that.

We need to continue to improve our ability to gather intelligence on the ground in Iraq, but we do not need and I will not support U.S. troops policing a civil war between the Sunnis and the Shiite militias. I will not support our military personnel guarding bridges and disarming roadside bombs. It is in our national interest to fight al-Qaida but not this civil war.

The mission in Iraq has changed, and the American people realize it. It is time the President did as well. In February of this year, I said the President must tell the American people what success means and how it should be quantified. If success means free elections in Iraq, then we should have been gone 2 years ago. If success means toppling Saddam Hussein, then we should have been gone 3 years ago. If it means something else, then the President must identify a clear and achievable outcome. At this point, that has not happened, and enough is enough.

For 2 years, as a Montana State Senator, a candidate for the U.S. Senate, a Senator-elect, and a U.S. Senator, I have given the Commander in Chief the benefit of the doubt that he would tell Congress and the American people how to define success in Iraq and how he meant to achieve it. He has not done so. The President refuses to support our troops by keeping them in the middle of a civil war with no end in sight. They fight every day in a war with no plan and no definition of success, and, most importantly, they are dying every day in a war the American people do not want to be fighting. We and our troops deserve better. They deserve the truth.

Since the President refuses to support the troops by developing a plan to bring them home, then we must and we should and we will. But above all, we must stand by our soldiers, sailors, marines, and airmen. We support them wholeheartedly while they fight and support them for what they will endure after they get home from Iraq. It is on behalf of those troops and those who fought before them that I am cosponsoring the Webb amendment.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BOND. Mr. President, I appreciate the chance to talk about the amendment before us and some of the other amendments. These amendments generally are intended to change our military policies, our presence in Iraq, and essentially to begin, one way or the other, a politically staged withdrawal from Iraq. We are talking about how we are concerned about and support the troops. Do you know what I hear from the troops? I have been there, I have talked to them, and I have heard from them at home. The one thing they say is: We are over here risking our lives. We are fighting a mission which we believe is succeeding. We are making progress. The last thing we want is Congress to declare a military end or take over the management of the war from our commanders. Time after time, they have told me: We have made too many contributions and sacrifices to walk away now and see all we have done go for naught. I will talk about going for naught later on. But the point is that, yes, America has made contributions, large-dollar sums of contributions. But families who have lost loved ones, who have had them maimed, and their comrades-in-arms know the sacrifices these men and women have made. The one thing they implore us to do is not to see these sacrifices be made in vain.

Well, we have seen a lot of negative stories. The media has more than adequately covered those. So people are concerned about what is going on in Iraq. We ought to be concerned. But we are not hearing the stories about what is positive, about the successes of this new strategy, the Petraeus strategy.

I was in Ramadi and Al Anbar 2 months ago and traveling elsewhere, and I found some amazing things. The new counterinsurgency strategy, with the cooperation of the Sunni sheiks who are now working with our military, has really essentially driven al-Qaida out of Ramadi, and they are driving them out of the Al Anbar Province. Make no mistake, when we heard ''civil war, civil war,'' the people over there—the marines, the soldiers—know they are fighting for and looking for al-Qaida. Al-Qaida is the driving force that is keeping it stirred up, and they are on the mission to search and destroy al-Qaida. Al-Qaida is there big time.

But we have been hearing lots of arguments now in favor of—and they are heartfelt arguments and people believe them—it is time for retreat; it is time to cut back; it is time to withdraw. The cost of lives and treasure is too high. The war has not been properly managed. The war cannot be won.

Over the last several weeks on break, when I was traveling, I had the opportunity to read ''Team of Rivals'' about Abraham Lincoln and the conduct of the Civil War. Over a century and a half ago, many of these same arguments were offered abundantly as reasons for President Lincoln to accept defeat of the Civil War, and they are now being made for President Bush to accept defeat in Iraq. As noted in historian Shelby Foote's ''The Civil War: A Narrative,'' Members of Congress playing general urged the troops to abandon the cause. That great Ohio Representative Clement Vallandigham, leader of the Copperhead Democrats, campaigned for office by calling upon soldiers to desert. He declared the South was invincible.

As noted in passages in ''The Civil War,'' in late 1862, ''Senate Republicans caucused and, with only a single dissenting vote, demanded that Lincoln dismiss Secretary of State Seward'' because they thought he was responsible for the conduct of the war.

Republican Leader Thurlow Weed observed that ''the people are wild for peace. . . . Lincoln's election is an impossibility.'' They were after him in

full force. I don't need to elaborate on the enormity of the Civil War, and I don't need to explain what would have happened had Lincoln relented to those politically popular sentiments at the time.

Lincoln chose to fight a bloody and unpopular war because he believed the enemy had to be defeated. Despite being reviled for staying the course, President Lincoln did stay the course. Unfortunately, too many of my colleagues today don't seem to be willing to see this one through. Here we are again, barely weeks into the full implementation of General Petraeus's surge, and the naysayers continue to argue for defeat. It was only a few months ago this body had been calling for and looking for a new strategy, which I believed we must have, which changed the unsuccessful strategy we had, which argued for the Baker-Hamilton report, which said in essence you have to have a new strategy, you cannot precipitously withdraw. We came forward and General Petraeus drafted a counterinsurgency strategy. That is what he told us he was going to do, supported by the surge. Now people want to pull the rug out from under him. He said at least give him until September to see if this new counterinsurgency strategy works.

They are bringing in American soldiers and marines to go in with Iraqi security forces, Iraqi Army, Iraqi police, embedded with them in command centers, barracks; they stay there, live among the people they are protecting, and they have cleaned out the areas. They have cleaned out Ramadi. Two months ago, four Members of Congress walked through downtown Ramadi, which had been an al-Qaida command center. Al-Qaida has been driven out, but naysayers continue to argue for defeat.

Now, there may be some short-term political benefits for those calling for withdrawal. There is popular sentiment for it. Some people honestly believe that. But let me quote 1LT Pete Hegseth, an Iraq war veteran and director of Vets for Freedom:

> Iraq today is the front line of global jihad being waged against America and its allies. Both Osama bin Laden and Ayman al-Zawahiri have said so.

He is correct. Our intelligence services said so. They warned us in January in an open intelligence hearing that if we withdrew on a political timetable and took our troops out without making sure that the Iraqi security forces were adequate, there would be chaos. There would be chaos and greatly increased killings among Sunni and Shia. Al-Qaida would be able to establish a safe haven in which to launch recruitment, training, command and control, and weapons of mass destruction development. The violence and chaos in Iraq would likely bring in coreligionists from other countries of the region as they went in to protect their fellow religionists. We could have a regionwide civil war, Shia versus Sunni.

That is what will happen if we withdraw. Most of us concede there was poor management and costly mistakes were made in the post-invasion phase in Iraq. But they are not compelling reasons for why we should retreat and, like all mistakes, we should learn from them and not go back and commit them again by drawing down forces to the point where we don't have adequate troops to work with the Iraqi security forces.

Washington Post columnist Michael Gerson recently pointed out that those who are calling for retreat are not learning from previous mistakes but repeating them. Gerson writes:

> History seems to be settling on some criticisms of the early conduct of the Iraq war. On the theory that America could liberate and leave . . . force levels were reduced too early . . . security responsibilities were transferred to Iraqis before they were ready, and planning for future challenges was unrealistic.
>
> And now Democrats running for President have thought deeply and produced their own Iraq policy: They want to cut force levels too early and transfer responsibility to Iraqis before they are ready, and they offer no plan to deal with the chaos that would result six months down the road. In essential outline, they have chosen to duplicate the early mistakes of an administration they hold in contempt.

I agree with Gerson, we should not make those mistakes. We must fulfill the mission that over 3,600 brave men and women have made the ultimate sacrifice for.

To quote a Missouri guardsman, COL Bob Leeker, who just returned from commanding the 507th Air Expeditionary Group in Iraq:

> I only hope that the American people will give us the time. The American people must understand that this is not only about Iraq, it is a fight against Muslim fanaticism, Muslim extremists. If we pull out in the near term, or at the wrong time, there will be an incredible amount of blood running throughout Iraq, and the blood and sweat that I and my brethren in arms have already given will be for nought.

These are compelling words. They ought not to be taken lightly. Not only is the security and safety of our Nation and allies at stake, but so too is our credibility.

Critics frequently claim the war has damaged the United States image and credibility throughout the world. Yet these same critics ignore what irreparable harm would be done were we to leave this mission unfilled. If you think our mission has made our image and reputation plummet, wait and watch it nosedive after we leave Iraq before finishing the job. Think about the millions of Iraqi citizens and leaders who have taken a stand against terrorism, who have committed to work with us, to rebuild their country, to fight against the forces of radical Islamists and terrorists. What are we to say to the millions of Iraqis who trusted Americans and believed we would stay until the mission was completed? We would, regrettably, see them slaughtered by terrorists as a result of our abandoning them before they were able to stand on their own.

What did we say to the hundreds of thousands of South Vietnamese or millions of Cambodians who trusted America and were slaughtered after Congress dictated that we abandon them?

History has taught us when American abandons its commitment to spreading liberty and freedom, we are not the only ones who suffer. Rest assured, it will come back to harm us in our own homeland.

Just as our intelligence community has warned and terrorist leaders have stated, Iraq will become a base and safe haven from which to plan and launch future attacks.

Let me be clear, the enemy in Iraq consists of murderous, barbaric terrorists. They are not ''insurgents'' or ''jihadists.'' Let's get terms straight because we fall into the trap of taking their terms. Jihad in the Muslim religion is the individual journey to moral improvement. It has been misrepresented to be a philosophy that permits encouraging the killing of innocents, the slaughter of fellow Muslims, the slaughter of women and children. The real Arabic term for that is hirabah. The people who commit it are not insurgents or jihadists, but mufsidoon. These people are condemned to live with Satan because they have committed blasphemy. These are the people we are fighting. It is not a civil war. They are the people who violate the tenets of Islam. They try to hijack it, try to claim the Islamic banner; but they are not practicing the religion of the Prophet Mohammed.

Well, there is another reason these people want to sanitize the description we use of them. Calling them insurgents implies they have the support of the local population. But the local population is being victimized, killed, evicted from their homes, or beheaded by the so-called insurgents. That is why the Sunni sheikhs in al-Anbar are working with us. They have lived under al-Qaida. They want an end to the terror. That is why they are helping us to identify who they are, where the weapons caches are, and where the IEDs are hidden. They are sending in young Sunnis to sign up. They want to be free of the terrorists.

Precipitous withdrawal would be a rallying cry for terrorists and al-Qaida around the world. It would invite further aggression and attacks from the barbarians. It would be a total loss of freedom, liberty, and peace, and would be a victory for totalitarianism, terrorism, and treachery.

In a recent book by J. Michael Waller, a scholar at the Institute of World Politics, he defined terrorism as:

> A form of political and psychological warfare; it is protracted, high intensity propaganda aimed more at the hearts of the public and the minds of decisionmakers and not at the physical victims.

By Waller's definition and what I have heard from some people in this body and the media, the terrorists are

certainly hitting their targets. Our words should inspire our troops and the millions of Iraqi citizens who actually trust that Americans will not embrace defeat and leave them. Instead, the words of the retreat-and-defeat crowd inspire al-Qaida and the murderous terrorists attempting to ignite sectarian strife.

Now is not the time to pull out when we are seeing encouraging signs in places where the surge has been implemented. Al-Anbar Province shows tremendous signs of progress. Even the New York Times' Michael Gordon reported last Friday how young American soldiers are executing General Petraeus's new strategy on the ground, and how they are fighting and defeating al-Qaida.

Here is a quote from Frederick Kagan, a resident scholar at AEI:

> Al-Qaida's operations in Baghdad—its bombings, kidnappings, resupply activities, movement of foreign fighters, and financing—depend on its ability to move people and goods around the rural outskirts of the capital as well as in the city. Petraeus and Odierno, therefore, are conducting simultaneous operations in many places in the Baghdad belt: Fallujah and Baquba, Mahmudiya, Arab Jabour, Salman Pak, the southern shores of Lake Tharthar, Karma, Tarmiya, and so on. By attacking all of these bases at once, coalition forces will gravely complicate the enemy's movement from place to place, as well as his ability to establish new bases and safe havens. At the same time, U.S. and Iraqi forces have already disrupted al-Qaida's major bases and are working to prevent the enemy from taking refuge in the city. U.S. forces are also aggressively targeting Shia death squad leaders and helping Iraqi forces operating against the Shia militias.

Why has this Senate chosen to debate timelines, restrictions, and retreat despite encouraging signs that the surge is working, despite the fact that this new strategy has only been in place fully for barely a month, and despite the fact that those who want to withdraw and retreat have failed to offer any constructive alternatives on how they would deal with a chaos that would ensue from their retreat? It is a huge disappointment that this debate is not about how we can achieve victory, but how quickly can we cede defeat.

This has become a political debate and the focus of our national security has been sidetracked. We should not pass legislation that provides our enemy a clear path to victory—a victory which, sadly, many in this body are ready to award al-Qaida, without ever having given the surge a fighting chance. The surge is indeed the best hope we have for establishing safety and stability in the area, which will allow the Iraqi security forces to take over and give the Iraqi Government the space to develop a workable government that can rule their country.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. LEVIN. Will the Senator yield for a unanimous consent request?

I ask unanimous consent that after completion of the remarks of the Senator from Arizona, that Senator REED of Rhode Island be recognized.

The PRESIDING OFFICER (Mrs. MCCASKILL). Without objection, it is so ordered.

Mr. KYL. Madam President, I thank the chairman of the committee, the Senator from Michigan, for his courtesy. I rise today to discuss the pending business, the National Defense Authorization Act for 2008. There was a lot of work done on this important legislation. I wish to discuss five key areas of the bill—Iraq, our nuclear deterrent, missile defense, space threats, and our approach to the war against terrorists.

This bill has fundamental flaws and must be improved, not only so it can pass this body, but so it can be signed by the President and not be vetoed. Remember, this bill does not need to become law, and failure to improve some critical areas of the bill will ensure that it doesn't. To that end, it is important that the Senate have sufficient time to debate the bill. We have already seen a record number of cloture motions filed this year, by my count over 40. And, as I understand it, another has recently been filed dealing with the so-called Webb amendment. This is probably not a good way to consider a bill as significant as the Defense authorization bill.

Let me, first of all, address the subject of Iraq, the central front in the global war against terrorists. Many Senators will spend a significant amount of time focusing on Iraq policy, and I welcome the opportunity to do that. Iraq, after all, is the central front in the global war against the terrorists. This is what Osama bin Laden says. This is not my own definition. Our success there is not only important to the people of Iraq, but it is critical to the national security of the United States.

I mentioned Osama bin Laden. He once referred to Iraq as the capital of the caliphate. That is the area he would like to establish over which he would rule, and Baghdad would actually be the center part of that new area. He has argued that ''the most serious issue today for the whole world is this third world war that is raging in Iraq.''

Let there be no doubt that al-Qaida and Osama bin Laden are very much present in Iraq and very intent on defeating the United States there. The junior Senator from Virginia has offered an amendment that will codify what the Pentagon, according to the service chiefs and Secretary of Defense, is already attempting to do with so-called dwell time. That policy is for the Commander in Chief to determine, not the Congress.

Other Senators will offer other amendments relating to Iraq. Among them are amendments to withdraw our troops or make it harder for the administration to prosecute the war. I look forward to a debate on all of these amendments, but I make two points to my colleagues who might use this bill to attempt to prematurely leave Iraq or undercut our current strategy there.

One, we need to give the plan that is being executed by General Petraeus time to succeed. We are already seeing signs of progress in the early stages of the surge, and we need to await his report in September before making judgments about what to do next.

Second, advocates of withdrawal need to confront the likely consequences of their proposed policies, none of which, in my opinion, are good.

To the first point, the last of the five combat brigades of the surge just became operational a couple weeks ago, June 15. According to the U.S. military spokesman, LTC Chris Garver,

> This is the first time we'll be able to do the entire strategy as it was designed.

So it would be premature, to say the least, to judge the effect of the surge at this point and make important strategic decisions based on that judgment. We are already beginning to see Iraqi forces assuming more responsibility over their security, coalition forces receiving more cooperation from Iraqi civilians, and humanitarian and economic conditions improving.

The second point. Advocates of withdrawal have the duty to tell the American people how they propose to grapple with the consequences of their withdrawal. What will you do about the likely ethnic cleansing and genocide against Iraqi citizens who supported coalition forces? GEN Anthony Zinni said:

> This is no Vietnam or Somalia or those places where you can walk away. If we just pull out, we'll find ourselves back in short order.

What would the proponents of these amendments do when Iraq and al-Qaida are emboldened by our retreat, and terrorists enjoy a new safe haven from which to plot attacks against the United States and our allies?

Terrorism expert Peter Bergen said this:

> [A U.S. withdrawal] . . . would fit all too neatly into Osama bin Laden's master narrative about American foreign policy. His theme is that America is a paper tiger that cannot tolerate body bags coming home; to back it up, he cites President Ronald Reagan's 1984 withdrawal of United States troops from Lebanon and President Bill Clinton's decision nearly a decade later to pull troops from Somalia. A unilateral pullout from Iraq would only confirm this analysis of American weakness among his jihadist allies.

What would proponents of amendments do if violence in Iraq escalates and draws in neighboring countries? Here is what a recent Brookings Institution study said about that point:

> Iraq appears to have many of the conditions most conducive to spillover because there is a high degree of foreign ''interest'' in Iraq. Ethnic, tribal, and religious groups within Iraq are equally prevalent in neighboring countries and they share many of the same grievances. Iraq has a history of violence with its neighbors, which has fostered

desires for vengeance and fomented constant clashes. Iraq also possesses resources that its neighbors covet—oil being the most obvious, but important religious shrines also figure in the mix. There is a high degree of commerce and communication between Iraq and its neighbors, and its borders are porous. All of this suggests that spillover from an Iraqi civil war would tend toward the most dangerous end of the spillover spectrum.

What would the proponents of these amendments say to America's moderate allies in the Muslim world, including Egypt, Saudi Arabia, and Pakistan, who would justifiably question our commitment to them and to the long war in which we find ourselves?

And how would the proponents convince them not to begin hedging their bets and cooperate less with the United States, thus further enabling and emboldening the terrorists?

Do the proponents of these amendments believe withdrawing our forces will end our war against the terrorists? Do they believe they would not simply follow us home and attack us on our own soil?

The Petraeus plan may not offer an easy way forward, but it is the only plan I have heard that does not promise defeat. But as I said, we will have our debates on Iraq policy, as we should. There are other debates about this bill that we should also have.

I respect the work that many have done on the bill, but an outside observer, I suggest, might wonder exactly how this bill is going to make us safer. It is supposed to set the national defense policies for the United States, but it is not enough to simply provide funding authorizations. Leaving threats undefended against will not be excused simply because we have spent more money than last year. In fact, some of the biggest flaws in the bill are policy changes, not just funding changes.

Let me discuss what some of these flaws are. Our nuclear deterrent, the reliable replacement warhead, our nuclear weapons complex, the language regarding stockpile stewardship and nuclear weapons complex, and, finally, a recommendation regarding the Comprehensive Test-Ban Treaty. First, to the reliable replacement warhead.

I am deeply troubled by what appears to be a strategy of slow, inconspicuous disarmament of our strategic deterrent in this bill and the other authorization and spending bills of the new majority in the Senate.

The administration's request for development of the first reliable replacement warhead programs was completely eliminated by the House in its appropriations bill, a fate that thankfully was avoided in the Senate subcommittee markup. Yet there is a clear signal sent by this bill which cut the administration's request by $43 million out of a total of $195 million, and which handcuffs the administration from moving beyond all but the earliest phases of development of the warhead. This leaves the U.S. nuclear deterrent absolutely reliant on weapons designed and built in the 1980s.

The stockpile stewardship and nuclear weapons complex: Actions taken by the new majority in the House cut approximately $500 million from the upgrade and modernization of facilities in the nuclear weapons complex. These are responsible for refurbishing deployed bombs and warheads, storing older ones, and dismantling those no longer needed. This, obviously, further erodes the reliability of our current stockpile.

What signal does this send not only to our enemies but to our allies, allies who for over 60 years have relied on the umbrella of protection of our nuclear deterrent?

I mentioned the Comprehensive Test-Ban Treaty. Perhaps the most—it is hard to find the right word—shall I say irregular part of the bill is the language that would attempt to short-circuit what is this body's most serious responsibility: the role of the Senate in treaty ratification.

Tucked away near the end of this bill, very much in the fine print, is an unprecedented attempt to preordain the ratification of a treaty—a treaty already overwhelmingly rejected by this body—the CTBT. Unlike the very reasoned rejection of the CTBT 8 years ago following extensive debate after committee hearings, consideration of intelligence, and the like, this language in the bill presumes to state that the will of the Congress, without the benefit of a single hearing or single committee action of this body, let alone reference to intelligence and debate in the full Senate, is to ratify the treaty.

The solemn responsibility of this body to consider treaties cannot be so cavalierly disregarded. How can Senators who were not even in the Senate in 1999 be expected to evaluate the CTBT without the kind of serious consideration that occurred in 1999? This sense of the Senate should be called just what it is—a sham. The whole section of the bill reads as a throwback to the days of the nuclear freeze.

Apart from the hortatory verbiage in section 3122, it is clear the bill leaves us without the resources needed to develop a smaller and safer next generation nuclear stockpile and without resources needed to maintain our current stockpile.

In a fundamental contradiction, the cuts in the nuclear programs will actually increase the likelihood of needing to return to testing, the very option that would be permanently denied through the ratification of the CTBT.

Next, let me turn to missile defense. I am very troubled by what this bill does to undermine the substantial progress made in protecting this country from ballistic missile threats.

During the North Korean July 4 demonstration a year ago, which included firing the Taepodong 2 missile with the capability to reach as far as Alaska, the President of the United States had an operational defense missile system on alert for the first time in history. But this bill moves to deny that flexible authority that we have used to simultaneously research, test, and deploy an operational missile defense system in record time.

What is more, the bill significantly cuts funding for the construction of a European missile defense site, which will allow better defense against the Iranian threat, improved coverage of the United States, and extension of our missile defense system to provide coverage for Europe. This while we are in the middle of negotiations with Poland and the Czech Republic, while the Russians threaten a new arms race, and while Iran tests the West's resolve.

The subject of space threats. One of the most significant failures of this bill is it does nothing to defend the eyes and ears of this country's political, cultural, diplomatic, economic, and military might. Since the Chinese antisatellite, or ASAT, test earlier this year, very little has been done to defend our global constellations.

Modest requests from the administration to provide defensive capabilities, such as the space test bed, for which only $10 million was requested, have been zeroed out by both the House and Senate Armed Services Committee.

What is more, the bill inflicts significant cuts, some $55 million, to the space tracking and surveillance system, the next generation constellation of satellites that will allow improved tracking and targeting of ASAT weapons and midcourse ballistic missile.

Other space programs, for example, space situational awareness, received increases above the administration's request. And I applaud the committee for this, but I remind the Senate that this program only allows us to see a threat approaching our satellite constellation. It does nothing to enable us to defend against the threat. Have we learned nothing from recent experience?

Our enemies have proven they know better than to engage our armies and navies directly. They have observed our weaknesses and seek to exploit them through asymmetrical attacks. Blind us, and the best navy in the world can't repel an attack.

Who can dispute the fact that the $504 billion that we authorize for the Department of Defense in this bill would be virtually meaningless if we can't defend our satellite systems from attack? Our satellite system is the backbone of our entire national defense.

Finally, let me conclude by talking about what this bill does with respect to the terrorists with whom we are engaged in a life-and-death struggle.

The bill basically would return us to pre-9/11 days, to the law enforcement approach to terrorists.

We should think very carefully about the damage that would be wrought in a global war against these terrorists if we have to fight it by using the ill-conceived proposals in this bill. One would require us to give trials to every detainee we are holding in combat in

places such as Iraq and Afghanistan. Another would give them access to classified information; allow them to compel testimony of witnesses, including our own soldiers on the battlefield.

Have the authors of these provisions thought about where we will get the military lawyers needed to implement their criminal law ACLU approach to warfare? There are barely enough of them to provide legal services to our own troops. Have they thought about what our intelligence community will say to the foreign allied intelligence agencies, many of which are already concerned about sharing their sources and methods of intelligence with us; and who may very well completely cease sharing important intelligence information, knowing it will be shared with captured terrorist combatants? We know that more than 30 detainees have been released from our custody and have returned to waging war against the United States and its allies. What will the release of potentially thousands of detainees do to our national security?

The Senate must give very careful consideration to this dangerous return to the pre-9/11 notion of terrorism as a law enforcement problem. Terrorists have made no secret they are at war against our civilization. We ignore their warnings at our peril, and we will not prevail if we must deal with them as criminal defendants in American courts.

Madam President, I conclude by asking my colleagues to carefully consider the impact these several policies I have highlighted will have on our national security. Our first obligation is to provide for the common defense. Unfortunately, as it is presently written, this bill falls well short of that solemn duty, and it could get worse if some of the amendments proposed are adopted. I urge my colleagues to take very seriously our obligation to provide for the common defense. It begins by confining the policies in this bill to the traditional areas of defense preparedness. I hope we will be disciplined enough to do so.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, I will suggest the absence of a quorum for a brief minute. Senator JACK REED is scheduled to be next, and he is within, I think, 30 seconds of getting here. He delayed, as a courtesy to Senator KYL, and so I will put in that quorum call for a minute so he can get here.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REED. 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. REED. Madam President, today I wish to speak on the Senate Armed Services Committee bill being considered by the Senate, S. 1547, the National Defense Authorization Act for fiscal year 2008. It is, I believe, a very good bill.

I wish to commend the chairman, Senator LEVIN, and his ranking member, Senator WARNER, for their efforts and particularly the staff and all the work they have done which has contributed to this product today. It was reported favorably to the floor of the Senate by a unanimous vote of the committee, which shows its bipartisan support.

As a member of the Armed Services Committee, I have had the privilege of serving as the chairman of the Emerging Threats and Capabilities Subcommittee, and I would like to share with my colleagues the highlights of our bill that originated in the Emerging Threats and Capabilities Subcommittee.

Before I describe those highlights, I also wish to commend and thank Senator DOLE, the ranking member of my committee. It was a partnership and a pleasure to work together with her. She certainly gave valuable service, along with her staff, and I appreciate very much her personal contribution and her leadership on this issue.

I would also like to thank staff for their great contribution and their great effort.

By way of background, the Emerging Threats and Capabilities Subcommittee, also known as the ETC subcommittee, is responsible for looking at new and emerging threats and considering appropriate steps we should take to improve our capabilities to enhance our security in the light of these new emerging threats. Two of our committee markup objectives, in preparing the bill, were to improve the ability of the Armed Forces to meet nontraditional threats, including terrorism and weapons of mass destruction; second, to promote the transformation of the Armed Forces to meet the threats of the 21st century.

In a nutshell, that is what the ETC subcommittee should be all about, and I hope this legislation represents the sum of all our efforts in that regard.

This year, there are a number of issues, or themes, that the ETC subcommittee's portion of the bill addresses based on the emerging threats or challenges facing the United States and on capabilities we need to address these challenges. The first thing is the Defense Department's need for improved and alternate sources of energy. The Department is a massive consumer of energy, including for its military vehicles and platforms, and advanced technology may offer improved effectiveness at a reduced cost for our military in the area of energy conservation and energy demands.

The second area relates to the language of cultural challenges facing our military forces operating overseas. We held a very fine hearing on this subject, and there is clearly a need to improve the language and cultural awareness capabilities of the military and to make use of improved technology in this area. This would improve our military effectiveness and our mission success.

The third issue, or theme, is the threat from the proliferation of weapons of mass destruction and the need to improve U.S. efforts to reduce this proliferation risk. We held an excellent hearing with the former Senator Sam Nunn and Senator RICHARD LUGAR, as well as witnesses from the Department of Defense and the Department of Energy, on these nonproliferation programs, and I think we all must recognize the debt we collectively owe, not only ourselves but the Nation, to both Senators Nunn and Senator LUGAR for their path-breaking work on limiting nuclear proliferation and we commend and thank them for that. Given the potentially catastrophic damage that could result from such proliferation, we must always look for ways to strengthen and improve our nonproliferation programs.

The final and related theme and issue that we discussed is the threat of a terrorist incident within the United States involving a chemical, biological, radiological, nuclear or high-yield explosive device, which is known by the acronym CBRNE, a CBRNE device. The challenge is to be prepared to manage the consequences of such a domestic CBRNE incident and for the Defense Department to have the right capabilities, plans, and equipment to provide support to the civil authorities, if requested.

I will address the committee's action on these issues as I describe the highlights of the Emerging Threats and Capabilities Subcommittee's portion of the bill being considered by the Senate today. Let me start with the area of science and technology.

The bill authorizes increased investment in science and technology programs by over $450 million. These programs perform cutting-edge research that is developing the capabilities that will ensure the effectiveness of our Armed Forces in the future, while strengthening the Nation's high-technology innovation sector.

These additional S&T investments, which reflect military value and technical merit, are intended to enhance Defense Department activities in a number of areas—advanced and alternate energy technologies; new manufacturing capabilities; advanced medical technologies aimed at improving the care of combat casualties; and increased funding for defense-related university research that will provide the foundation for future military capability and, in fact, will probably contribute to our overall economy.

The Armed Services Committee bill authorizes investments of nearly $75 million for advanced energy technologies, including programs to develop fuel cells, hybrid engines, build hydrogen infrastructure such as fueling stations at military bases, and explore the use of biofuels for military systems.

These kind of technologies will save money and improve war-fighting capabilities, reduce America's dependency on foreign oil, and help DOD lead the way in the widespread droppings of alternative energy technologies.

The bill includes a provision sponsored by Senator PRYOR that would enhance the Department's nanotechnology research program to reflect the maturation of nanotechnology in industry and in universities. It would push the Department to have a greater emphasis on issues such as nanomanufacturing, moving nanotechnology into major defense systems, and monitoring international capabilities in nanotechnology.

Following a recommendation of the Defense Science Board, the bill would require the Defense Department to produce a strategic plan for the development of manufacturing technologies. Advanced manufacturing processes are the key to ensuring that our defense industrial base can respond to the surge of production needs of our deployed forces for items such as body armor, vehicle armor, and jamming devices that are being used to defeat Improvised Explosive Devices. Manufacturing is also one of the keys to our overall global competitiveness.

I am pleased to note the committee bill authorizes nearly $85 million in additional funds for the development of advanced manufacturing technologies to support critical defense production capabilities.

In relation to the threat from proliferation of weapons of mass destruction, the bill authorizes additional funding for important nonproliferation programs at the Department of Defense and the Department of Energy. This additional funding includes $100 million for the Cooperative Threat Reduction—CTR—Program and $87 million for nonproliferation programs of the National Nuclear Security Administration.

The bill also authorizes $50 million to support the International Atomic Energy Agency proposal for an international nuclear fuel bank. This promising idea, if successfully implemented, could remove the incentive for countries, such as Iran, to develop indigenous uranium enrichment programs for nuclear power reactor fuel. This would address the loophole in the Nuclear Nonproliferation Treaty that allows uranium enrichment for civilian power purposes to serve as a cover for uranium enrichment for weapons purposes.

In addition, S. 1547 includes a provision that would finally repeal all the precertifications for the CTR Program. These conditions delay the program annually, waste program funds, and have long outlived any usefulness. Senator LUGAR has worked for several years now to remove these restrictions, and I am pleased we have been able to include this provision in the bill.

The additional funding for CTR would allow the program to accelerate and expand work into some biological materials and weapons areas that have become an increasing concern, and allow for the first time the CTR Program to address issues outside the former Soviet Union in a planned, nonemergency fashion. The National Nuclear Security Agency Program has a number of challenges with respect to the proliferation of nuclear weapons, materials, and technology, and much more needs to be done. The North Korea nuclear tests last October highlighted an area where we need a lot of additional work. That is the area of nuclear forensics and attribution. The bill authorizes additional funding to develop new technology to detect and identify the sources of nuclear material and to support the Department of Energy's Office of Intelligence efforts to develop a nuclear material forensic library.

The real challenge we have that faces us, an existential challenge, is the threat that someday a terrorist—not a nation state but a terrorist—might detonate a nuclear device in the United States or in an allied country. They would get that material from some national source. If we can effectively trace materials, and we know and we can identify where such materials come from, that goes a long way in helping remove the incentives for any nation state to provide these types of materials to terrorists. I think this is important research, and I am particularly pleased that we have incorporated this language in the legislation.

In the area of homeland defense there is a concern about the enormous challenge of dealing with the chemical, biological, radiological, nuclear, or high-yield explosives, the CBRNE incident in the United States. Such an incident could quickly overwhelm local and State emergency response capabilities. The bill contains a provision requiring an advisory panel to address the capabilities of the Department of Defense to provide support for civil authorities for consequence management of a domestic CBRNE incident. The panel would report to Congress with any findings and any particular recommendations.

I thank particularly Senator DOLE and her staff for leading the way on this issue.

In the area of chemical and biological matters, the bill adds nearly $70 million for the Defense Department's chemical and biological defense program, including procurement of chemical agent detectives and monitors for the Army National Guard. These systems can be used for overseas deployments or for domestic consequence management initiatives.

The bill also authorizes the restoration of $36 million for the chemical demilitarization program and includes a sense-of-Congress resolution that the United States should do everything practicable to meet our chemical weapons destruction obligations under the Chemical Weapons Convention deadline of April 2012, or as soon as possible thereafter. This sense-of-Congress provision includes a number of recommendations made by the Republican leader, Senator MITCH MCCONNELL. I thank him for his contribution.

The sooner we destroy the stockpile, the sooner we will remove the risks to the communities around the stockpile sites throughout the United States.

Let me turn also to the area of special operations forces, and in particular language issues. The bill contains additional funding for the Special Operations Command, SOCOM, to meet critical language and cultural awareness training requirements, and for various SOCOM technology and training programs. All told, the bill authorizes more than $20 million additional funding to improve the foreign language and cultural awareness capabilities of our military forces.

The bill also contains a provision creating a National Foreign Language Coordination Council, an initiative proposed by Senator AKAKA of Hawaii, and I thank him for this contribution. This council will ensure that the initial steps that the administration has taken will develop into an organized and concerted effort to improve the Nation's foreign language capabilities.

S. 1547 includes, in addition, a provision that would require the Government Accountability Office to review the ongoing reorganization of the Office of the Under Secretary of Defense for Policy. The committee has expressed strong reservations about this reorganization, especially as it pertains to the Office of the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict. The study would examine some of the specific committee concerns.

The bill also authorizes an additional $124 million to cover unfunded requirements of the Special Operations Command to procure Mine Resistant Ambush Protected, or MRAP, vehicles. This is part of a committee-wide $4 billion increase to ensure that U.S. military personnel in Iraq receive the best protection available against improvised explosive devices, the primary cause of injury and death to our personnel.

I might add, I just returned yesterday from Iraq. One of the points that was raised by Major General Mixon, Commander of the 25th Division, was the need for these MRAP vehicles. I communicated that directly to the Secretary of Defense. I must commend Secretary Gates for his aggressive leadership to ensure that these MRAP vehicles are being produced and being sent overseas to our forces, particularly our forces in Iraq. His leadership on this point is very much appreciated.

Finally, in the area of counterterrorism and counterdrug policy, the committee took a number of actions. On counterterrorism, the committee authorized the Department of Defense to provide increased rewards for assistance in counterterrorist operations. This is intended to provide additional

incentives for others to help us find and defeat terrorists. The committee also funded the Department's ''train and equip'' program to build the capacity of partner nations to conduct counterterrorism operations and to operate with U.S. forces in military or stability operations. The committee has authorized funding for this program, also known as section 1206, at the level authorized last year for fiscal years 2007 and 2008. Congress has given the Defense Department this authority as a pilot program to the end of this fiscal year, at which time Congress can evaluate the program's effectiveness.

On counterdrug policy, the committee authorized the Department to provide counterdrug training and equipping assistance to Mexico and the Dominican Republic. This would expand a list of countries to which we provide such assistance to these neighbors who are facing serious drug challenges. With regard to funding, the committee authorized an additional $22.5 million to boost drug interdiction efforts, especially in the U.S. Southern Command's area of responsibility.

Madam President, that is a summary of the highlights of the Emerging Threats and Capabilities Subcommittee portion of the Armed Services Committee bill. I urge the Senate to support the entire bill, as the subcommittee does.

Now I would like to turn my attention to the matter pending before the Senate, and that is the amendment proposed by my colleague, Senator WEBB of Virginia.

I rise to commend him. I think this is an important amendment that underscores and highlights the strain that our troops are under, given the operational demands of efforts in both Iraq and Afghanistan and many places in the world. No one in this Senate—and particularly in this caucus, this Democratic caucus—understands on a firsthand basis the strain that soldiers, marines, and airmen and sailors live under constantly more than our colleague from Virginia, Senator WEBB, who is a distinguished and heroic veteran of the conflict in Vietnam and someone to whom we look for his insight and leadership, particularly with respect to the welfare and the safekeeping of our military personnel.

Since 2003, the United States has maintained an average of 138,700 troops in Iraq. Today we know we are at a level approaching 160,000. At the same time, there are approximately 25,500 military personnel in Afghanistan and an additional 175,000 military personnel performing missions in 130 countries around the world. Nearly every nondeployed combat brigade in the Active-Duty Army has reported that they are not ready to complete their assigned war missions.

Let me repeat that. Nearly every nondeployed combat brigade, those not in Iraq and Afghanistan, are reporting they are not ready in terms of personnel or equipment to complete their assigned war missions. We all know if they are ordered to, they will go into the fight and they will do well. But they are not going in with the same level of personnel, equipment, and in many cases training that we expected of them just a few short years ago. This is as a result, a direct consequence of the strategy being pursued by the President in Afghanistan and Iraq and the size limitations on our military forces.

Such a sustained operational demand has had a significant effect on our ground forces' ability to train, deploy, and conduct their missions effectively. The way we measure our military's ability to perform effectively is called their readiness. Readiness is composed of three elements: personnel, equipment, and training.

First let's look at the personnel issues. Since 2002, 1.4 million military troops have served in Iraq or Afghanistan. The standard ratio the U.S. military likes to use for deployments is 1 to 2—meaning for every year deployed, 2 years back at the home duty station for recuperation, retraining—all those things you need to restore the professional skill and a high degree of spirit and morale necessary for successful military forces.

Since the beginning of the Iraq war, however, Army brigade combat teams have been on a 1-to-1 ratio: 1 year deployed, 1 year back. That puts a huge strain on not only soldiers but the families of those soldiers. This ratio was further strained on April 11, 2007, when the Pentagon announced that all Active-Duty Army units in the Central Command area of responsibility, principally Iraq and Afghanistan, would be extended to 15-month tours. The Marine Corps has also moved to a 1-to-1 ratio: 7 months deployed, 7 months at home station.

There is another aspect to this, and that is known as stop-loss. It has been imposed on 50,000 troops. What this means is that an individual is eligible, having served out their enlisted time, to leave the military forces, but they are involuntarily held behind in order to meet the missions of the Army because of this huge personnel crunch.

That stop-loss is affecting 50,000 individuals who have served honorably and well, who have made plans to return to civilian life. Those plans are on hold now. That is another manifestation of this strain our land forces are under at this moment.

The reality of this operational tempo is that many Active-Duty soldiers and marines are on their third or even fourth tour of duty in Afghanistan or Iraq. Of the Army's Active 44 combat brigades, all but the 1st Brigade of the Second Infantry Division, which is permanently based in South Korea, have served at least one term in Iraq or Afghanistan. Breaking that down further, 12 brigades of Army have had 1 tour, 20 have had to 2 tours, 9 have had 3 tours, and 2 brigades are on their fourth tour. This is an extraordinarily aggressive operational tempo to subject any force to.

Although the deployment for our special operations forces are classified, it is known that the average weekly deployment for special operations forces was 61 percent higher in 2005 than in 2000. Every aspect of our Active Force and many of our Reserve components are being stressed with extraordinary contributions to the operations today that are worldwide.

This strain extends to our National Guard and Reserve. More than 417,000 National Guard and Reserve, or about 80 percent of the members of the Guard and Reserve, have been deployed to Iraq or Afghanistan with an average of 18 months per mobilization. Of these, more than 84,200, or 20 percent, have been deployed more than once. Presently, the Army National Guard has 34 brigades; 16 are considered an ''enhanced brigade,'' which means they are supposed to be fully manned, equipped, and able to deploy rapidly.

Since 2001, every enhanced brigade has been deployed overseas at least once, and two have already been deployed twice.

When the President announced the surge, the Pentagon was forced to recall to active duty several thousand Guard and Reserve personnel who had already served in Iraq and Afghanistan. In order to do this, the Pentagon had to revise its rules that limited the call-up time of Guard members to no more than 24 months every 5 years.

With respect to this decision, the Commission on the National Guard and Reserve recently concluded:

> Overall, if the reserve component, including the National Guard, continues its high operational tempo, current indicators cast considerable doubt on the future sustainability of recruiting and retention, even if financial incentives continue to increase. There is a real cost to this operational tempo.

The cost is not only in the immediate near term but also in the longer one. Our current policies overseas have overstretched our military. The burdens of the past few years will have consequences for years to come. We risk rendering our military a weakened force, and we want to do all we can to avoid it.

We are already seeing indications of the stress that is being borne by our military forces, and they are manifested in many different ways.

Yesterday the U.S. Army announced it fell short of its active-duty recruiting goal by 15 percent. It is the second month in a row that the Army's enlistment efforts have fallen short. This is in the context of a belated attempt, I would argue, by the administration to increase the overall end strength in the Army.

You have a situation now where the Army is under huge pressure. There is an attempt to increase the numbers overall. That attempt is being, at least seems to be being frustrated by the inability to recruit new personnel into the Army.

The Army expressed concern but repeats the fact that the Army has met its recruiting goals for the past 2 years. Technically, that is true. But a closer look shows there are some disturbing trends that may have long-term negative consequences. In order to meet the demands of today, the Army is drawing heavily on its delayed entry program, or pool of future recruits, which will leave it empty handed in the future as they try to enlist more soldiers.

The Army has also begun to lower standards in order to meet recruiting goals. The Army granted approximately 8,500 ''moral waivers'' to recruits in 2006, as compared to 2,260 of these moral waivers given in 1996. These waivers cover misconduct and minor criminal offenses. Again, the trend is not less but more in terms of trying to achieve recruiting goals by waiving some incidents that otherwise would disqualify a person from joining the Army. Waivers for recruits who committed felonies, for example, were up 30 percent in 2006 from the year before.

Last year, 82 percent of Army recruits had high school diplomas. That is the lowest level since 1981. Only 61 percent of Army recruits scored above average on the service's aptitude test last year. That is the lowest score since 1985.

Last year, the Army would not have met its recruiting goals without lowering its weight standards and increasing the acceptable recruiting age to 42 years old. Frankly, you know, thinking back, not long ago the idea of actually trying to recruit people who were 42 years old, might have physical problems, who might have minor criminal violations, was considered anathema by the military as they prided themselves on the ability with each succeeding quarter to indeed try to raise the standards. But the pressure on personnel has produced these results.

Despite these lower standards, basic training graduation rates have increased from 82 percent in 2005 to 94 percent in 2006, leaving one to wonder whether the training program standards are also being modified so that these individuals can get through and get into the brigades that need support. That would have long-term, unfortunate consequences for the overall effectiveness of our military forces.

The Army is also using some extraordinary means to maintain retention rates. There are problems recruiting, but also they are making special efforts to keep those soldiers they have. The biggest incentive, of course, for retention is providing financial compensation to those who decide to extend. However, the level of funding we are putting toward keeping soldiers simply cannot be sustained. In the past 4 years the Army has increased the amount spent on retention bonuses from $85 million to $735 million.

At the same time, the cost of supporting each soldier has increased from $75,000 in 2001 to $120,000 in 2006, because of the inducements, pay benefits that are appropriate but very expensive, and again raise the question of: How long they can be sustained?

Despite the increases in pay, the Army is still having difficulties with retention, particularly retaining officers. Last year the active Army was short 3,000 officers and it is projected this shortage will increase to 3,500 officers this year. The Guard and Reserve are facing a shortfall of almost 7,500 officers.

Army reenlistment rates for midgrade soldiers dropped 12 percent in the past 2 years. According to the New York Times, more than a third of the West Point class of 2000 left active duty at the earliest possible moment, after completing their 5-year obligations.

For Special Forces, recruitment and retention are most difficult. For the past 6 years, 82 percent of the active-duty Special Forces specialties were underfilled, many with shortfalls over 10 percent.

I had a chance to sit down and have lunch with three soldiers at a patrol base which had only been in operation for 3 weeks, just about 2 days ago in Iraq. All three of those soldiers were on their second or third tour. Two had already decided they were getting out, and a third had not yet decided. They have served their country magnificently. They have done it with great dedication, and for many different reasons are leaving. That is a very imprecise scientific sample, I would admit, but still it suggests that because of operational stress, because of the demands on soldiers who are performing magnificently, they are also thinking about their future and thinking about leaving the force rather than staying on for extended periods of time.

The soldiers recruited today define the quality of our Army in the future. Focusing on filling slots today without regard for maintaining high standards can have dire consequences down the road. We have serious challenges before us as a nation.

I have spent time talking about personnel because at the heart of Senator WEBB's amendment is the recognition that ultimately a military force is about people—the soldiers, the marines, the sailors, the airmen, and their families. And if we keep this operational tempo, if we do not provide the respite, time for recuperation, what he is suggesting, at least an equal time out of the war zone as you spend in a war zone, then these personnel issues become more and more acute and become more damaging to the overall capability of our military force.

There is another aspect, too, of readiness. That is equipment. In order to meet the equipment needs in Iraq and Afghanistan, the Army requires that active and reserve units leave behind certain essential items that are in short supply, including up-armored humvees and long-range surveillance and communications systems.

This system ensures that incoming soldiers can receive 100 percent of the equipment, and it reduces transportation costs. But there is a downside. As the GAO pointed out, while this equipment approach has helped meet current operational needs, it has continued the cycle of reducing the pool of equipment available to nondeployed forces for responding to contingencies and training.

Forty percent of the marines' ground equipment has been deployed in Iraq over the past 3 years and is being used at nine times its planned rate. I can recall last year being in Iraq and was told just before we got on the helicopter that it was flying at many more times the number of hours that it was planned to fly in a peacetime environment. They assured us, of course—and they are right—that it was very well maintained. But the stress on the equipment is just as telling as the stress on personnel. We are using this equipment and overusing this equipment as we operate in all of those theatres of conflict.

According to Lieutenant General Blum, the Army National Guard presently has on hand only 30 percent of its essential equipment here at home, while 88 percent of the Army National Guard that is in the U.S. is very poorly equipped. Nearly 9 out of every 10 Army National Guard units in Iraq and Afghanistan have less than half the equipment needed to respond to a domestic crisis, and less than 45 percent of the Air National Guard units have the equipment they need. Again, one of the other major missions of the National Guard is responding to domestic contingencies. They are severely constrained in that regard. Lieutenant General Blum, who is the chief of our National Guard, states:

> This is the first time such a shortfall in equipment readiness has occurred in the past 35 years.

He estimates that the total cost of the shortfall is about $36 billion. In March 2007, the Commission on the National Guard and Reserves reported that nearly 90 percent of National Guard units are not ready to respond to crises at home or abroad.

The chairman of the Commission on the National Guard summed it up:

> We cannot sustain the National Guard and Reserves on the course we are on.

Again, the military is doing not only everything they are asked but much more. But we need to ensure that they have the opportunity to rest and to refit. We have to ensure they have equipment that is well maintained and not overly used.

There is a huge shortfall in equipment. The Marine Corps has a $12 billion equipment shortfall in 2007. The Army estimates it will need $12 billion annually for as long as the Iraq war continues, and for 2 years thereafter. These significant costs will have to be borne, but the biggest cost, I believe, is the one that is being borne today for our soldiers, marines particularly, and the fact that they are operating in a war zone, coming back, and all too

shortly thereafter being required to go back.

There is another effect. It has an effect on training. We pride ourselves, as we should, as the best trained military force in the world, perhaps of all time. But that training cannot operate if there is insufficient time back at home station to do it. And that, I think, also is the heart of Senator WEBB's amendment. He understands that one of the great factors that holds a unit together is the sense of skill, the sense that they not only know how to do the job, but they practice that job time and time again. They are ready for any contingency, any eventuality. That readiness, that sense of confidence does not come without spending the time at home station training. That, too, is being sacrificed.

I commend Senator WEBB. I think from his heart and from his essence as a marine, he understands that our soldiers, marines, airmen deserve the time to prepare, to train, to regroup before they go back again. At a minimum, his amendment is calling for equal time at home station that equates to time deployed in a war zone as the minimum that we should provide these brave young men and women.

I hope we can support this amendment. I hope we can do it, get it back and send a message to our troops: We know what you are doing for us. We appreciate it. After serving with distinction with courage and great sacrifice, you deserve time to come home, to see family, to retrain, to rest, and to prepare again to defend the Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, before my distinguished colleague from Rhode Island leaves, I thank him for the incredible contributions I know he made to this legislation that is in front of us. He, too, has had a distinguished career serving his country in the armed services as well as in the Senate, and we congratulate him for his service.

I also start by congratulating our Michigan senior Senator whom we are all so proud of for all of the important work he does, and none is more important for Michigan and for the country than serving as chairman of the Armed Services Committee.

This National Defense Authorization Act and all that it brings in terms of additional tools for our troops, issues that directly relate to supporting the troops and their families, the equipment, the new technology, the new policies for the future that they need, all of these things are incredibly important, and Senator LEVIN has been the leader on these issues for us. We in Michigan are extremely proud of all he has done.

I specifically today raise my voice in support of the Webb amendment to the National Defense Authorization Act. Tonight in Iraq, 1,644 members of the Michigan National Guard will bed down after a long day of working and fighting. They work in 100-degree weather, sand blowing in their faces, facing dangers at every turn, in the harshest physical conditions imaginable. For every single one of those men and women, there is a family at home in Michigan who will go to bed tonight worried and saying a prayer for the safety of their loved one, for the safe return of their son, their daughter, father, mother, sister, brother.

The true cost of this war cannot be measured in dollars and cents, although there is a huge financial cost to what is happening. But the true cost is measured by the sacrifices of our troops and their families; every single day, day in and day out. The cost is more than just the possibility and the reality of physical danger; the cost includes the sacrifices that entire families are making, financial sacrifices, emotional sacrifices, sacrifices being made because they are apart day after day, month after month, and now year after year.

It is not right; it is not fair; it is not safe. We need to change this policy. That is what the Webb amendment does. In Michigan, 1,644 Guard members, 1,644 families, 1,644 missed birthdays, Father's Day, Mother's Day, missed high school graduations, baby's first steps, anniversaries, family funerals, Christmas, other holidays.

It is also 1,644 missed paychecks. It may be the only paycheck in the family—the paycheck that is paying the mortgage, the paycheck that is there to help send the kids to college, to pay the car payment, to be able to have the standard of living we all want for ourselves and our families—sidetracked careers, small businesses and farms put in economic danger, 1,644 lives that will never be the same, 1,644 sets of missed opportunities, missed moments that can never be replaced.

These members of the Michigan National Guard make up only a fraction of the 160,000 men and women in uniform currently serving in Iraq and countless others who have served. In too many cases, these men and women are back in Iraq for their second, third, and now fourth redeployment.

Our fighting men and women are the greatest resource we have. They make us proud every single day. But, unfortunately, this Government is abusing this resource, these people. America puts its trust in our military to defend us. When our sons and daughters join the military, they put their trust in us, in the Congress, in the President of the United States, to give them the tools and the resources they need and to treat them with the respect they have earned. Current administration policies on redeployment have violated that trust. These policies have let our troops down. They have let their families down.

I am proud to join with my colleague from Virginia in saying: Enough is enough—enough is enough—when it comes to abusing our Armed Forces by stretching them to the breaking point with redeployment after redeployment.

Our armed services have traveled a tough road since we invaded Iraq. They have shouldered a heavy burden with pride and confidence and honor. We have asked extraordinary things—extraordinary things—from them at every turn. And at every turn they have delivered. They have made us all proud. They have faced tough situations, made tough choices, and have done their duty.

Now we need to do our duty. We need to do what is right for them. It is our time to face the tough situations. It is our time to make the hard choices. It is our time to make them proud. That is what this amendment is about. That is what this bill is about. That is what further discussions we will have about how to end this war will be all about.

America's soldiers and sailors and airmen and marines are always there for us when they are called. The question is, Will we be there for them? Will we be there for them today and tomorrow and the next day?

This legislation Senator WEBB has proposed is something that is simply the right thing to do and is a very important piece of supporting our troops.

First of all, for our regular forces, the amendment requires that if a unit or a member deploys for Operation Enduring Freedom or Operation Iraqi Freedom, they will have the same time at home—what is called ''dwell time''; down time, as I would say; our forces would call it dwell time—before being redeployed. So if someone is deployed for 6 months, they would have dwell time for 6 months, whether that is being home with the family, whether that is retraining, whether that is time to regroup. If they are deployed for 12 months, they would have 12 months at home; 15 months, 15 months.

For the National Guard and Reserve, no unit or member will be redeployed to Iraq or Afghanistan within 3 years of their previous deployment. Now, this is strictly a floor, but it will stabilize Guard and Reserve deployment cycles in a much more predictable way. It is good for them, it is good for us from a safety standpoint, preparedness standpoint, and it certainly is good for the families we are asking to make such sacrifices.

We understand this is a dangerous and unpredictable world we live in, so this amendment also includes an important provision, a provision enabling the President to waive these limitations if he certifies to Congress that deployment is necessary in response to a vital national security interest of the United States.

Now, why is this down time or dwell time so important? Longer and more predictable dwell time is needed for many reasons. Most importantly, it allows for members to readjust from combat and spend time with their families. It also allows troops the time they need to be ready for the next combat mission. We have to remember that

when our people return from their deployments, the majority of their time is spent retraining, refurbishing, and reequipping prior to being redeployed.

The bottom line is that the Webb amendment will ensure that our men and women in uniform have a more predictable deployment schedule, with adequate time between tours. We have a responsibility to prevent further needless damage to our military, and the Webb amendment does that.

Five years ago, I was proud to stand on this floor as one of 23 Members who believed this war was the wrong choice. For the past 5 years, I have been proud to cast vote after vote supporting the troops, working to ensure they have the resources they need so they can get the job done as soon as possible and come home safely.

Today, I stand on the floor and once again say: Enough is enough. The American people are saying: Enough is enough.

This administration failed our troops by committing them to this war without a clear reason or goal. This administration failed our troops by not having a clear mission for our Armed Forces in Iraq. They failed our troops by not providing the proper equipment, body armor, or logistical support for our forces. They failed our troops with their poor planning for the invasion of Iraq and their total lack of planning for how to secure the country, despite the best efforts of our brave men and women. And they have failed our troops by sending them back into harm's way over and over and over again without the proper down time between redeployments. History will judge this administration on how they have handled this war. History will judge us now on what we do for the troops and what we do to end this war.

We need a new strategy for Iraq, a strategy that brings our troops home safely and responsibly. We need to treat our troops with respect—the respect they deserve, they have earned—while they are serving us. They put their lives on the line every day for us. The least we can do is to make sure they have what they need and they have the time they need between combat deployments to be with their families and to prepare for the future. And they need a strategy. They are asking us to be paying attention to what is going on.

So many of us have been to Iraq and have seen what is happening on the front lines. They are in the battle every day. They are focusing on their mission, on staying alive, keeping their buddies alive. They are counting on us to have their back. They are counting on the President to have their back. They are counting on people here getting it right, doing the right thing—whether it is making sure they have the time they need, which the Webb amendment does, to focus on their needs and their families' needs or whether it is to make sure there is a strategy that makes sense. That is what we are now debating on this floor.

I believe the American people have spoken very loudly and very clearly, and it is time for us to listen. It is our job to listen, to do the right thing for the troops, to do the right thing for their families, to do the right thing for communities and for our country.

When I look around the Senate, I am struck by the fact that we have all taken different paths to get here, to this debate right now. It has been a long 5 years. Some of us have stood up against this war since day one. Many have come to understand the tragedies of this war and the failures of this administration and have come at a different time. But no matter what path each of us has taken, no matter how we have gotten here today, now we have the opportunity to do the right thing. That is what this debate is about.

I am so grateful to our Senate leader, HARRY REID, for making sure we stay focused on what is clearly the most critical issue in front of us, what is happening in the war in Iraq and with our troops and our families, and what we need to do to focus on the real threats—the real threats—here at home, through his leadership, on the 9/11 Commission legislation, as well as focusing on the real threats abroad.

So we have seen leadership bringing us back to this issue, creating this opportunity now for us to do the right thing. We need to do the courageous thing. The Webb amendment is an opportunity to do the courageous thing for our troops. We cannot change the past, but we have to change the future, and that means acting now.

I urge all of my colleagues to vote for the Webb amendment for the brave men and women who are serving us and counting on us to understand what we are expecting of them as they do their duty, with the sacrifices they are making, their families are making. They are counting on us to do the right thing. They are counting on us to do the right thing on the overall strategy on this war.

This legislation, this time, this debate in the next few days is an opportunity for us to tell the American people: We hear you. We hear you. Enough is enough. Enough is enough. It is time to get this right and to bring our men and women home safely and responsibly.

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

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

The legislative clerk proceeded to call the roll.

Mr. GRAHAM. 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. GRAHAM. Mr. President, I am going to speak for about 12 minutes. Will you let me know when that 12 minutes is up?

The PRESIDING OFFICER. The Chair will so advise the Senator. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, the hope of anybody in politics is to serve in a body, such as the Senate, at a time when it matters. Our hopes and dreams have come true. We in Government decide what matters. What we are doing on this Defense authorization bill matters. It matters to the men and women in uniform. It matters to everybody in the world because during these difficult times the world is facing, increasingly the world is turning to the American men and women, our fighting men and women, to make things right.

Imagine a world without the brave Armed Forces of the United States. What would that world look like? It would be a very dangerous place, more so than it is now. So I wish to say the one thing we have in common as Republicans and Democrats is admiration for those who are carrying the burden of fighting a worldwide global struggle called the war on terror.

Now to Iraq. We are going to have amendments this week that have one common theme to them. It would take the current strategy in Iraq and change it. General Petraeus was unanimously approved by this body to go to Iraq and do something different. He told us before he left: I need more troops. The reason I need more troops is because the mistakes we made in the past have caught up with us.

What is the biggest mistake America made right after the fall of Baghdad? Not having enough security to keep the country from spiraling out of control, not having enough security to suppress the militias. One thing I have learned in life, where there is lawlessness, people fill in the vacuum. If the Government cannot protect you, then you will find groups who will protect you.

What happened in Iraq is the security got out of control, and we had sectarian violence spawned by al-Qaida. The thing we have to realize as a nation is this organization called al-Qaida has one common goal. It is not about Sunni, Shia, and Kurds; it is about moderation. They hate moderation in any form. It doesn't matter if it is wearing a Sunni face, a Shia face, or a Kurdish face. They have come to Iraq to destroy this infant democracy.

The report card on the political progress in Iraq: It is about like here at home. I give it a very low grade. Unlike here at home—we do have a stable society, for the most part—in Iraq they have a very unstable society, so they need political leadership desperately.

After my sixth or seventh visit on the Fourth of July week past, I am here to say there is bad news. The bad news, from my point of view, is the Iraqi political leadership that exists today is paralyzed, very much like we are here at home. I don't see them anytime soon having a breakout when it comes to political reconciliation, but I do have hope for the future that they will do that, and it is not an unrealistic hope.

There is some emerging movements in Iraq politically that can bring about

reconciliation. But here is the good news. The strategy of additional combat power getting out from behind the walls, out of the fortresses, out into the hinterlands of Iraq to fight al-Qaida is working.

The one thing I can tell my colleagues with certainty is, for 3½ years, I went to Iraq and I came back every time despondent because I could see the security situation spiraling out of control and I was told time and time again: No, the training strategy is working. Our goal is to train the Iraqi Army and police forces, and we are doing a good job.

The first time I went to Iraq, I went rug shopping. The last time I went before the change in strategy, I was in a tank. It was clear to me, being a military lawyer, not a combat commander, that the situation on the ground was getting worse. This time around, after the new strategy has been in place, things are getting better on the ground when it comes to suppressing the No. 1 enemy of this Nation right now for the moment and that is called al-Qaida.

Al-Qaida in Iraq flourished under the old strategy. They were able to dominate different regions of Iraq. Sunni populations were being terrorized, and a lot of bad things happened when we were in Baghdad training and not fighting.

General Petraeus, when he got in charge, when he got in place said we are going to change strategy. What he has done is he has sent additional combat power into areas previously held by al-Qaida. He went to the tribal leaders in those areas and said: If you are fed up, we are here to help.

Here is the good news. To a person almost, the people who lived under al-Qaida's regime in Iraq said: No, thank you. That is not the life I want for myself or my family or my friends or my group.

Al-Qaida overplayed their hand. They were incredibly vicious and brutal and they overplayed their hand. What has happened in the last few months is this additional combat capability that now exists in Iraq has married up with a desire by the Sunnis, who have been oppressed by the al-Qaida elements in Iraq, to join forces.

It is undeniable that in Anbar, the situation has changed in the last 6 months in a dramatic way. The Sunni tribal leaders in Anbar have broken with al-Qaida, they have joined with General Petraeus and Iraqi security forces and literally that province has changed. There are areas in Anbar Province where you could not go before that you can go to now, where there is a new alliance in place. There has been a surge in police recruits, Sunnis joining the police force to protect their hometown against al-Qaida.

So the formula General Petraeus had in mind is not dependent upon central Government reconciliation. He went out into the troubled areas, and he told the people living under al-Qaida: If you choose to, we will help you, and you need to help yourselves. And they have chosen to help themselves. They have chosen to tell us where al-Qaida is operating. They have given us better intelligence than we have ever had in the past. They have joined the fight, and we are winning. Al-Qaida today is on the run. They are on the run because the Iraqi people have broken with their way of life.

The big question for a lot of Americans is: Is everybody in the Mideast committed to extremism? Is there any hope that people in the Mideast want a different way of life than bin Laden charted for them? The answer is yes, and the best evidence I can give is what is going on in Iraq. Where American combat power has been in place in sufficient numbers and levels, the Iraqis have chosen to side with us and reject al-Qaida. That should be heartening news. Given a choice, given the opportunity, those who have lived under the al-Qaida regime and ideology have said: No, thank you.

The permanent solution is political reconciliation, but if we can focus as a nation on defeating al-Qaida in Iraq, it would be a much better world. The political reconciliation yet to come in Iraq would be enhanced if we could destroy elements of al-Qaida in Iraq. The global war on terror would be enhanced if we destroy al-Qaida in Iraq. The way we do that is, again, by forming alliances with Sunnis who reject their ideology, and once we defeat al-Qaida in a neighborhood or city, we have gotten the local people to step up to the plate and become policemen.

The number of police in Anbar Province has gone up dramatically, and they are providing what was missing before: a stable law-and-order regime that is rejecting extremism.

The police forces in the Sunni areas in Anbar are doing very well. They have the trust of the people, and they are marrying up with Iraqi Army units, where most of the officers are Shias. But we found the Shia Iraqi Army leadership and the Sunni police forces have worked well together in Anbar.

What did the enemy do? They moved to Diyala. We are going to the Diyala Province, another Sunni area, more mixed than Anbar, and we are getting the same results. Extreme violence is the first thing we get, terrorism. This spectacular attack will continue for a long time to come, but the actual situation on the ground has changed dramatically in Anbar, and it is beginning to change in Diyala. Why? We never before had combat capability in the Diyala Province. The tribal leaders in that province have joined with us, as they did in Anbar. More people are joining the police and, again, al-Qaida is moving down the road.

The goal for us as a nation is to sustain this capability until we defeat al-Qaida in Iraq. I don't believe that is going to take much longer because what we have left behind in Anbar in a few months is going to be mature enough that we will not need that many troops. In a few months from now, we are going to have a mature police force and a well-trained Army to control areas in Anbar Province that previously were in the hands of al-Qaida. It is going to take some time.

When General Petraeus comes back in September, I think he will give us a mixed report. That will be the honest truth. There are still areas in Iraq very much in doubt. But where we go in force and where people have the choice to make, they are making the choice we hoped they would make.

Our choice in Congress is whether we change course. Do we, in July, adopt amendments that will destroy the Petraeus strategy and replace it with the old strategy? One thing my Democratic and Republican colleagues have in common is they are trying to do what is best for the country.

This is what I think is best. I think it is best not to do anything now that would give al-Qaida a second chance in life. I don't want the Senate to be the cavalry for al-Qaida. By that I mean, I don't want us to adopt an amendment that will destroy the ability of General Petraeus to go after the enemy in an aggressive fashion and continue forming these alliances by undercutting his ability to have the manpower he needs. The old strategy has failed. To go back to the old strategy is a godsend to al-Qaida and is a death blow to those who have come out of the shadows to say: I want a better way; I want a better Iraq.

We have a chance to give this general and the troops who have gone as part of this surge a chance to do something that I think is in our national security interest: Keep al-Qaida on the run and destroy it. I am convinced now more than ever that the ability to destroy al-Qaida in Iraq is within our grasp, and it is a combination of additional American military power and the will and the desire of the Iraqi people to reject al-Qaida.

Let's not be the cavalry for al-Qaida. Let's not do something politically in Washington that will put them back in the fight. We are going to be taking casualties as long as al-Qaida exists anywhere on the planet. My goal and the military's goal is to fight them over there, suppress them over there, bring out the best in the people in the Mideast, and we are seeing, slowly but surely, that the people in Iraq who have lived under al-Qaida are turning away. That is indeed good news. Are they turning to democracy and political unity? No, not yet. But the precondition, the forming of a new Iraq is to take those who wish to destroy this new democracy and isolate them and destroy them before they can destroy this idea called moderation.

The al-Qaida agenda is not limited to Iraq, but they see it as a central battlefront in the war on terror. We should see it as the central battlefront in the war on terror. Any amendment that is adopted in July that would undo the Petraeus strategy is shortsighted and, in the long run, very devastating to our national security interests.

I urge my colleagues to look closely and ask the questions that need to be asked, not for the next election but for the next generation of young Americans and people in the Mideast, and that question is: If we do not stay committed to this fight against an enemy who hates everything we stand for now, what are the consequences later? I can tell my colleagues, and I will close with this thought, that history tells us the answer to that question. Every time extremism has been appeased, good people die unnecessarily. We have good people in Iraq. The Iraqi people have good people among their population. Our men and women in uniform are the best we have to offer. This alliance between the good will defeat the evil, as it always has done, only if we have greater will than our enemy.

The votes we are about to take are about political will. I hope we will choose the path that history tells us we should take. Say no to extremism and yes to moderation.

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

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

Mr. REID. Mr. President, lobbying and ethics reform, the most significant change in the history of the country, has been passed by the House and the Senate. Why is it not signed into law? Because the Republicans are stopping us from going to it.

There are all kinds of excuses they are using. The latest excuse is they want the provision dealing with earmarks in this bill—the amendment passed 98 to nothing—they want that set out separately. But that is a ploy; it is a diversion. They do not want to go to the meat of this bill. They have blocked this now for weeks. The Senator from South Carolina, who was the last to come and block this important legislation from going forward, I know thinks earmarks are important. I do too. Earmark reform is important. But it is in this bill. Earmark reform is in it. It is hard to believe that his objection isn't anything more than a smokescreen to prevent us from making progress on the rest of the bill.

Here are the facts: No one has any intention of taking out the earmark disclosure provisions in the bill. It is a fantasy. Second, Senate Democrats have already imposed earmark provisions through the committees. Right now, anyone with an Internet connection can go on line to the Senate Web site and find earmarks and earmark sponsors in appropriations bills that the press has reported. I repeat: Anyone who can go on the Internet can find out what the earmarks are on any bill that has been reported out of any one of our committees. Every subcommittee that has reported a bill, an appropriations bill, has to have that in it. And we are even doing it with authorizing committees.

Right here I have the appropriations bill which is for the Department of Commerce, Justice, Science and Related Agencies for 2008. No secret. All the earmarks are herein listed in detail—the amounts, the Senator sponsoring the earmark—and they have to sign a disclosure in addition to this that they have no financial interest in the earmark. It is here. Every subcommittee in the appropriations process that has reported out a bill has the same information I have just presented to the Senate.

So it is really hard to believe the earmark complaint is genuine. Let us remember all the other provisions in this bill the Senate Republicans are blocking progress on—campaign expenses, campaign contributions. As we have read in the press, they feel it is important that we do something dealing with bundling. That is lobbyists who agree to raise money for Senators. There should be some disclosure of that. In this bill we have it—the one they won't let us go to conference on. Bans on gifts from lobbyists and corporations are in this bill. They have prevented us from going to conference on that. No more corporate jets.

One of the issues around here—and I don't think it was necessarily corrupting anyone, but it was corrupting—flying these beautiful corporate jets and paying first-class airfare, even though it cost 10 times that to fly on these airplanes. This is eliminated in our bill. But we can't eliminate it because they won't let us go with it. They have obstructed this.

The Abramoff situation, brought to the attention of the American people, this is the culture of corruption the Republicans brought to Washington, DC, when they controlled the Congress. For the first time in 121 years, someone who works in the White House has been indicted. That man has now been convicted, and his sentence has partially been commuted by the President of the United States.

In the House of Representatives, the former majority leader of the House of Representatives, a Republican, was convicted three times of ethics violations by the ethics committee. He was indicted twice in Texas. He still is under indictment. One Member of Congress is even serving time now as part of the Abramoff corruption program. Numerous staff people are either in jail or under probation or now being investigated. The American people think we should improve the situation, and we can do that with this legislation.

One of the problems the Abramoff program allowed was people flying all over the country. Let's go to Scotland and play golf, and then they flew on a corporate jet and played golf in Scotland. Under our legislation, this would not be permitted. We significantly improve disclosure of lobbying activities.

We also prevent stealth coalitions. What does that mean? It means there is a company—I will pick this out of the air—Americans for Health Care, and they run these ads. It is a stealth organization. It is a phony organization because it is paid for by, let's say the pharmaceutical industry, someone who has an interest in the health care industry. Pick any name you want. And if you look behind it, it is some large, usually multilevel corporation that is paying for this.

Our legislation would slow the revolving door by former Members of Congress. Our legislation would put an end to the pay-to-play K Street Project that was also part of the Republicans' culture of corruption.

The list goes on and on. They are stopping us from doing these things. I don't want to file cloture in order to appoint conferees, but I will if I have to. We cannot let the Senate action on something so important be held up by the minority. It is wrong. They send one person out to do it, but this is reflective upon the Republicans. They do not want us to complete this legislation, but we owe it to the American people to get this bill completed. We need to restore the faith the American people want to have in government. They want a government as good and honest as the people it represents.

I appreciate very much indeed the Washington Post's writing an editorial saying this has to be done, and they said to me in that editorial, if they continue to stop us from going to conference, I should make them filibuster so they have to come here and vote against completing ethics and lobbying reform.

Maybe the culture of corruption is something they want to maintain. Maybe they are still flying in corporate jets. Maybe they are still doing some of the things we are trying to prevent. I don't know the reasons, but it appears very evident that they do not want us—they, the Republicans—to complete this legislation, and that is too bad.

I repeat, the earmarking is a guise. Right now every committee reports out, under the Democratic leadership, the earmarks in detail. We are complying with this legislation even though it is not law now. So for someone to come here and say we are not going to allow the conference to go forward because we want earmarks to be separate and apart from this is a guise. They are diverting attention from the work of the American people and this Congress.

Mr. DURBIN. Will the Senator yield for a question?

Mr. REID. I will be glad to answer a question of my distinguished friend from Illinois.

Mr. DURBIN. Mr. President, I would say to the Senate majority leader that this afternoon, as chairman of the Subcommittee on Appropriations for Financial Services, we reported out of subcommittee a bill, and that bill, page by page, specifies every earmark from

the White House, earmarks for Members of the Senate, and goes into detail as to each one and the specific name of the Senator or Senators requesting them, which I think complies with everything that has been asked for by those who were asking for earmark reform.

So I would say to the Senator from Nevada that if the Senator on the Republican side who has been objecting to our conference on this ethics bill would take some time to look at the appropriations bills, he would understand we have already accepted this reform. We already are making this change.

I would ask the Senator from Nevada, the majority leader, right now, what is stopping us from going to conference to pass these changes in ethics laws, these historic changes in ethics laws, so that once and for all we can have the kind of reform and changes that are needed here in Washington?

Mr. REID. I say to my friend, it is this. It is the Republicans who are stopping us from going to conference on this bill. They may send one person out, and it could be a rotating person, but they are stopping us from going forward. The ploy of the day is they want to take the work we have done in this bill dealing with earmarking out of the bill and set it up as a Senate rule.

This is what conferences are all about. We want to do all these things I have enumerated in this legislation. We want disclosure of bundling, bans on gifts from lobbyists and corporations, no more corporate jets, major limits on privately paid travel, significantly improved disclosure of lobbying activities, disclosure of stealth coalitions, slow the revolving door of former Members of Congress, put an end to the pay-to-play K Street Project. That is what is being held up, and it is being held up by the Republicans.

Mr. DURBIN. If the Senator will yield for a further question, today on this Defense authorization bill, while we are debating the war in Iraq and good treatment for our soldiers, the Republican leader comes to the floor and insists they cannot bring up for a vote the amendment that is pending by Senator WEBB of Virginia even though you offered a Republican amendment to be voted on at the same time. The Republican leader has said: No, we want to delay this. We want to delay this until tomorrow and then perhaps another 2 days beyond and to filibuster it during that period of time.

It would seem there is a pattern emerging, a very clear pattern where it comes to the important business. Whether it is ethics reform or changing the policy in Iraq, the Republican position is to stop the process, slow down the process, throw in every obstacle they can find.

I ask the majority leader if this pattern has been evidenced in terms of, for example, filibusters, delaying tactics on the part of the Republicans?

Mr. REID. I say to my friend, everything we have done for the past 7 months has been in spite of the roadblocks, the obstruction tactics the Republicans have put up. We have done it in spite of that. We have to this point 43 different cloture motions—43. We have never done that before, 43.

I say to my friend, on a Defense authorization bill—the bill that takes care of our troops around the world, in Iraq and Afghanistan, and the work we are doing with NATO forces, to get pay increases, get them the right equipment, the right medical care—this is being held up.

I would also, in a way of response, ask my friend, what has happened in the past dealing with Defense authorization bills? Has there ever been anything like this that you can imagine?

Mr. DURBIN. I say to the majority leader, for those who are trying to follow this debate and are not familiar with a cloture motion, what a cloture motion means is that those who are opposing a vote on an issue delay it as long as possible and then try to create a higher vote total that you need to bring this amendment to passage or defeat. So it is a delay tactic to slow down the Senate, slow down deliberation.

Today, when the Democratic majority leader offered to the Republicans that we would call up Senator WEBB's amendment to make sure our troops are rested and ready before they go into battle and allow Senator GRAHAM, a Republican Senator, to have his similar amendment up at the same time with the same vote, it was rejected. The Republicans rejected it. Then one of the Senators came to the floor and said that is the way it has always been around here. It has always been this way, this is not unusual. It takes 60 votes to agree to these amendments. Now we know what it is going to take.

We did a little research, I might say to the majority leader. We looked at the last two Defense authorization bills which were called up and considered in this Senate. Not a single amendment required a cloture vote, required this delay tactic, required the 60-vote margin, even those amendments specifically relating to the war in Iraq. What the Republican leadership is doing now has not happened in the last 2 years on this same bill. They have come up with a new slowdown, a new delay tactic, a new obstacle they have tossed in our path.

I think it is very clear. The Senator from Nevada will recall that the last time the Defense authorization bill was up, there were two very important amendments on the war on Iraq, one by Senator KERRY of Massachusetts and another by Senators LEVIN and REED. Both related to when the troops would come home. In each instance, cloture was not necessary, 60 votes were not required; the amendments were called on a simple majority vote.

So I say to the Senator from Nevada, it is very clear, the strategy the Republicans in the Senate are using. They are trying to avoid facing the tough issues America wants us to face. We were sent here to deal with cleaning up the mess in Washington, the culture of corruption. We were sent here to deal with the war in Iraq. Instead, day in and day out, week in and week out, every month for 43 different times now they have tossed an obstacle in front of us to stop the debate. The American people can see this, and today they can see it very graphically.

Mr. REID. Mr. President, I appreciate so much my friend from Illinois. I have such fond memories of our relationship. It seems now only yesterday, but it was 25 years ago that the Senator from Illinois and I came to the House of Representatives together. We were elected in the great class of 1982. At least I thought it was great, and I think, looking back, we have had some good experiences. I appreciate very much his laying out the facts.

The facts are that for Defense authorization bills, you should not have to file cloture on amendments. My counterpart, my friend from Kentucky, says this is the way we do business around here. That is not the way we have done business around here. This is the way we do business here because of the envy of the Republican minority, envious of our being in the majority, so they are making us jump through every procedural hoop, they are obstructing everything we are trying to do.

It is hurting, not the Democrats. It is hurting the American people. I say—I want it spread on the record—in spite of all of the obstacles we have had to jump through, we have been able to get things done. We have had to do it. It has been hard. We have had to fight with the White House. We have been able to get minimum wage passed, we have been able to get funding for Katrina, we have been able to get funding for homeland security, which we have never been able to do before, over the President's objections. We have been able to fund SCHIP through the first of the year, which was extremely difficult and hard to do. We have been able to do some things for farmers and ranchers. We have been able to do some good things. Disaster relief, 3 years overdue—we were able to get that done. That money is now out helping those people who desperately need it.

As I speak, all over the West, wildfires are burning. In Nevada, we have had 245 square miles burn. A 100-mile stretch of freeway in Utah has been shut down because of fires. We were able to get, over the President's objection, money for wildfires that burned last year and the year before that we have been trying to get.

In spite of all the hurdles we have had to jump through, we have been able to accomplish things for the American people. But the shame of it is we could be doing so much more but for the obstructions continually thrown up in our path by this minority.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. DURBIN. 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.

HONORING OUR ARMED FORCES

CORPORAL MATTHEW L. ALEXANDER

Mr. NELSON of Nebraska. Mr. President, I rise today to honor CPL Matthew L. Alexander, of Gretna, NE.

Corporal Alexander, age 21, was a recent graduate of Gretna High School. He married his high school sweetheart, Kara, on Valentine's Day this year. He is remembered by all who knew him as someone who believed deeply in what he fought for and someone who made it his life's work to care for his loved ones. Kara recalls her husband as ''the most gracious man I knew. He was a loving husband, devoted son, caring brother and the best friend you could ever ask for.''

Enlisting in the Army in the spring of 2004, Corporal Alexander was well decorated with awards, including the Army Achievement Medal, National Defense Service Medal, Global War on Terrorism Service Medal, Army Service Ribbon, and Expert Infantry Badge. He was stationed to A Company, 5th Batallion, 20th Infantry Regiment, 3rd Brigade, 2nd Infantry Division, based out of Fort Lewis, WA. He passed away on May 6, 2007, in Baqubah, Iraq, due to injuries sustained from an improvised explosive device detonated near his military vehicle. This was the corporal's first deployment.

Corporal Alexander is survived by his wife Kara, his parents Melvin and Monica, and his brother Marshall, all of Gretna. I offer my sincere condolences to CPL Matthew Alexander's family and friends. Our Nation will remember Corporal Alexander as a true hero for his selflessness and his passion as he made the ultimate sacrifice for the good of our Nation.

CHIEF WARRANT OFFICER THREE CHRISTOPHER M. ALLGAIER

Mr. President, I rise today to honor CWO3 Christopher M. Allgaier, of Omaha, NE.

Chief Warrant Officer Allgaier loved to fly. His father, Bob Allgaier of Omaha, said his son's love of flying arose in early childhood, as he was ''always picking up little model airplanes and aviation books when he was a kid.'' After graduating from Omaha Creighton Preparatory High School in 1991 with a 4.0 grade-point average, he studied aeronautical administration. In 1995 after graduating from college, he joined the Army to fly helicopters.

On May 30, 2007, while serving in support of Operation Enduring Freedom as a helicopter pilot with the 3rd Battalion, 82nd General Support Aviation, 82nd Airborne Division, based at Fort Bragg, NC, Chief Warrant Officer Allgaier passed away when his CH–47 Chinook transport helicopter received rocket-propelled grenade and small arms fire and crashed. Four other soldiers were killed in this attack. Allgaier's deployment to Afghanistan in January was his second tour of duty in the country and came about a year after he returned from a mission flying helicopters in Iraq. He had also previously served in South Korea. He was 33 years old.

In addition to his father, Chief Warrant Officer Allgaier is survived by his wife Jennie and three daughters, Natalie, Gina, and Joanna, of Spring Lake, NC, and his sister Sharon, of Omaha.

I would like to offer my sincere condolences to the family and friends of CWO3 Christopher Allgaier. His noble service to the United States of America and his leadership are to be respected and appreciated by all. And while the loss of this remarkable Airman is felt by all Nebraskans, his courage to follow his dreams will remain as an inspiration for his survivors.

SPECIALIST WILLIAM LEE BAILEY, III

Mr. President, I rise today to honor Army National Guard SPC William Lee Bailey, III, of Bellevue, NE.

A valued member of his community, Specialist Bailey served as a soldier, a medical dispatcher, and a volunteer firefighter. As a firefighter, he worked as a medical helicopter dispatcher in the metropolitan area. As a soldier, he served with the Nebraska National Guard's 755th Chemical Company based in O'Neill, NE.

As part of this chemical company within the Army National Guard, Specialist Bailey was involved in entering areas which may have been chemically infected and performing detection and evacuation in those areas. He was part of a group providing security convoys for Iraq; and his unit had been trained to perform security missions, according to MG Roger Lempke, commander of the Nebraska National Guard.

Specialist Bailey is remembered as a kind and caring member of his community and as someone who was eager for duty. He was a rugged outdoorsman who loved hunting, motorcycles, and firefighting, but loved his wife ''Dee'' the most. His friend and colleague from the fire department, Paul Prewitt, remarked, ''He loved his family and worked hard for them. He had a lot of integrity and was a real stand-up guy. He would go out of his way for his friends. He will be missed.''

Specialist Bailey passed away in Taji, Iraq, on May 25, 2007, due to injuries he sustained from an improvised explosive device. He had been serving in Operation Iraqi Freedom since November 2006 and was due for leave in June 2007. He was laid to rest with cherished firefighter funeral traditions, complementing his full military honors. There were more than 700 people in attendance at his funeral, including over 100 soldiers. His funeral procession included 35 fire trucks, ambulances, and utility trucks representing at least 11 area departments.

Specialist Bailey's wife Deanna accepted on his behalf his Purple Heart, his Bronze Star, and his Army National Guard meritorious service medal, in addition to other awards. His ''bunker'' gear—the fireproof clothing firefighters use as protection—was strapped to the rear of a firetruck in the procession. His coat, pants, and boots faced forward—his helmet, backward.

Specialist Bailey is survived by his wife Deanna; their five children, Cody, Maquala, Katlynn, Billy, and Logan; and his parents Terry and Margaret Denike, all of Bellevue. I offer my most sincere condolences to the family and friends of SPC William Bailey. He will be remembered as a compassionate member of his community, who had a real passion for serving his country. His bravery will inspire future generations of Americans to live a life of service.

SPECIALIST DAVID BEHRLE

Mr. President, I rise today to honor Army SPC David Behrle of Tipton, IA.

Specialist Behrle attended Tipton High School where he was elected senior class president and commencement speaker for the class of 2005. He was an active participant in athletics and had made a point to visit his school while he was on recent leave.

Teachers and coaches of Specialist Behrle describe him as a soft-spoken person who came prepared, asked questions, and worked hard in both athletics and academics. His friends acknowledge his determination in succeeding in the Army, that it was something he felt he needed to do.

While serving his country in Operation Iraqi Freedom, Specialist Behrle passed away on May 19, 2007, due to injuries he sustained when an improvised explosive device detonated near his vehicle in Baghdad, Iraq. He was assigned to the 1st Battalion, 5th Cavalry Regiment, 2nd Brigade Combat Team, 1st Cavalry Division, based at Fort Hood, TX.

Specialist Behrle is survived by his parents, Dixie Pelzer of Tipton, IA, and John Behrle, of Columbus, NE. He is the posthumous recipient of the Bronze Star, the Purple Heart, the Good Conduct Medal, and the Combat Infantryman's Badge. Tipton High School retired his school football jersey, which carried the number 65.

I join all Americans today in grieving the loss of a great soldier. SPC David Behrle's bravery and selflessness will undoubtedly inspire future generations of Americans. The family and friends of Specialist Behrle are in our thoughts and prayers.

SPECIALIST VAL JOHN BORM

Mr. President, I rise today to honor Army SPC Val John Borm of Sidney, NE.

Specialist Borm graduated from Sidney High School in 2005. In his free time, his father Larry Borm says he liked to play computer games and was an avid paintball competitor. After graduating from high school, Specialist Borm enlisted in the Army. He was serving as an infantryman in B Company, 2nd Battalion with the 35th Infantry Division, based at Fort Shafter, HI.

On Thursday, June 14, 2007, Specialist Borm passed away when a roadside bomb exploded near his vehicle during operations in Kirkuk province. Two other soldiers were killed, and one was injured in the same attack. He was posthumously awarded the Bronze Star Medal, the Purple Heart, and other military honors. Specialist Borm was 21 years old.

In addition to his father, Specialist Borm is survived by his mother Lolita and his sister Kimberly, both of Sidney. I offer my sincere condolences to SPC Val John Borm's family. He made the ultimate and most courageous sacrifice in the name of freedom and hope to defend liberty. Specialist Borm was a man of incredible bravery; he will be forever remembered as a hero who sacrificed everything for his fellow countrymen and -women.

SERGEANT ADAM G. HEROLD

Mr. President, I rise today to honor Army SGT Adam G. Herold of Omaha, NE.

Sergeant Herold attended St. Cecilia Elementary and Omaha Roncalli High School. He earned his high school equivalency certificate in 2004 and joined the Job Corps in Utah to learn a trade. In 2005, he enlisted in the Army and first served in Iraq in October 2006.

On Sunday, June 10, 2007, while serving in support of Operation Iraqi Freedom with the 2nd Battalion, 377th Parachute Field Artillery Regiment, 4th Brigade Combat Team (Airborne), 25th Infantry Division, based in Fort Richardson, AK, Sergeant Herold passed away from injuries received from the detonation of an improvised explosive device near Karbala. Two other soldiers were also killed in the attack. Then-Specialist Herold was posthumously promoted to sergeant and was awarded the Bronze Star, Purple Heart, and Good Conduct Award. He was 23 years old.

Sergeant Herold is survived by his parents, Lance and Debra Herold, and his brothers, Andy and Kyle Herold, all of Omaha. I offer my sincere condolences to the family and friends of SGT Adam Herold. He made the ultimate and most courageous sacrifice for our nation. I join all Americans in grieving the loss of this remarkable young man and know that Sergeant Herold's passion for serving, his leadership, and his selflessness will remain a source of inspiration for us all.

SPECIALIST JOSIAH HOLLOPETER

Mr. President, I rise today to honor SPC Josiah Hollopeter of Valentine, NE.

Specialist Hollopeter was born in Ainsworth and grew up in the Valentine area. He graduated from Valentine High School in 1998. Before joining the service, he worked construction jobs in Omaha, NE, and San Diego, CA. He also spent many summers working for a canoe outfitter along Nebraska's Niobrara River. Driven by a desire to join other troops fighting in Iraq after the September 11, 2001, terrorist attacks; to further his education; and to follow the example of his younger brother's service, 1LT Tyler Hollopeter, as an Army helicopter pilot in Iraq, Specialist Hollopeter enlisted in the Army in January 2006. But simply joining the Army was not all Specialist Hollopeter wanted to achieve; he also strived to become an Army sniper. According to his father, Ken Hollopeter, of Valentine, his skill as a hunter landed him on a sniper team. ''There's a 60 or 70 percent dropout rate in that program. It's a lot of emotional strength, the ability to concentrate and focus on one goal; he'd accomplished most of that in life,'' said his father.

Specialist Hollopeter completed basic training at Fort Knox, KY. He was assigned to the 6th Squadron, 9th Cavalry Regiment, 3rd Brigade Combat Team, 1st Cavalry Division, based in Fort Hood, TX. On Thursday, June 14, 2007, while serving in support of Operation Iraqi Freedom, Specialist Hollopeter passed away in Balad after suffering wounds when his four-man sniper team came under small-arms fire in al-Muqdadiyah. He was 27 years old and had been serving in Iraq since October.

In addition to his father and brother, Specialist Hollopeter is survived by his wife, Heather Hollopeter, of Killeen, Texas; and his mother, Kelly Hollopeter, sister, Anna Hollopeter, and nephew, Kalen, all of Valentine.

I offer my sincere condolences to SPC Josiah Hollopeter's family and friends. He gave his life to save and honor the liberties of America, and his selfless passion and relentless determination to achieve this end will not be forgotten. Specialist Hollopeter will be forever remembered as a hero who sacrificed everything for his fellow countrymen and women.

STAFF SERGEANT KENNETH E. LOCKER. JR.

Mr. President, I rise today to honor Army SSG Kenneth E. Locker, Jr., of Burwell, NE.

Staff Sergeant Locker enlisted for military service while he was still in high school. His father remembers that serving ''was probably the greatest joy in his life.'' He added that Locker viewed his military service as part of his responsibility as a father to not only his own children but to all children, remarking that ''I'm fighting for the children, Dad—mine, yours, theirs, everybody's—that they may have a safer world to grow up in.''

In January of this year, Locker made a trip back home after an injury he sustained the prior year when his humvee was struck by a land mine. His father remembered that during that visit, both he and his son felt it would be the last time they were together.

While serving with the 82nd Airborne Division, Staff Sergeant Locker passed away after a suicide bomb exploded on his base, northeast of Baghdad, on April 23, 2007. He was 28 years old.

Together with his father, Staff Sergeant Locker leaves behind three young sons, ages 7, 4, and 2; two sisters, a half-brother, and a half-sister. My sincere condolences go out to the family and friends of this brave servicemember. I join our Nation in grieving the loss of a true Nebraska hero and in celebrating his memory, his passion for service, his commitment to our Nation's future, and his love of our country.

MATTHEW SHEPARD ACT OF 2007

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

Early in the morning of June 2, 2007, in Lowell, MA, three men severely beat 22-year-old James Nickola for being gay. Nickola, a transsexual, was walking alone on his way home from a nightclub when the three men began to follow him. When the men started to yell homophobic epithets, Nickola says he quickened his pace, but the men were able to catch up to him about 200 feet from a police substation. The men then attacked, hitting Nickola repeatedly in the face, knocking him down, and continuing to beat him. The assailants, whose attack partially severed Nickola's lip, allegedly continued to utter homophobic slurs and told him, ''we don't want your kind in this neighborhood.''

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Matthew Shepard Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

REMEMBERING CHARLES W. LINDBERG

Mr. CONRAD. Mr. President, I want to take a moment to remember a North Dakota hero who passed away last month.

About 3 miles straight west of this Senate Chamber lies the Iwo Jima memorial. Its centerpiece is a statue of six men raising an American flag to

symbolize the capture of Mount Suribachi and the ensuing U.S. military victory at Iwo Jima.

On February 23, 1945, a 24-year-old marine from North Dakota named Charles W. Lindberg played a key role in the events immortalized by the Iwo Jima memorial. On that day, he was part of the group that raised the first American flag to fly over Japanese soil in the Second World War. Many names from that war stand out in our memories: Normandy, Midway, the Battle of the Bulge. But perhaps none stands out like Iwo Jima.

The battle for Iwo Jima was one of the fiercest of the entire war. The American attack, planned to capture the two airfields on the island and provide a staging area for B–29 bombing runs on the Japanese home islands, was the first invasion of traditionally Japanese territory in the war. Fighting on the island lasted over a month. Over 20,000 Americans were injured and 6,825 more heroically made the ultimate sacrifice for their country.

And on Iwo Jima North Dakota's Marine Cpl. Charles Lindberg made his mark on history. The indelible image of the battle for Iwo Jima is of six men raising an American flag atop the island. But those six men were not the first group of men to claim Iwo Jima for the United States. That honor belongs to a patrol that included Corporal Lindberg. The distinction between the two was one he spent a lifetime explaining.

On February 23, Corporal Lindberg took his 72-pound flame-thrower to enemy pillboxes at the base of Mount Suribachi and set out for the top with five other marines, an old pipe to be used as a flagpole, and the American flag. They gained the summit and planted the flag. Lindberg recalled that the flag's raising created such a commotion of cheers and whistles that it brought the enemy back out. That threat drew Lindberg back to battle, and so he missed the raising of the second flag, which was captured for history and recreated at the Iwo Jima memorial.

Lindberg won a Silver Star for his bravery that day, and a Purple Heart for the injury that led to his evacuation from the island less than one week later. Thirty-six members of his 40-man patrol were killed or wounded while fighting on Iwo Jima, which would rage for a full month after the flag-raising. Lindberg was fortunate enough to return home, to marry, and to live out a somewhat quieter life as an electrician.

On June 24, at the age of 83, he passed away. He was the last surviving member of the group of heroes who had the honor of raising the first American flag to fly over Japanese territory.

What is it that makes a young man from a simple town like Grand Forks, ND, risk his life the way Corporal Lindberg did on Iwo Jima? Was it the fight for freedom and liberty? Was it his patriotism and his love of country? Was it his bravery and courage? Perhaps it was all those things. In fact, I would say that the story of Charles Lindberg presents the best of all that is American. Duty. Honor. Bravery. Sacrifice. I am proud to say that Corporal Lindberg comes from my home State of North Dakota. I am proud to call Corporal Lindberg an American.

Lindberg's passing serves as a reminder to be thankful for the heroic service of all those who answered the call to serve our country. The service of the millions of young men called to duty in World War II—and in all of our nation's wars—can never be forgotten. We are all touched in some way by heroes like Charles Lindberg, whether they are our family members, our loved ones, or our neighbors. Let us always remember the debt we owe these heroes, and always cherish the freedom they successfully fought to preserve.

TRIBUTE TO MICHAEL WAYNE BUTLER

Mr. GRAHAM. Mr. President, I would like to pay tribute to retired Colonel Michael Wayne Butler. On June 12, 2007, South Carolina lost a true patriot when Colonel Butler was killed while working for a contractor near Tikrit, Iraq. He is survived by his wife Joanne, sons Mike and Daniel, and grandson Da'Kori.

Colonel Butler's career in the Air Force began when he graduated from the U.S. Air Academy in 1976. Upon graduation, Colonel Butler was commissioned an aircraft maintenance officer. Colonel Butler's career in the Air Force was nothing less than distinguished. He had the opportunity to command the 50th Component Repair Squadron at Hahn AB, Germany, and later the 39th Logistics Group at Incirlik AB, Turkey. In many ways, Colonel Butler's final tour was one of his most complicated ones. Responsible for developing contingency plans and conducting air operations in a 25-nation area of responsibility covering a large swath of the globe, Colonel Butler served as CENTAF Director of Logistics at Shaw AFB in South Carolina. After 30 years of distinguished military service, earning a Bronze Star, a Meritorious Service Medal with six oak leaf clusters, and an Air Force Commendation Medal, Colonel Butler took a much deserved retirement from the Air Force in 2006.

Continuing his love of travel, Colonel Butler trekked around the world with his wife after retiring. Though Colonel Butler would soon be pursuing a new calling, the Butlers established a home in Rembert, SC. In December of 2006, Colonel Butler joined DynCorp International to be the senior deputy program manager for CIVPOL. His new occupation sent him to Iraq. Colonel Butler's experience in the region and his dedication to the cause of freedom was surely an asset in his new duties. On his final mission to advance our cause in Iraq, Colonel Butler was transporting prisoners in a five-vehicle convoy with the U.S. military and Iraqi police when his vehicle was hit by an IED and small arms fire. Colonel Butler and one American soldier lost their lives.

Colonel Butler's love of life extended beyond the battlefield. An avid runner, Colonel Butler competed in and completed the Marine Corps Marathon. Completing the marathon once is quite an accomplishment, but Colonel Butler embraced the challenge of the marathon and completed it multiple times. I was moved to hear that his family will run the marathon in Colonel Butler's absence this year.

Colonel Butler will be buried at Arlington Cemetery on August 22 with full honors. As he departs on his final mission, his memory and legacy will not fade from the hearts and minds of all of the people he came across in his life. He will be missed but this Nation will never forget.

ADDITIONAL STATEMENTS

2006 SLOAN AWARD WINNERS

• Mr. ALEXANDER. Mr. President, I congratulate the 2006 winners of the Alfred P. Sloan Award for Business Excellence in Workplace Flexibility, which recognizes companies that have successfully used flexibility to meet both business and employee goals.

As I did last year, I wish to draw attention to the Sloan Awards because I think these companies are to be commended for their excellence in providing workplace flexibility practices which benefit both employees and employers. Achieving greater flexibility in the workplace—to maximize productivity while attracting the highest quality employees—is one of the key challenges facing American companies in the 21st century.

For 2006, businesses in the following 17 cities were eligible for recognition: Boise, ID; Chandler, AZ; Chattanooga, TN; Chicago, IL; Greater Dallas/Fort Worth, TX; Dayton, OH; Detroit, MI; Durham, NC; Long Beach, CA; Long Island, NY; New Orleans, LA; Providence, RI; Richmond, VA; Salt Lake City, UT; Seattle, WA; Tampa, FL; and Washington, DC. The Chamber of Commerce in each city hosted an interactive business forum to share research on workplace flexibility as an important component of workplace effectiveness. In these same communities, businesses applied for, and winners were selected for, the Sloan Awards through a process that included employees' views as well as employer practices.

In Boise, ID, the winners were American Geotechnics, American Red Cross of Greater Idaho, Chatterbox, DJM Sales & Marketing Inc, Healthwise, Hewlett-Packard Company, Idaho Shakespeare Festival, the Ashley Inn, and the Cat Doctor.

In Chandler, AZ, the winners were Arizona Spine and Joint Hospital, Chandler Chamber of Commerce, Civil

Search International LLC, Clifton Gunderson LLP, Hacienda Builders, Henry & Home LLP, Intel Corporation, Jewish News of Greater Phoenix, Martinez & Shanken PLLC, RIESTER, State Mortgage, and Technology Providers Inc.

In Chattanooga, TN, the winners were Center for Community Career Education at the University of Tennessee: Chattanooga, Chattanooga's Kids on the Block, First Tennessee Bank, G.R. Rush & Company P.C., Jewish Community Federation of Greater Chattanooga, and Tricycle Inc.

In Chicago, IL, the winners are Association Forum of Chicagoland, Ernst & Young, KPMG LLP, and Maxil Technology Solutions Inc.

In Greater Dallas/Fort Worth, TX, the winners are Brinker International, Community Council of Greater Dallas, Fleishman-Hillard Dallas, Kaye/Bassman International, Lee Hecht Harrison, McQueary Henry Bowles Troy LLP, the Beck Group, and the Salvation Army Greater Dallas Metroplex Command.

In Detroit, MI, the winners are Albert Kahn Associates Inc., Amerisure Insurance Company, Brogan & Partners Convergence Marketing, Detroit Parent Network, Detroit Regional Chamber, Farbman Group, Menlo Innovations LLC, Rossetti, and Visteon Corporation.

In Durham, NC, the winners are Community Partners, Inc., Dow Reichhold Specialty Latex, Durham's Partnership for Children, Nortel, Shodor Education Foundation Inc., and the U.S. Environmental Protection Agency at Research Triangle Park.

In Long Beach, CA, the winners are Boys & Girls Clubs of Long Beach, Klaris Thomson & Schroeder Inc., Long Beach Chamber of Commerce, Office Furniture Group, Inc., and PeacePartners Inc.

In Long Island, NY, the winner is Atlantic HVACR Sales, Inc.

In Providence, RI, the winners are Clarendon Group Inc., Embolden Design Inc., Lefkowitz Garfinkel Champi & DeRienzo P.C., and Rhode Island Housing.

In Richmond, VA, the winners are Bon Secours Richmond Health System, Capital One Financial, and Lee Hecht Harrison.

In Salt Lake City, UT, the winners are Carter & Burgess Inc., Cooper Roberts Simonsen Associates, Creative Expresssions, Jones Waldo Holbrook & McDonough P.C., McKinnon-Mulherin Inc., Stayner Bates & Jensen P.C., and Utah Food Services.

In Seattle, WA, the winners were ColorsNW Magazine, DHI Technologies Inc., Macy's Northwest, National Court Appointed Special Advocate, CASA, Association, NRG::Seattle, Personnel Management Systems, Inc., Puget Sound Center for Teaching, Learning, and Technology, U.S. Government Accountability Office, and WithinReach.

In Tampa, FL, the winners were Kingery & Crouse, and Retail Merchandising Xpress.

In Washington, DC, the winners were Bailey Law Group P.C., Capital One Financial, Discovery Communications Inc., and KPMG LLP.

The Sloan Awards are presented by the When Work Works initiative, which is a project of the Families and Work Institute in partnership with the Institutefor a Competitive Workforce, an affiliate of the U.S. Chamber of Commerce, and the Twiga Foundation. The When Work Works initiative is sponsored by the Alfred P. Sloan Foundation.

Building on the success of the first 2 years, the next phase of the When Work Works initiative will extend the number of participating communities to 24 in 2007 to include Aurora, CO; Brockton, MA; Cincinnati, OH; Houston, TX; Morris County, NJ; Melbourne-Palm Bay, FL; Savannah, GA; and Winona, MN. Again, I congratulate the 2006 winners of the Sloan Awards, and I look forward to the continuing expansion of this exciting initiative.●

PRIVATE FIRST CLASS JONATHAN N. MC CART PETERSON

● Mr. NELSON of Nebraska. Mr. President, today I wish to honor Army PFC Jonathan N. McCart Peterson.

Private First Class Peterson was born September 11, 1987, in Liberal, KS. He graduated from McCook High School in May 2005 and joined the Army on July 26 of that year. He attended basic training at Fort Jackson, SC, and was then stationed at Fort Lewis, WA. He later transferred to Rose Barracks Army Base near Vilseck, Germany, where he was an information systems operator and maintainer and worked specifically as a local area network manager.

On Friday, May 25, 2007, Private First Class Peterson passed away at Good Samaritan Hospital in Kearney as a result of an automobile accident. He was 19 years old. He is survived by his mother, Valery A. McCart, of Cambridge; two sisters, Jessica M. Peterson and her son, Nikolas Malleck, of McCook, and Jayme L. Peterson of Kearney.

I offer my sincere condolences to the family and friends of PFC Jonathan Peterson during this time of heartbreak. Even in death, his selfless service to our country was evident. As an organ donor, he undoubtedly saved many lives. Few Americans ever achieve as much as Private First Class Peterson did in such a tragically short life. He will be forever remembered as a hero.●

FOLLANSBEE'S 101ST ANNIVERSARY

● Mr. ROCKEFELLER. Mr. President, I wish to commemorate the 101st anniversary of Follansbee, WV—a great community with great people and an important part of our State.

Follansbee is a town whose legacy was forged in steel. Its 3,000 residents are descendants of history and carry with them a proud tradition of tenacity and pride. While Follansbee sits in the northern panhandle of West Virginia, squeezed between Ohio and Pennsylvania on the banks of the Ohio River, it plays an integral role in West Virginia's economy.

Follansbee Steel was the first company to locate in this small Brooke County town, joining steel makers throughout the Ohio River Valley in firing the industrial revolution and feeding the Nation's voracious appetite for steel as it grew. Follansbee Steel's state-of-the-art roofing products also appeared in the early 19th century and played a major role in post–Civil War Reconstruction. Later, these materials became the products of choice for Frank Lloyd Wright, one of the world's most prominent architects.

In fact, when brothers John and Robert Follansbee bought the steel mill near the turn of the 20th century, not only did they rename the mill, they were the catalyst for forming what is now the city of Follansbee. Before that anyone traveling north of Wellsburg along the river would refer to Mahan's Junction—the name of the owners of the large orchard formerly on the site of Follansbee.

On this day, the 101st anniversary of its founding, it is appropriate to look to the future which, I am happy to note, looks bright for Follansbee, WV. As the years have passed, the tradition of Follansbee Steel remains through the town's reservoir of high-quality labor. Wheeling-Pittsburgh Steel, a successor of Follansbee Steel, continues to run one of the busiest coke plants in the country, feeding both its blast furnace and its electric arc furnace, while Wheeling-Nisshin is now one of the largest hot-dip coating mills in the world.

Wheeling Nisshin came to West Virginia in the early 1980s as our very first Japanese business. Since that time we have seen Japanese companies embrace West Virginia throughout the State. This joint venture between a Japanese steel company and Wheeling Pitt was years ahead of its time, taking advantage of the increasing globalization of the steel industry and using it to West Virginia's advantage.

With its large industry and its small businesses and local professionals, Follansbee is just the type of small American town we think of and in which we take pride. It is a community with strong roots and a tremendous sense of local pride. Each summer its residents gather for Follansbee Community Days, bringing residents, their families, and former residents together from far and wide to celebrate their shared sense of community.

Mr. President, I hope my colleagues in the Senate will join me in marking this 101st anniversary of the founding of Follansbee. The legacy of that town is long, its history rich—but it is the service it has provided the country that will be felt for a long, long time.

To mayor Tony Paesano and the people of Follansbee, may the next 101 years be as successful and peaceful as the first.●

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2433. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''Uninsured Secondary Capital'' (12 C.F.R. Parts 701 and 741) received on July 5, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2434. A communication from the Staff Attorney, Office of General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''Technical Amendments'' (RIN3133–AD36) received on July 5, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2435. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' (Docket No. FEMA–B–7716) received on July 9, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2436. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' (72 FR 31463) received on July 9, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2437. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' (72 FR 31461) received on July 9, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2438. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' (72 FR 31460) received on July 9, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2439. A communication from the Assistant to the Board, Federal Reserve Board, transmitting, pursuant to law, the report of a rule entitled ''Regulation E (Electronic Fund Transfers)'' (Docket No. R–1270) received on June 28, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2440. A communication from the Secretary, Division of Corporation Finance and Office of the Chief Accountant, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendments to Rules Regarding Management's Report on Internal Control Over Financial Reporting; and Commission Guidance Regarding Management's Report on Internal Control Over Financial Reporting Under Section 13(a) or 15(d) of the Securities Exchange Act of 1934'' (RIN3235–AJ58) received on July 5, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2441. A communication from the Secretary, Division of Market Regulation, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Rule 10a–1; Rule 200 of Regulation SHO; Rule 201 of Regulations SHO'' (RIN3235–AJ76) received on July 5, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2442. A communication from the First Vice President and Controller, Federal Home Loan Bank of Boston, transmitting, pursuant to law, the Bank's 2006 management report; to the Committee on Banking, Housing, and Urban Affairs.

EC–2443. A communication from the Controller, Federal Home Loan Bank of Des Moines, transmitting, pursuant to law, the Bank's 2006 management report; to the Committee on Banking, Housing, and Urban Affairs.

EC–2444. A communication from the Secretary of Commerce, transmitting, pursuant to law, a six-month report on the national emergency with respect to the threat to the U.S. economy caused by the lapse of the Export Administration Act of 1979 that was declared in Executive Order 13222 of August 17, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–2445. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month report on the national emergency with respect to the former Liberian regime of Charles Taylor that was declared in Executive Order 13222 of August 17, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–2446. A communication from the Secretary of Housing and Urban Development, transmitting, proposed legislation intended to reauthorize the American Dream Down Payment Act; to the Committee on Banking, Housing, and Urban Affairs.

EC–2447. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole by Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XA75) received on July 9, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2448. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less than 60 Feet LOA Using Pot or Hook-and-Line Gear in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XA70) received on July 9, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2449. A communication from the Assistant Secretary, Transportation Security Administration, Department of Homeland Security , transmitting, pursuant to law, a report relative to the Administration's decision to enter into a contract with a private security screening company to provide screening services; to the Committee on Commerce, Science, and Transportation.

EC–2450. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Rule Implementing Amendment 13 to the Atlantic Sea Scallop Fishery Management Plan'' (RIN0648–AV39) received on July 9, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2451. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Quota Specifications and Effort Controls'' ((RIN0648–AU87)(I.D. 030507A)) received on July 9, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2452. A communication from the Attorney Advisor, Office of the Secretary, Department of Transportation, transmitting, pursuant to law, (3) reports relative to vacancy announcements within the Department, received on July 9, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2453. A communication from the Administrator, Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled ''International Energy Outlook 2007''; to the Committee on Energy and Natural Resources.

EC–2454. A communication from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Virginia Regulatory Program'' (Docket No. VA–123–FOR) received on July 5, 2007; to the Committee on Energy and Natural Resources.

EC–2455. A communication from the Assistant Director, Fisheries and Habitat Conservation, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Injurious Wildlife Species; Silver Carp and Largescale Silver Carp'' (RIN1018-AT29) received on July 9, 2007; to the Committee on Environment and Public Works.

EC–2456. A communication from the Acting Chair, Federal Subsistence Board, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Subsistence Management Regulations for Public Lands in Alaska, Subpart C: Nonrural Determinations'' (RIN1018-AT99) received on July 9, 2007; to the Committee on Environment and Public Works.

EC–2457. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Administration's position on budgeting for the Unalaska, Alaska Navigation Improvement Project; to the Committee on Environment and Public Works.

EC–2458. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Pollutant Discharge Elimination System—Suspension of Regulations Establishing Requirements for Cooling Water Intake Structures at Phase II Existing Facilities'' ((RIN2040-AD62)(FRL No. 8336-9)) received on July 5, 2007; to the Committee on Environment and Public Works.

EC–2459. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Withdrawal of Federal Marine Aquatic Life Water Quality Criteria for Toxic Pollutants Applicable to Washington State'' (FRL No. 8337-2) received on July 5, 2007; to the Committee on Environment and Public Works.

EC–2460. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Virginia; Redesignation of the Hampton Roads Nonattainment Area to Attainment and Approval of the Area's Maintenance Plan and 2002 Base-Year Inventory; Correction'' (FRL No. 8335-1) received on July 5, 2007; to the Committee on Environment and Public Works.

EC–2461. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Ohio Rules to Control Emissions from Hospital, Medical, and

Infectious Waste Management'' (FRL No. 8335-5) received on July 5, 2007; to the Committee on Environment and Public Works.

EC–2462. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Kentucky: Redesignation of the Kentucky Portion of the Louisville 8-Hour Ozone Nonattainment Area to Attainment for Ozone'' (FRL No. 8335-4) received on July 5, 2007; to the Committee on Environment and Public Works.

EC–2463. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Determination of Attainment, Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Ohio; Correction'' (FRL No. 8335-6) received on July 5, 2007; to the Committee on Environment and Public Works.

EC–2464. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, a copy of a document recently issued by the Agency entitled ''Estimation of Relative Bioavailability of Lead in Soil and Soil-Like Materials Using In Vivo and In Vitro Methods''; to the Committee on Environment and Public Works .

EC–2465. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Amendments to National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting and Secondary Copper Smelting Area Sources'' ((RIN2060-AO46)(FRL No. 8334-4)) received on June 28, 2007; to the Committee on Environment and Public Works.

EC–2466. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Redesignation of the Lancaster 8-Hour Ozone Nonattainment Area to Attainment and Approval of the Area's Maintenance Plan and 2002 Base-Year Inventory'' (FRL No. 8333-6) received on June 28, 2007; to the Committee on Environment and Public Works.

EC–2467. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Redesignation of the Tioga County Ozone Nonattainment Area to Attainment and Approval of the Area's Maintenance Plan and 2002 Base Year Inventory'' (FRL No. 8333-7) received on June 28, 2007; to the Committee on Environment and Public Works.

EC–2468. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Extension of the Deferred Effective Date for 8-Hour Ozone National Ambient Air Quality Standards for the Denver Early Action Compact'' (FRL No. 8332-2) received on June 28, 2007; to the Committee on Environment and Public Works.

EC–2469. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Pesticide Tolerance Nomenclature Changes; Technical Amendment'' (FRL No. 8131–3) received on June 28, 2007; to the Committee on Environment and Public Works.

EC–2470. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, a document recently issued by the Agency entitled ''Interpretation of 'Ambient Air' in Situations Involving Leased Land Under the Regulations for Prevention of Significant Deterioration''; to the Committee on Environment and Public Works.

EC–2471. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Safe Harbor Method of Accounting for Advance Trade Discounts'' (Rev. Proc. 2007-53) received on July 5, 2007; to the Committee on Finance.

EC–2472. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Elimination of Schedule P from Form 5500 Series'' (Announcement 2007-63) received on July 5, 2007; to the Committee on Finance.

EC–2473. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Revenue Ruling on Nonexempt Employees' Trusts'' (Rev. Rul. 2007-48) received on July 5, 2007; to the Committee on Finance.

EC–2474. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Fortuity and Insurance'' (Rev. Rul. 2007-47) received on July 5, 2007; to the Committee on Finance.

EC–2475. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Research Agreements'' (Rev. Proc. 2007-47) received on June 28, 2007; to the Committee on Finance.

EC–2476. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Rotable Spare Parts'' (Rev. Proc. 2007-48) received on June 28, 2007; to the Committee on Finance.

EC–2477. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Application of Section 83 When Post-Grant Restrictions are Imposed on Vested Stock'' (Rev. Rul. 2007-49) received on July 6, 2007; to the Committee on Finance.

EC–2478. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Temporary Regulations Under Section 6033(a)(2) Relating to Disclosure Obligations With Respect to Prohibited Tax Shelter Transactions'' ((RIN1545-BG19)(TD 9335)) received on July 6, 2007; to the Committee on Finance.

EC–2479. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Final and Temporary Regulations Relating to the Requirement of a Return to Accompany Payment of Excise Taxes Under Section 4695'' ((RIN1545-BG20)(TD 9334)) received on July 6, 2007; to the Committee on Finance.

EC–2480. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Employee Plans Compliance Resolution System'' (Rev. Proc. 2007-49) received on July 6, 2007; to the Committee on Finance.

EC–2481. A communication from the Acting Social Security Regulations Officer, Office of Disability and Income Security Programs, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Extension of the Expiration Date for Several Body System Listings'' (RIN0960-AG51) received on July 5, 2007; to the Committee on Finance.

EC–2482. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the continued compliance by certain countries with the 1974 Trade Act; to the Committee on Finance.

EC–2483. A communication from the Chairman, Medicare Payment Advisory Commission, transmitting, pursuant to law, a report entitled ''Report to the Congress: Promoting Greater Efficiency in Medicare''; to the Committee on Finance.

EC–2484. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the waiver of the application of subsections 402(a) and (b) of the Trade Act of 1974 with respect to Turkmenistan; to the Committee on Finance.

EC–2485. A communication from the Chairman, United States International Trade Commission, transmitting, pursuant to law, the Commission's Annual Report for fiscal year 2006; to the Committee on Finance.

EC–2486. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the use and effectiveness of funds appropriated to the Medicaid Integrity Program during fiscal year 2006; to the Committee on Finance.

EC–2487. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2007-135-2007-142); to the Committee on Foreign Relations.

EC–2488. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2007–126—2007–134); to the Committee on Foreign Relations.

EC–2489. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2007–118—2007–125); to the Committee on Foreign Relations.

EC–2490. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, reports relative to agreements entered into with Taiwan; to the Committee on Foreign Relations.

EC–2491. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed license for the export of defense articles and defense services relative to the co-development of

the Galaxy Express space launch vehicle upgrade program with Japan; to the Committee on Foreign Relations.

EC–2492. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed license for the sale of materials related to F–5E/F fighter aircraft from the Government of Jordan to the Government of Kenya; to the Committee on Foreign Relations.

EC–2493. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed license for the export of defense articles and defense services relative to the launch of satellites from the Pacific Ocean utilizing a modified oil platform to Russia, Ukraine, and Norway; to the Committee on Foreign Relations.

EC–2494. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Orthopedic Devices; Reclassification of the Intervertebral Body Fusion Device'' (Docket No. 2006N–0019) received on July 9, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–2495. A communication from the Administrator, Office of Policy Development and Research, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Senior Community Service Employment Program; Performance Accountability; Interim Rule'' (RIN1205–AB47) received on July 6, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–2496. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Listing of Color Additives Subject to Certification'' (Docket No. 1995C–0286) received on July 6, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–2497. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Human Cells, Tissue, and Cellular and Tissue-Based Products; Donor Screening and Testing, and Related Labeling'' (Docket No. 1997N–0484T) received on July 9, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–2498. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Letter Report: Responses to Specific Questions Regarding the District's Ballpark''; to the Committee on Homeland Security and Governmental Affairs.

EC–2499. A communication from the Director for Acquisition Management and Financial Assistance, Department of Commerce, transmitting, pursuant to law, a report relative to the Department's fiscal year 2006 inventory; to the Committee on Homeland Security and Governmental Affairs.

EC–2500. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Letter Report: Auditor's Preliminary Findings from Examination of Contract Between the Office of Contracting and Procurement and Venable, Baetjer and Howard, LLP''; to the Committee on Homeland Security and Governmental Affairs.

EC–2501. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–63, ''Fiscal Year 2008 Budget Support Act of 2007'' received on July 5, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–2502. A communication from the Regulations Coordinator, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Implementation of the Office of OMB Guidance on Nonprocurement Debarment and Suspension'' (45 CFR Parts 74 and 76) received on July 5, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–2503. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–62, ''District of Columbia School Reform Property Disposition Clarification Temporary Amendment Act of 2007'' received on June 28, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–2504. A communication from the Director, Office of Personnel Management, transmitting, a legislative proposal entitled ''Lump-Sum Payments for Annual Levee Simplification Act of 2007''; to the Committee on Homeland Security and Governmental Affairs.

EC–2505. A communication from the Deputy White House Liaison, Department of Justice, transmitting, pursuant to law, (11) reports relative to vacancy announcements within the Department, received on July 9, 2007; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on Appropriations, with an amendment in the nature of a substitute:

H.R. 2764. A bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes (Rept. No. 110–128).

By Mr. KENNEDY, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 1642. A bill to extend the authorization of programs under the Higher Education Act of 1965, and for other purposes.

By Mr. KENNEDY, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 1762. An original bill to provide for reconciliation pursuant to section 602 of the concurrent resolution on the budget for fiscal year 2008 (S. Con. Res. 21).

EXECUTIVE REPORTS OF COMMITTEES RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of June 29, 2007, the following executive reports of nominations were submitted on July 3, 2007:

Mr. INOUYE. Mr. President, for the Committee on Commerce, Science, and Transportation I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Coast Guard nomination of Jason D. Rimington, 8958, to be Lieutenant.

Coast Guard nomination of Jeffery J. Rasnake, 8595, to be Lieutenant.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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. CASEY (for himself and Mr. SPECTER):

S. 1755. A bill to amend the Richard B. Russell National School Lunch Act to make permanent the summer food service pilot project for rural areas of Pennsylvania and apply the program to rural areas of every State; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BINGAMAN (for himself, Mr. DOMENICI, Mr. AKAKA, and Ms. MURKOWSKI) (by request):

S. 1756. A bill to provide supplemental ex gratia compensation to the Republic of the Marshall Islands for impacts of the nuclear testing program of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. AKAKA (by request):

S. 1757. A bill to amend title 38, United States Code, to extend or make permanent certain authorities for veterans' benefits, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KENNEDY (for himself, Mr. HARKIN, and Mr. DODD):

S. 1758. A bill to amend the Public Health Service Act to help individuals with functional impairments and their families pay for services and supports that they need to maximize their functionality and independence and have choices about community participation, education, and employment, and for other purposes; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mr. KOHL, and Mr. THUNE):

S. 1759. A bill to provide for the review of agricultural mergers and acquisitions by the Department of Justice, and for other purposes; to the Committee on the Judiciary.

By Mr. BROWN (for himself and Mr. BURR):

S. 1760. A bill to amend the Public Health Service Act with respect to the Healthy Start Initiative; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KERRY (for himself and Mr. KENNEDY):

S. 1761. A bill to authorize the Secretary of Transportation to contract with an independent engineer to review the construction methods of certain Federal highway projects, to require States to submit a project management plan for each highway project financed with Federal funds, and for other purposes; to the Committee on Environment and Public Works.

By Mr. KENNEDY:

S. 1762. An original bill to provide for reconciliation pursuant to section 602 of the concurrent resolution on the budget for fiscal year 2008 (S. Con. Res. 21); from the Committee on Health, Education, Labor, and Pensions; placed on the calendar.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCONNELL:

S. Res. 266. A resolution making minority party appointments for the 110th Congress; considered and agreed to.

By Mrs. HUTCHISON (for herself, Mr. CORNYN, and Mr. BINGAMAN):

S. Res. 267. A resolution honoring the life of renowned painter and writer Tom Lea on

the 100th anniversary of his birth and commending the City of El Paso for recognizing July 2007 as ''Tom Lea Month''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 329

At the request of Mr. CRAPO, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 329, a bill to amend title XVIII of the Social Security Act to provide coverage for cardiac rehabilitation and pulmonary rehabilitation services.

S. 396

At the request of Mr. DORGAN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 396, a bill to amend the Internal Revenue Code of 1986 to treat controlled foreign corporations in tax havens as domestic corporations.

S. 399

At the request of Mr. BUNNING, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 399, a bill to amend title XIX of the Social Security Act to include podiatrists as physicians for purposes of covering physicians services under the Medicaid program.

S. 404

At the request of Mr. WYDEN, his name was added as a cosponsor of S. 404, a bill to amend the Agricultural Marketing Act of 1946 to require the implementation of country of origin labeling requirements by September 30, 2007.

S. 456

At the request of Mrs. FEINSTEIN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 456, a bill to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to expand and improve gang prevention programs, and for other purposes.

S. 458

At the request of Mr. VITTER, his name was added as a cosponsor of S. 458, a bill to amend title XVIII of the Social Security Act to provide for the treatment of certain physician pathology services under the Medicare program.

S. 543

At the request of Mr. NELSON of Nebraska, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 543, a bill to improve Medicare beneficiary access by extending the 60 percent compliance threshold used to determine whether a hospital or unit of a hospital is an inpatient rehabilitation facility under the Medicare program.

S. 579

At the request of Mr. REID, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 579, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

S. 651

At the request of Mr. HARKIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 651, a bill to help promote the national recommendation of physical activity to kids, families, and communities across the United States.

S. 742

At the request of Mrs. MURRAY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 742, a bill to amend the Toxic Substances Control Act to reduce the health risks posed by asbestos-containing products, and for other purposes.

S. 746

At the request of Mr. ALLARD, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 746, a bill to establish a competitive grant program to build capacity in veterinary medical education and expand the workforce of veterinarians engaged in public health practice and biomedical research.

S. 860

At the request of Mr. SMITH, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 860, a bill to amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV.

S. 881

At the request of Mrs. LINCOLN, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 881, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 921

At the request of Mrs. LINCOLN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 921, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 960

At the request of Mrs. CLINTON, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 960, a bill to establish the United States Public Service Academy.

S. 961

At the request of Mr. NELSON of Nebraska, the names of the Senator from Texas (Mrs. HUTCHISON) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 961, a bill to amend title 46, United States Code, to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II, and for other purposes.

S. 1038

At the request of Mr. CORNYN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1038, a bill to amend the Internal Revenue Code of 1986 to expand workplace health incentives by equalizing the tax consequences of employee athletic facility use.

S. 1070

At the request of Mrs. LINCOLN, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 1070, a bill to amend the Social Security Act to enhance the social security of the Nation by ensuring adequate public-private infrastructure and to resolve to prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation, and for other purposes.

S. 1213

At the request of Mr. LUGAR, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1213, a bill to give States the flexibility to reduce bureaucracy by streamlining enrollment processes for the Medicaid and State Children's Health Insurance Programs through better linkages with programs providing nutrition and related assistance to low-income families.

S. 1233

At the request of Mr. CRAIG, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1233, a bill to provide and enhance intervention, rehabilitative treatment, and services to veterans with traumatic brain injury, and for other purposes.

S. 1258

At the request of Ms. CANTWELL, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1258, a bill to amend the Reclamation Safety of Dams Act of 1978 to authorize improvements for the security of dams and other facilities.

S. 1322

At the request of Mrs. LINCOLN, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 1322, a bill to amend the Internal Revenue Code of 1986 to improve the operation of employee stock ownership plans, and for other purposes.

S. 1450

At the request of Mr. KOHL, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1450, a bill to authorize appropriations for the Housing Assistance Council.

S. 1451

At the request of Mr. WHITEHOUSE, the name of the Senator from Ohio

(Mr. BROWN) was added as a cosponsor of S. 1451, a bill to encourage the development of coordinated quality reforms to improve health care delivery and reduce the cost of care in the health care system.

S. 1478

At the request of Ms. CANTWELL, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1478, a bill to provide lasting protection for inventoried roadless areas within the National Forest System.

S. 1494

At the request of Mr. DORGAN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1494, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

At the request of Mr. DOMENICI, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1494, supra.

S. 1545

At the request of Mr. SALAZAR, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 1545, a bill to implement the recommendations of the Iraq Study Group.

S. 1555

At the request of Mr. LAUTENBERG, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 1555, a bill to establish certain duties for pharmacies to ensure provision of Food and Drug Administration-approved contraception, and for other purposes.

S. 1603

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 1603, a bill to authorize Congress to award a gold medal to Jerry Lewis, in recognition of his outstanding service to the Nation.

S. 1607

At the request of Mr. BAUCUS, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1607, a bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

S. 1649

At the request of Mr. FEINGOLD, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Minnesota (Mr. COLEMAN) were added as cosponsors of S. 1649, a bill to provide for 2 programs to authorize the use of leave by caregivers for family members of certain individuals performing military service, and for other purposes.

S. 1705

At the request of Mrs. CLINTON, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1705, a bill to prevent nuclear terrorism, and for other purposes.

S. 1711

At the request of Mr. BIDEN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 1711, a bill to target cocaine kingpins and address sentencing disparity between crack and powder cocaine.

S. 1714

At the request of Mr. KERRY, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1714, a bill to establish a multiagency nationwide campaign to educate small business concerns about health insurance options available to children.

S. 1717

At the request of Mr. CASEY, his name was added as a cosponsor of S. 1717, a bill to require the Secretary of Agriculture, acting through the Deputy Chief of State and Private Forestry organization, to provide loans to eligible units of local government to finance purchases of authorized equipment to monitor, remove, dispose of, and replace infested trees that are located on land under the jurisdiction of the eligible units of local government and within the borders of quarantine areas infested by the emerald ash borer, and for other purposes.

S. 1747

At the request of Mr. SPECTER, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1747, a bill to regulate the judicial use of presidential signing statements in the interpretation of Act of Congress.

S. 1748

At the request of Mr. COLEMAN, the names of the Senator from New Hampshire (Mr. GREGG), the Senator from Nevada (Mr. ENSIGN) and the Senator from Florida (Mr. MARTINEZ) were added as cosponsors of S. 1748, a bill to prevent the Federal Communications Commission from repromulgating the fairness doctrine.

AMENDMENT NO. 2000

At the request of Mr. NELSON of Florida, the names of the Senator from Maine (Ms. SNOWE) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of amendment No. 2000 intended to be proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2006

At the request of Mr. SESSIONS, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of amendment No. 2006 intended to be proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2009

At the request of Ms. CANTWELL, the names of the Senator from Idaho (Mr. CRAIG) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of amendment No. 2009 intended to be proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2012

At the request of Mr. WEBB, the names of the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Oregon (Mr. WYDEN), the Senator from South Dakota (Mr. JOHNSON), the Senator from Hawaii (Mr. INOUYE) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of amendment No. 2012 proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2014

At the request of Mr. HAGEL, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of amendment No. 2014 intended to be proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2019

At the request of Mr. LEVIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 2019 intended to be proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2020

At the request of Mr. COLEMAN, the names of the Senator from New Hampshire (Mr. GREGG), the Senator from Nevada (Mr. ENSIGN) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of amendment No. 2020 intended to be proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2021

At the request of Mr. SPECTER, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of

amendment No. 2021 intended to be proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2022

At the request of Mr. LEAHY, the names of the Senator from West Virginia (Mr. BYRD), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Illinois (Mr. OBAMA) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of amendment No. 2022 intended to be proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

At the request of Mr. SPECTER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 2022 intended to be proposed to H.R. 1585, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CASEY (for himself and Mr. SPECTER):

S. 1755. A bill to amend the Richard B. Russell National School Lunch Act to make permanent the summer food service pilot project for rural areas of Pennsylvania and apply the program to rural areas of every State; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. CASEY. Mr. President, I rise today to introduce the Summer Food Service Rural Expansion Act. This bill will provide critical meals to children living in poverty in rural areas. I am pleased to introduce this bill with Senator SPECTER. Congressman PLATTS is introducing companion legislation in the House of Representatives.

During the summer, low-income children lose their access to regular daily school meals. The Summer Food Service Program is intended to help fill this nutritional gap by providing summer meals to children from low-income families who receive school meals.

For those of my colleagues who do not know much about the Summer Food Service Program, it was authorized through the National School Lunch Act of 1968. The program allows the U.S. Department of Agriculture to provide grants to nonprofit food service programs that in turn provide meals for children from low-income families through sites such as nonprofit schools, local governments, and nonprofit summer camps. Yet, despite the best efforts of this program, only 2 in 10 low-income children who receive school lunch also receive summer food when school is out. So where do these children get food? Sadly, the answer is that many of them go hungry.

Traditionally, the majority of sponsors and sites participating in the Summer Food Service Program have tended to be located in urban areas. As we know, however, hunger is not just an urban issue. Thanks to the tremendous effort by Congressman PLATTS, the Child Nutrition Act of 2004 recognized the void of such programs in predominantly rural areas and established a 2-year pilot program to increase participation rates in rural communities.

The existing Summer Food Service Program is available to areas in which at least 50 percent of the children are eligible for free or reduced price school meals. However, to encourage more sponsors and more sites to participate in the program, the pilot allowed that threshold to be reduced to 40 percent in rural communities.

The pilot, which ran in my home state during calendar years 2005 and 2006, was a tremendous success. During the first year of the pilot program, 20 sponsors offered 40 meal sites in rural areas. Of the sponsors, 8 were new sponsors of the program and 12 were sponsors in the prior years who added meal sites. During the first year of the program, the total numbers of meals served in rural communities increased by 73,000 meals, or 11 percent over the previous year. By the second year, there were 9 new sponsors, 16 returning sponsors, and 77 pilot sites; and the number of meals served increased over the previous year by an additional 4.3 percent, or 31,000 meals.

Unfortunately, because of the expiration of the pilot program, 37 of the sites established under the pilot will not be able to participate this summer. That means nearly half of the children who participated in this program over the past 2 years will no longer be able to count on receiving nutritious meals during the summer months.

For this reason, I am introducing legislation to help not only the children of Pennsylvania, but also the needy children in rural areas of every single State who deserve access to nutritious lunches during the summer months.

Through this bill, the Summer Food Service Pilot Program for rural areas would become a permanent program and would apply to rural areas of every State beginning in calendar year 2007 and each calendar year thereafter. Through this bill, the numbers of children participating in the program will dramatically increase, and needy children in rural areas throughout the country will receive nutritious meals they might not otherwise get during the summer months.

I urge all of my colleagues to join in the effort to combat childhood hunger in rural areas by cosponsoring the Summer Food Service Rural Expansion Act.

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. 1755

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 ''Summer Food Service Rural Expansion Act''.

SEC. 2. SUMMER FOOD SERVICE PILOT PROGRAM FOR RURAL AREAS OF PENNSYLVANIA MADE PERMANENT AND APPLIED TO RURAL AREAS OF EVERY STATE.

Section 13(a)(9) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1761(a)(9)) is amended—

(1) in the paragraph heading by striking ''EXEMPTION'' and inserting ''APPLICABILITY TO RURAL AREAS''; and

(2) in subparagraph (A), by striking ''For each of calendar years 2005 and 2006 in rural areas of the State of Pennsylvania'' and inserting ''For calendar year 2007 and each calendar year thereafter, in rural areas of a State''.

By Mr. BINGAMAN (for himself, Mr. DOMENICI, Mr. AKAKA, and Ms. MURKOWSKI) (by request):

S. 1756. A bill to provide supplemental ex gratia compensation to the Republic of the Marshall Islands for impacts of the nuclear testing program of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, today, I am pleased to introduce the Republic of the Marshall Islands Supplemental Nuclear Compensation Act at the request of the President of the Republic of the Marshall Islands, the Honorable Kessai Note. For over 50 years, the Committee on Energy and Natural Resources, and its predecessor committees, have worked with the government of the Marshall Islands to respond to the tragic consequences of the U.S. nuclear weapons tests that were conducted in the islands from 1946 to 1958, when the islands were a district of the U.S.-administered, U.N. Trust Territory of the Pacific Islands.

The U.S. nuclear testing program raises powerful emotions, and difficult legal and political issues which complicate discussion. Of particular concern to some is that the question of the adequacy of the compensation paid by the U.S. is now before the U.S. Court of Claims. On May 10, I met with President Note during his trip to Washington and we discussed our shared desire to move forward on several issues. We agreed that is it important for our nations to continue to work together on other matters which are not in litigation, such as possible adjustments to programs that are important to the communities affected by the tests.

I compliment President Note for his leadership, and for his thoughtful recommendation on how to approach these sensitive issues. The President proposed the introduction of legislation, at his request, that would propose solutions on several issues that are not before the court. This would allow the

committee to hear formally from the administration and from the RMI government on whether the proposals should be adopted, or whether to consider alternatives. I concur in this approach along with several of my colleagues on the committee and we are committed to working with the RMI and the administration to seek agreement.

It is important to note that any further compensation provided by the U.S. under this act would be made on an ex gratia basis. U.S. administration of the RMI ended in 1986 when the RMI gained sovereign self-government pursuant to the Compact of Free Association, as approved by the Compact Act, P.L. 99–239. The compact provides two methods of compensation, under the legal settlement and under an authorization for ex gratia assistance. Section 177 of the compact approved a legal settlement which provided: a $150 million Nuclear Claims Trust Fund; the establishment of the Nuclear Claims Tribunal to adjudicate claims and pay awards; and it allows the RMI to request additional compensation if there are ''changed circumstances,'' that is, if information and injuries come to light after the settlement date which renders compensation under the settlement inadequate. Congress also included an authorization, under subsection 105(c) of the Compact Act, for additional ex gratia compensation to the communities of the northern atolls of Bikini, Enewetak, Rongelap and Utrik, and for supplemental health care.

In 2000, the RMI submitted a petition to Congress contending that there have been ''changed circumstances'' and requesting some $3 billion for payment of the Tribunal's personal injury awards, replenishment of the Trust Fund, payment of the Tribunal's property damage awards, funding for national health care infrastructure and operations, and monitoring of Runit Island in Enewetak Atoll by a U.S. agency.

In 2005, the Committee on Energy and Natural Resources held a hearing on the petition, S. Hrg. 109–178, and the administration testified in opposition to additional compensation on the basis that the requests did not meet the necessary legal tests: that injuries or damage must be a result of the nuclear tests; that they have arisen or been discovered after the effective date of the settlement; and that they could not reasonably have been identified as of the effective date of the settlement. The administration and other witnesses also questioned the RMI's contention that radiation affected an area beyond the four northern atolls of the Marshall Islands, and questioned the policies and methodologies used by the Tribunal in determining eligibility for compensation and the amount of awards. Nevertheless, the report by the administration on the RMI petition noted that, while certain requests do not qualify as changed circumstances, ''such programs might be desirable''.

The legislation being introduced today has provisions regarding four such requests for assistance that I agree with President Note should be given consideration by the Congress.

Runit Island: Between 1977 and 1980, the U.S. conducted a cleanup of some of the contaminated areas of Enewetak Atoll where 43 tests were conducted. Some of the contaminated soil and debris was relocated to Runit Island, mixed with concrete, and placed in Cactus crater that had been formed by one of the tests. Under the compact's nuclear claims settlement, the Marshall Islands accepted full legal responsibility for, and control over the utilization of areas in the Marshall Islands affected by the testing. In addition, however, the 1986 Compact Act, P.L. 99–239, reaffirmed the 1980 authorization, under P.L. 96–205, for a program now operated by the U.S. Department of Energy, DOE, for medical care and environmental monitoring relating to the testing program. Since then, the people of Enewetak Atoll have from time-to-time asked DOE to include monitoring of conditions at Runit within the scope of DOE's environmental monitoring program in order to assure the people living on other islands in Enewetak Atoll that there is no health risk from the material at Runit. DOE's whole body measurements of people living in the atoll shows that there is no increased risk and DOE has indicated that additional surveys should be carefully considered by Congress. Section 2 of this act would direct the Secretary of Energy, as a part of the existing monitoring program, to periodically survey radiological conditions regarding Runit and report to the Congress.

Energy Employees Occupational Illness Compensation Program, EEOICPA: This program was enacted in 2001 to provide compensation for DOE and contractor employees associated with the Nation's nuclear weapons program. During Senate debate, I submitted a list of facilities intended to be covered which included ''Marshall Islands Test Sites, but only for the period after December 31, 1958.'' However, the 75 Marshall Islands citizens who applied to the program were denied on the basis that Congress did not intend the law to cover those who were not U.S. citizens. I believe that this was an incorrect reading of Congressional intent and I can find nothing in the statute or legislative history that supports this conclusion. It is important to recognize that during the testing and clean-up period the Marshall Islands was a district of the U.S.-administered, U.N. Trust Territory of the Pacific Islands, and that the U.S. and its contractors employed workers from the Marshall Islands and from neighboring Districts in the Trust Territory.

Section 3 of this act would clarify that former Trust Territory citizens are eligible, and it would coordinate benefits with the Compact of Free Association so that if a person received compensation under the compact, that amount would be deducted from any award received under the EEOICPA.

Four Atoll Health Care Program: Section 177 of the Compact approved the legal settlement of claims resulting from the nuclear testing program and provided $150 million to capitalize the Trust Fund. Among the uses for these funds was an allocation of $2 million annually to provide health care for those communities most affected by the tests: Enewetak, Bikini, Rongelap and Utrik. However, practical problems developed with the program. First, enrollment was expanded beyond those members of the communities who were likely to have been exposed to radiation, so that the funds available for each beneficiary was significantly reduced. Second, the Fund became depleted and the $2 million annual payment was terminated in 2003. To continue some level of service under the program, the RMI and the U.S. Congress continued to contribute funds on a discretionary basis until a longer-term solution could be developed. During a trip to the RMI in the summer of 2006, Senate staff met with officials of the RMI Ministry of Health and of the 177 Healthcare Program and outlined a possible new approach for supplemental health care. Instead of providing benefits to a pool of enrolled beneficiaries, the funding would be targeted geographically to support a primary care clinic in each of the affected communities. This approach has the advantage of assuring primary health care in these remote outer island communities and of avoiding the problem of over-subscription of the program in the urban centers where hospital facilities are available.

Section 4 of the bill would authorize $2 million annually through 2023 for the continuation of this approach of supporting health care clinics in the outer island communities most affected by the tests. I believe that this proposal is an appropriate place to continue the discussion with the RMI and U.S. officials on how supplemental health care assistance to the RMI could most effectively be used in the future to meet the needs of affected communities.

Impact Assessment: Underlying the debate between the U.S. and the RMI regarding compensation for injuries resulting from the testing program is a fundamental dispute over the extent of the affected area. The U.S. believes that the effects were practically limited to the four northern atolls of Rongelap, Utrik, Bikini, and Enewetak. However, the RMI and the Nuclear Claims Tribunal took the position that all 1958 residents of the RMI would be eligible to file claims for injuries resulting from the tests. Section 5 of the bill is intended to resolve this dispute by having the National Academy of Sciences conduct an assessment of the health impacts of the testing program.

It is my intention to hold a hearing on the bill later this year. I look forward to continuing to work with President Note, my colleagues, and the administration on these proposals to respond, in part, to the legacy of our Nation's nuclear testing program in the Islands.

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. 1756

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 ''Republic of the Marshall Islands Supplemental Nuclear Compensation Act of 2007''.

SEC. 2. CONTINUED MONITORING ON RUNIT ISLAND.

Section 103(f)(1) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(f)(1)) is amended—

(1) by striking ''Notwithstanding'' and inserting the following:

''(A) IN GENERAL.—Notwithstanding''; and

(2) by adding at the end the following:

''(B) CONTINUED MONITORING ON RUNIT ISLAND.—

''(i) IN GENERAL.—Effective beginning January 1, 2008, the Secretary of Energy shall, as a part of the Marshall Islands program conducted under subparagraph (A), periodically (but not less frequently than every 4 years) survey radiological conditions on Runit Island.

''(ii) REPORT.—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate, and the Committee on Natural Resources of the House of Representatives, a report that describes the results of each survey conducted under clause (i), including any significant changes in conditions on Runit Island.''.

SEC. 3. CLARIFICATION OF ELIGIBILITY UNDER ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT OF 2000.

(a) DEFINITIONS FOR PROGRAM ADMINISTRATION.—Section 3621 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384*l*) is amended by adding at the end the following:

''(18) The terms 'covered employee', 'atomic weapons employee', and 'Department of Energy contractor employee' (as defined in paragraphs (1), (3), and (11), respectively) include a citizen of the Trust Territory of the Pacific Islands who is otherwise covered by that paragraph.''.

(b) DEFINITION OF COVERED DOE CONTRACTOR EMPLOYEE.—Section 3671(1) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s(1)) is amended by inserting before the period at the end the following: '', including a citizen of the Trust Territory of the Pacific Islands who is otherwise covered by this paragraph''.

(c) COORDINATION OF BENEFITS WITH RESPECT TO THE COMPACT OF FREE ASSOCIATION.—Subtitle E of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s et seq.) is amended by inserting after section 3682 (42 U.S.C. 7385s–11) the following:

''SEC. 3682a. COORDINATION OF BENEFITS WITH RESPECT TO THE COMPACT OF FREE ASSOCIATION.

''(a) DEFINITION OF COMPACT OF FREE ASSOCIATION.—In this section, the term 'Compact of Free Association' means—

''(1) the Compact of Free Association between the Government of the United States of America and the Governments of the Marshall Islands and the Federated States of Micronesia (48 U.S.C. 1901 note); and

''(2) the Compact of Free Association between the Government of the United States of America and the Government of Palau (48 U.S.C. 1931 note).

''(b) COORDINATION.—Subject to subsection (c), an individual who has been awarded compensation under this subtitle, and who has also received compensation benefits under the Compact of Free Association by reason of the same covered illness, shall receive the compensation awarded under this subtitle reduced by the amount of any compensation benefits received under the Compact of Free Association, other than medical benefits and benefits for vocational rehabilitation that the individual received by reason of the covered illness, after deducting the reasonable costs (as determined by the Secretary) of obtaining those benefits under the Compact of Free Association.

''(c) WAIVER.—The Secretary may waive the application of subsection (b) if the Secretary determines that the administrative costs and burdens of applying subsection (b) to a particular case or class of cases justifies the waiver.''.

SEC. 4. FOUR ATOLL HEALTH CARE PROGRAM.

Section 103(h) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(h)) is amended by adding at the end the following:

''(4) SUPPLEMENTAL HEALTH CARE FUNDING.—

''(A) IN GENERAL.—In addition to amounts provided under section 211 of the U.S.-RMI Compact (48 U.S.C. 1921 note), the Secretary of the Interior shall annually use the amounts made available under subparagraph (B) to supplement health care in the communities affected by the nuclear testing program of the United States, including capital and operational support of outer island primary healthcare facilities of the Ministry of Health of the Republic of the Marshall Islands in the communities of—

''(i) Enewetak Atoll,

''(ii) Kili (until the resettlement of Bikini);

''(iii) Majetto Island in Kwajalein Atoll (until the resettlement of Rongelap Atoll); and

''(iv) Utrik Atoll.

''(B) FUNDING.—As authorized by section 105(c), there is appropriated to the Secretary of the Interior, out of funds in the Treasury not otherwise appropriated, to carry out this paragraph $2,000,000 for each of fiscal years 2007 through 2023, as adjusted for inflation in accordance with section 218 of the U.S.-FSM Compact and the U.S.-RMI Compact, to remain available until expended.''.

SEC. 5. ASSESSMENT OF HEALTH CARE NEEDS OF THE MARSHALL ISLANDS.

(a) IN GENERAL.—The Secretary of the Interior shall enter into an agreement with the National Academy of Sciences under which the National Academy of Sciences shall conduct an assessment of the health impacts of the United States nuclear testing program conducted in the Republic of the Marshall Islands on the residents of the Republic of the Marshall Islands.

(b) REPORT.—On completion of the assessment under subsection (a), the National Academy of Sciences shall submit to Congress, the Secretary, the Committee on Energy and Natural Resources of the Senate, and the Committee on Natural Resources of the House of Representatives, a report on the results of the assessment.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

By Mr. KENNEDY (for himself, Mr. HARKIN, and Mr. DODD):

S. 1758. A bill to amend the Public Health Service Act to help individuals with functional impairments and their families pay for services and supports that they need to maximize their functionality and independence and have choices about community participation, education, and employment, and for other purposes; to the Committee on Finance.

Mr. KENNEDY. Mr. President, I rise today to introduce the Community Living Assistance Services and Supports Act, the CLASS Act. This important piece of legislation builds on the promise and possibilities of the Americans with Disabilities Act by helping the large numbers of Americans who struggle every day to live productive lives in their communities.

Too many Americans are perfectly capable of living a life in the community, but are denied the supports they need.

They languish in needless circumstances with no choice about how or where to obtain these services.

Too often, they have to give up the American Dream, the dignity of a job, a home, and a family, so they can qualify for Medicaid, the only program that will support them.

The bill we propose is a long overdue effort to offer greater dignity, greater hope, and greater opportunity.

It makes a simple pact with all Americans—''If you work hard and contribute, society will take care of you when you fall on hard times.''

The concept is clear, everyone can contribute and everyone can win. We all benefit when no one is left behind.

For only $30 a month, a person who pays into the program will receive either $50 or $100 a day, based on their ability to carry out basic daily activities.

They themselves will decide how this assistance will be spent, on transportation so they can stay employed, or on a ramp to make their home more accessible, or to cover the cost of a personal care attendant or a family caregiver.

It will help keep families together, instead of being torn apart by obstacles that discourage them from staying at home.

The bill will strengthen job opportunities for people with disabilities at a time when 70 percent are unemployed. They have so much to contribute and the bill will help them do it.

It will save on the mushrooming health care costs for Medicaid, the Nation's primary insurer of long-term care services, which also forces beneficiaries to give up their jobs and live in poverty before they become eligible for assistance.

The CLASS Act is a hopeful new approach to restoring independence and choice for millions of these persons and enabling them to take greater control of their lives.

It is time to respect the rights and dignity of all Americans, and I look

forward to working with my colleagues to see this bill enacted into law.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 266—MAKING MINORITY PARTY APPOINTMENTS FOR THE 110TH CONGRESS

Mr. MCCONNELL submitted the following resolution; which was considered and agreed to:

S. RES. 266

Resolved, That the following be the minority membership on the following committees for the remainder of the 110th Congress, or until their successors are appointed:

The Committee on Energy and Natural Resources: Mr. Domenici, Mr. Craig, Ms. Murkowski, Mr. Burr, Mr. DeMint, Mr. Corker, Mr. Barrasso, Mr. Sessions, Mr. Smith, Mr. Bunning, and Mr. Martinez;

The Committee on Environment and Public Works: Mr. Inhofe, Mr. Warner, Mr. Voinovich, Mr. Isakson, Mr. Vitter, Mr. Barrasso, Mr. Craig, Mr. Alexander and Mr. Bond;

The Committee on Finance: Mr. Grassley, Mr. Hatch, Mr. Lott, Ms. Snowe, Mr. Kyl, Mr. Smith, Mr. Bunning, Mr. Crapo, Mr. Roberts and Mr. Ensign;

The Committee on Indian Affairs: Ms. Murkowski, Mr. McCain, Mr. Coburn, Mr. Barrasso, Mr. Domenici, Mr. Smith and Mr. Burr.

SENATE RESOLUTION 267—HONORING THE LIFE OF RENOWNED PAINTER AND WRITER TOM LEA ON THE 100TH ANNIVERSARY OF HIS BIRTH AND COMMENDING THE CITY OF EL PASO FOR RECOGNIZING JULY 2007 AS ''TOM LEA MONTH''

Mrs. HUTCHISON (for herself, Mr. CORNYN, and Mr. BINGAMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 267

Whereas Tom Lea was born on July 11, 1907 in El Paso, Texas;

Whereas Tom Lea attended El Paso public schools before continuing his education at the Art Institute of Chicago and working as an apprentice to muralist John Warner Norton;

Whereas Tom Lea painted Texas Centennial murals at the Dallas State Fairgrounds Hall of State in 1936;

Whereas Tom Lea won many commissions for murals from the Section of Fine Arts of the Department of the Treasury, including commissions for ''The Nesters'' at the Benjamin Franklin Post Office in Washington, D.C.; ''Pass of the North'' at the Federal Courthouse in El Paso, Texas; ''Stampede'' at the Post Office in Odessa, Texas; ''Comancheros'' at the Post Office in Seymour, Texas; and ''Back Home, April 1865'' at the Post Office in Pleasant Hill, Missouri;

Whereas Tom Lea was an accredited World War II artist correspondent for Life magazine who traveled over 100,000 miles with United States military forces and reported from places such as the North Atlantic, China, and on board the Hornet in the South Pacific;

Whereas Tom Lea landed with the First Marines at Peleliu;

Whereas many of the war paintings of Tom Lea are displayed at the United States Army Center for Military History in Washington, D.C. and others have been loaned to exhibitions worldwide;

Whereas Texas A&M University Press plans to publish the war diaries of Tom Lea in 2008;

Whereas Tom Lea wrote and illustrated 4 novels and 2 nonfiction works, including The Brave Bulls (1948) and The Wonderful Country (1952), both of which were adapted as screenplays for motion pictures, and a 2-volume annotated history of the King Ranch;

Whereas Tom Lea excelled at painting portraits for public buildings in Washington, D.C. and at capturing the likenesses of individuals as diverse as Sam Rayburn, Benito Juarez, Claire Chennault, Madame Chiang Kai-shek, and the bullfighter Manolete;

Whereas Tom Lea was honored with numerous awards, including the Navy Distinguished Public Service Award, the United States Marine Corps' Colonel John W. Thomason, Jr. Award, and the National Cowboy and Western Heritage Museum's Great Westerners Award;

Whereas the paintings of Tom Lea hang in the Oval Office of the White House, the Smithsonian American Art Museum, the United States Army Center for Military History, the Dallas Museum of Art, the El Paso Museum of Art, the University of Texas at El Paso, Texas A&M University, and the University of Texas at Austin;

Whereas Tom Lea enjoyed living on the east side of Mount Franklin in El Paso because it was the ''side to see the day that is coming, not the side to see the day that is gone''; and

Whereas Tom Lea lived on the east side of Mount Franklin with his wife, Sarah, until he died on January 29, 2001: Now, therefore, be it

Resolved, That the Senate—

(1) honors the life and accomplishments of Tom Lea on the 100th anniversary of his birth; and

(2) commends the City of El Paso, Texas for recognizing July 2007 as ''Tom Lea Month''.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2026. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 2027. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2028. Mr. BYRD submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2029. Mr. GREGG (for himself and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2030. Mr. GREGG (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2031. Mr. GREGG submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2032. Mr. HAGEL (for himself, Mr. LEVIN, Ms. SNOWE, Mr. WEBB, and Mr. REID) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2033. Mr. DODD submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2034. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2035. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2036. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2037. Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2038. Mr. COLEMAN (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2039. Mr. COLEMAN (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2040. Mr. COLEMAN (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2041. Mrs. CLINTON (for herself and Ms. MIKULSKI) submitted an amendment intended to be proposed by her to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2042. Mr. DURBIN (for himself, Mr. HAGEL, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2043. Mr. DURBIN (for himself, Mr. INHOFE, Mr. INOUYE, Mr. OBAMA, Mr. MENENDEZ, and Mr. BIDEN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2044. Mr. WARNER (for himself and Mr. WEBB) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2045. Mr. WARNER (for himself and Mr. WEBB) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2046. Mrs. CLINTON (for herself, Mr. COLEMAN, and Mr. SANDERS) submitted an amendment intended to be proposed by her to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2047. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2048. Mr. HAGEL submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2049. Mr. CHAMBLISS (for himself and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2050. Mr. CHAMBLISS (for himself and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2051. Mr. COLEMAN (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2052. Mrs. FEINSTEIN (for herself and Mr. SPECTER) submitted an amendment intended to be proposed by her to the bill H.R.

1585, supra; which was ordered to lie on the table.

SA 2053. Mr. CONRAD (for himself, Mr. DORGAN, Ms. LANDRIEU, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2054. Mr. LIEBERMAN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2055. Mr. LIEBERMAN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2056. Mr. HARKIN (for himself, Ms. COLLINS, Mr. KERRY, Ms. KLOBUCHAR, and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2057. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2058. Mr. HAGEL submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2059. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2060. Mr. SANDERS (for himself, Mr. BYRD, and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2061. Mr. McCONNELL (for himself, Mr. SALAZAR, Mr. ALLARD, and Mr. BUNNING) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2062. Mr. WEBB (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2063. Mr. SALAZAR (for himself, Mr. ALEXANDER, Mr. PRYOR, Mr. BENNETT, Mr. CASEY, Mr. GREGG, Mrs. LINCOLN, Mr. SUNUNU, Mr. DOMENICI, Ms. COLLINS, Mr. NELSON of Florida, Ms. LANDRIEU, and Mrs. McCASKILL) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2064. Mr. GRAHAM (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2026. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

SEC. 583. EXPANSION AND EXTENSION OF JOINT FAMILY ASSISTANCE PROGRAM OF THE DEPARTMENT OF DEFENSE.

(a) LOCATIONS.—Subsection (b) of section 675 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2273; 10 U.S.C. 1781 note) is amended—

(1) by striking ''not more than six''; and

(2) by striking the second sentence.

(b) PERMANENT AUTHORITY.—Such section is further amended by striking subsection (h).

SA 2027. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XV, add the following:

SEC. 1535. REST AND RECUPERATION LEAVE FOR MEMBERS OF THE ARMED FORCES WHOSE PERIOD DEPLOYMENT IN OPERATION IRAQI FREEDOM OR OPERATION ENDURING FREEDOM IS INVOLUNTARILY EXTENDED TO 15 MONTHS.

(a) ADDITIONAL REST AND RECUPERATION LEAVE.—A member of the Armed Forces whose period of deployment to Iraq under Operation Iraqi Freedom, or to Afghanistan under Operation Enduring Freedom, is involuntarily extended from 12 months to 15 months is entitled for the extension of such period of deployment to a period of rest and recuperation of an additional 5 days and round-trip transportation at Government expense from the location of duty in Iraq or Afghanistan, as the case may be, to the nearest port in the 48 contiguous States and return, or to an alternative destination and return at a cost not to exceed the cost of round-trip transportation from such location of duty to such nearest port.

(b) CONSTRUCTION.—Leave to which a member of the Armed Forces is entitled under subsection (a) is in addition to any other leave to which the member is entitled under any other provision of law.

SA 2028. Mr. BYRD submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XV, add the following:

SEC. 1535. CONTINGENCY PLAN FOR RAPID REDEPLOYMENT AND PLAN FOR PHASED REDEPLOYMENT OF UNITED STATES FORCES FROM IRAQ.

(a) SUBMITTAL OF PLANS TO CONGRESS.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to Congress a comprehensive, current plan for each of the following:

(1) The rapid redeployment of United States forces from Iraq.

(2) The phased redeployment of United States forces from Iraq, with such redeployment to be completed not later than 180 days after its commencement.

(b) PLAN ELEMENTS.—Each plan on redeployment under subsection (a) shall include elements as follows:

(1) A comprehensive description of the redeployment as currently proposed.

(2) 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 during and after the redeployment.

(3) Plans for United States basing rights in the region after the redeployment.

(4) Plans for United States military access to Iraq to protect United States citizens, personnel, and infrastructure in Iraq during and after the redeployment.

(5) Plans for United States and other allied and international assistance to the Government of Iraq during and after the redeployment to support its security needs (including the training and equipping of Iraqi forces) and its economic and humanitarian needs.

(6) Plans for efforts to prevent a refugee flow from Iraq that would destabilize the region.

(7) An estimate of the costs of replacing United States military equipment left in Iraq after the redeployment, or otherwise depleted, including equipment of the regular components of the Armed Forces and equipment of the National Guard.

(8) An estimate of the costs of the redeployment and of any support of the Government of Iraq after the redeployment.

(c) FORM.—Each plan on a redeployment under subsection (a) shall be submitted in both classified and unclassified form in order to permit the complete articulation of the plan.

SEC. 1536. AVAILABILITY OF FUNDS FOR THE SAFE AND ORDERLY REDUCTION OF UNITED STATES FORCES IN IRAQ.

Notwithstanding any other provision of law, funds appropriated or otherwise made available by any Act for the Department of Defense are available for obligation and expenditure to plan and execute a safe and orderly reduction of United States forces in Iraq.

SA 2029. Mr. GREGG (for himself and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1070. PROTECTION OF CHILD CUSTODY ARRANGEMENTS FOR PARENTS WHO ARE MEMBERS OF THE ARMED FORCES DEPLOYED IN SUPPORT OF A CONTINGENCY OPERATION.

(a) CHILD CUSTODY PROTECTION.—Title II of the Servicemembers Civil Relief Act (50 U.S.C. App. 521 et seq.) is amended by adding at the end the following new section:

"SEC. 208. CHILD CUSTODY PROTECTION.

''(a) RESTRICTION ON CHANGE OF CUSTODY.—If a motion for change of custody of a child of a servicemember is filed while the servicemember is deployed in support of a contingency operation, no court may enter an order modifying or amending any previous judgment or order, or issue a new order, that changes the custody arrangement for that child that existed as of the date of the deployment of the servicemember, except that a court may enter a temporary custody order if there is clear and convincing evidence that it is in the best interest of the child.

''(b) COMPLETION OF DEPLOYMENT.—In any preceding covered under subsection (a), a court shall require that, upon the return of the servicemember from deployment in support of a contingency operation, the custody

order that was in effect immediately preceding the date of the deployment of the servicemember is reinstated.

''(c) EXCLUSION OF MILITARY SERVICE FROM DETERMINATION OF CHILD'S BEST INTEREST.—If a motion for the change of custody of the child of a servicemember who was deployed in support of a contingency operation is filed after the end of the deployment, no court may consider the absence of the servicemember by reason of that deployment in determining the best interest of the child.

''(d) CONTINGENCY OPERATION DEFINED.—In this section, the term 'contingency operation' has the meaning given that term in section 101(a)(13) of title 10, United States Code, except that the term may include such other deployments as the Secretary may prescribe.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by adding at the end of the items relating to title II the following new item:

''208. Child custody protection.''.

SA 2030. Mr. GREGG (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 594. LIMITATION ON SIMULTANEOUS DEPLOYMENT TO COMBAT ZONES OF DUAL-MILITARY COUPLES WHO HAVE MINOR DEPENDENTS.

In the case of a member of the Armed Forces with minor dependents who has a spouse who is also a member of the Armed Forces, and the spouse is deployed in an area for which imminent danger pay is authorized under section 310 of title 37, United States Code, the member may request a deferment of a deployment to such an area until the spouse returns from such deployment.

SA 2031. Mr. GREGG submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

SEC. 583. STUDY ON IMPROVING SUPPORT SERVICES FOR CHILDREN, INFANTS, AND TODDLERS OF MEMBERS OF THE NATIONAL GUARD AND RESERVE UNDERGOING DEPLOYMENT.

(a) STUDY REQUIRED.—

(1) STUDY.—The Secretary of Defense shall conduct a study to evaluate the feasibility and advisability of entering into a contract or other agreement with a private sector entity having expertise in the health and well-being of families and children, infants, and toddlers in order to enhance and develop support services for children of members of the National Guard and Reserve who are deployed.

(2) TYPES OF SUPPORT SERVICES.—In conducting the study, the Secretary shall consider the need—

(A) to develop materials for parents and other caretakers of children of members of the National Guard and Reserve who are deployed to assist such parents and caretakers in responding to the adverse implications of such deployment (and the death or injury of such members during such deployment) for such children, including the role such parents and caretakers can play in addressing and mitigating such implications;

(B) to develop programs and activities to increase awareness throughout the military and civilian communities of the adverse implications of such deployment (and the death or injury of such members during such deployment) for such children and their families and to increase collaboration within such communities to address and mitigate such implications;

(C) to develop training for early child care and education, mental health, health care, and family support professionals to enhance the awareness of such professionals of their role in assisting families in addressing and mitigating the adverse implications of such deployment (and the death or injury of such members during such deployment) for such children; and

(D) to conduct research on best practices for building psychological and emotional resiliency in such children in coping with the deployment of such members.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report containing the results of the study conducted under subsection (a).

SEC. 584. STUDY ON ESTABLISHMENT OF PILOT PROGRAM ON FAMILY-TO-FAMILY SUPPORT FOR FAMILIES OF DEPLOYED MEMBERS OF THE NATIONAL GUARD AND RESERVE.

(a) STUDY.—The Secretary of Defense shall carry out a study to evaluate the feasibility and advisability of establishing a pilot program on family-to-family support for families of deployed members of the National Guard and Reserve. The study shall include an assessment of the following:

(1) The effectiveness of a family-to-family support programs in—

(A) providing peer support for families of deployed members of the National Guard and Reserve;

(B) identifying and preventing family problems in such families;

(C) reducing adverse outcomes for children of such families, including poor academic performance, behavioral problems, stress, and anxiety; and

(D) improving family readiness and post-deployment transition for such families.

(2) The feasibility and advisability of utilizing spouses of members of the Armed Forces as counselors for families of deployed members of the National Guard and Reserve, in order to assist such families in coping throughout the deployment cycle.

(3) Best practices for training spouses of members of the Armed Forces to act as counselors for families of deployed members of the National Guard and Reserve.

(b) REPORT.—The Secretary of Defense shall submit to Congress a report containing the results of the study conducted under subsection (a) not later than 180 days after the date of the enactment of this Act.

SA 2032. Mr. HAGEL (for himself, Mr. LEVIN, Ms. SNOWE, Mr. WEBB, and Mr. REID) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XVI, add the following:

SEC. 1535. LIMITATION ON LENGTH OF DEPLOYMENTS FOR OPERATION IRAQI FREEDOM.

(a) LIMITATION.—Commencing 120 days after the date of the enactment of this Act, the deployment of a unit or individual of the Armed Forces for Operation Iraqi Freedom shall be limited as follows:

(1) In the case of a unit or individual of the Army (including a unit or individual of the Army National Guard or the Army Reserve), the unit or individual may not be deployed, or continued or extended on deployment, for more than 12 consecutive months.

(2) In the case of a unit or individual of the Marine Corps (including a unit or individual of the Marine Corps Reserve), the unit or individual may not be deployed, or continued or extended on deployment, for more than 7 consecutive months.

(b) EXCEPTION.—The limitation in subsection (a) shall not apply to designated key command headquarters personnel or other members of the Armed Forces who are required to maintain continuity of mission and situational awareness between rotating forces.

(c) WAIVER AUTHORITY.—The President may waive the applicability of the limitation in subsection (a) in the event of a requirement for the use of military force in time of national emergency following consultation with the congressional defense committees.

(d) DEPLOYMENT DEFINED.—In this section, the term ''deployment'' has the meaning given that term in subsection 991(b) of title 10, United States Code.

SA 2033. Mr. DODD submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, add the following:

SEC. 106. NATIONAL GUARD AND RESERVE EQUIPMENT.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal year 2008 for National Guard and Reserve Equipment in the amount of $500,000,000, with the amount to be available for equipment reset for the Army National Guard.

(b) OFFSET.—The amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation, Defense-wide activities, is hereby reduced by $500,000,000, with the amount of the reduction allocated so that—

(1) the amount available for European missile defense is reduced by $225,000,000; and

(2) the amount available for the Airborne Laser is reduced by $275,000,000.

At the end of subtitle E of title III, add the following:

SEC. 358. ASSESSMENT OF THE DEFENSE INDUSTRIAL BASE FOR CRITICAL NATIONAL SECURITY PROGRAMS.

(a) REPORT ON ASSESSMENT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of

Congress a report setting for the assessment of the Secretary of the capacity of the defense industrial base of the United States (including the industrial resource and critical technology production capacity of the defense industrial base) to achieve, during the five-year period beginning on October 1, 2007, each of the following:

(1) To address equipment shortfalls of the National Guard as identified by the National Guard Bureau.

(2) To meet the requirements of the Critical Items List of the commanders in chief of the unified and specified combatant commands and to produce other items within the inventory of weapon systems and defense equipment identified as critical under an assessment conducted pursuant to section 113(i) of title 10, United States Code, or by a Presidential determination as a result of a petition filed under section 232 of the Trade Expansion Act of 1962 (19 U.S.C. 1862) in accordance with the Defense Production Act of 1950 (50 U.S.C. App. 2077 et seq.).

(b) RECOMMENDATIONS.—If the assessment required by subsection (a) includes a determination that the industrial resource and critical technology production capacity of the defense industrial base of the United States cannot achieve the matters specified in that subsection, or that the authorities provided by the Defense Production Act of 1950 or other laws are insufficient to address the shortfalls and meet requirements described in that subsection, the report shall include such recommendations as the Secretary considers appropriate for actions, including investments and modifications to the Defense Production Act of 1950, necessary to develop that capacity.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committees on Armed Services and Banking, Housing, and Urban Affairs of the Senate; and

(2) the Committees on Armed Services and Financial Services of the House of Representatives.

SA 2034. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

SEC. 583. MILITARY FAMILY LEAVE.

(a) GENERAL REQUIREMENTS FOR LEAVE.—

(1) DEFINITIONS.—Section 101 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611) is amended by adding at the end the following:

''(14) ACTIVE DUTY.—The term 'active duty' means duty under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.

''(15) QUALIFIED MEMBER.—The term 'qualified member' means a member of the reserve components on active duty for a period of more than 30 days.''.

(2) ENTITLEMENT TO LEAVE.—Section 102(a)(1) of such Act (29 U.S.C. 2612(a)) is amended by adding at the end the following:

''(E) Because the spouse, son, daughter, or parent of the employee is a qualified member.''.

(3) SCHEDULE.—Section 102(b)(1) of such Act (29 U.S.C. 2612(b)(1)) is amended by inserting after the second sentence the following: ''Leave under subsection (a)(1)(E) may be taken intermittently or on a reduced leave schedule.''.

(4) SUBSTITUTION OF PAID LEAVE.—Section 102(d)(2)(A) of such Act (29 U.S.C. 2612(d)(2)(A)) is amended by striking ''(A), (B), or (C)'' and inserting ''(A), (B), (C), or (E)''.

(5) NOTICE.—Section 102(e) of such Act (29 U.S.C. 2612(e)) is amended by adding at the end the following:

''(3) NOTICE FOR MILITARY FAMILY LEAVE.—In any case in which an employee seeks leave under subsection (a)(1)(E), the employee shall provide such notice as is practicable.''.

(6) CERTIFICATION.—Section 103 of such Act (29 U.S.C. 2613) is amended by adding at the end the following:

''(f) CERTIFICATION FOR MILITARY FAMILY LEAVE.—An employer may require that a request for leave under section 102(a)(1)(E) be supported by a certification issued at such time and in such manner as the Secretary may by regulation prescribe.''.

(b) MILITARY FAMILY LEAVE FOR CIVIL SERVICE EMPLOYEES.—

(1) DEFINITIONS.—Section 6381 of title 5, United States Code, is amended—

(A) in paragraph (5), by striking ''and'' at the end;

(B) in paragraph (6), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(7) the term 'active duty' means duty under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code; and

''(8) the term 'qualified member' means a member of the reserve components on active duty for a period of more than 30 days.''.

(2) ENTITLEMENT TO LEAVE.—Section 6382(a) of such title is amended by adding at the end the following:

''(E) Because the spouse, son, daughter, or parent of the employee is a qualified member.''.

(3) SCHEDULE.—Section 6382(b)(1) of such title is amended by inserting after the second sentence the following: ''Leave under subsection (a)(1)(E) may be taken intermittently or on a reduced leave schedule.''.

(4) SUBSTITUTION OF PAID LEAVE.—Section 6382(d) of such title is amended by striking ''(A), (B), (C), or (D)'' and inserting ''(A), (B), (C), (D), or (E)''.

(5) NOTICE.—Section 6382(e) of such title is amended by adding at the end the following:

''(3) In any case in which an employee seeks leave under subsection (a)(1)(E), the employee shall provide such notice as is practicable.''.

(6) CERTIFICATION.—Section 6383 of such title is amended by adding at the end the following:

''(f) An employing agency may require that a request for leave under section 6382(a)(1)(E) be supported by a certification issued at such time and in such manner as the Office of Personnel Management may by regulation prescribe.''.

SA 2035. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

SEC. 583. CHILD CARE ASSISTANCE FOR MILITARY DEPENDENTS.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 658B of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858) is amended—

(1) by striking ''There is'' and inserting ''(a) in general.—There is'';

(2) in subsection (a), as so designated, by inserting ''(except section 658T)'' after ''this subchapter''; and

(3) by adding at the end the following:

''(b) CHILD CARE FOR CERTAIN MILITARY DEPENDENTS.—There is authorized to be appropriated to carry out section 658T $200,000,000 for each of fiscal years 2008 through 2012.''.

(b) CHILD CARE ASSISTANCE.—The Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) is amended by adding at the end the following:

''SEC. 658T. CHILD CARE ASSISTANCE FOR MILITARY DEPENDENTS.

''(a) IN GENERAL.—The Secretary shall make grants to eligible spouses to assist the spouses in paying for the cost of child care services provided to dependents by eligible child care providers. In making the grants, the Secretary shall give priority to eligible spouses of qualified members on active duty for a period of more than 6 months.

''(b) DEFINITIONS.—In this section:

''(1) ACTIVE DUTY.—The term 'active duty' means duty under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.

''(2) ACTIVE DUTY FOR A PERIOD OF MORE THAN 30 DAYS.—The term 'active duty for a period of more than 30 days' has the meaning given the term in section 101(d)(2) of title 10, United States Code.

''(3) DEPENDENT.—The term 'dependent' means an individual who is—

''(A) a dependent, as defined in section 401 of title 37, United States Code, except that such term does not include a person described in paragraph (1) or (3) of subsection (a) of such section; and

''(B) an individual described in subparagraphs (A) and (B) of section 658P(4).

''(4) ELIGIBLE SPOUSE.—The term 'eligible spouse' means a person who—

''(A) is a parent of one or more dependents of a qualified member; and

''(B) has the primary responsibility for the care of one or more such dependents.

''(5) QUALIFIED MEMBER.—The term 'qualified member' means a member of the reserve components of the Armed Forces on active duty for a period of more than 30 days.

''(c) APPLICATIONS.—To be eligible to receive a grant under this section, a spouse shall submit an application to the Secretary, at such time, in such manner, and containing such information as the Secretary may require, including a description of the eligible child care provider who provides the child care services assisted through the grant.

''(d) RULE.—The provisions of this subchapter, other than section 658P and provisions referenced in section 658P, that apply to assistance provided under this subchapter shall not apply to assistance provided under this section.''.

(c) CONFORMING AMENDMENTS.—Section 658O of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858m) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''appropriated under this subchapter'' and inserting ''appropriated under section 658B(a)''; and

(B) in paragraph (2), by striking ''appropriated under section 658B'' and inserting ''appropriated under section 658(a)''; and

(2) in subsection (b)(1), by striking ''appropriated under section 658B'' and inserting ''appropriated under section 658(a)''.

SA 2036. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title VI, add the following:

SEC. 683. PLAN FOR PARTICIPATION OF MEMBERS OF THE NATIONAL GUARD AND THE RESERVES IN THE BENEFITS DELIVERY AT DISCHARGE PROGRAM.

(a) PLAN TO MAXIMIZE PARTICIPATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a plan to maximize access to the benefits delivery at discharge program for members of the reserve components of the Armed Forces who have been called or ordered to active duty at any time since September 11, 2001.

(b) ELEMENTS.—The plan submitted under subsection (a) shall include a description of efforts to ensure that services under the benefits delivery at discharge program are provided, to the maximum extent practicable—

(1) at each military installation;

(2) at each armory and military family support center of the National Guard;

(3) at each military medical care facility at which members of the Armed Forces are separated or discharged from the Armed Forces; and

(4) in the case of a member on the temporary disability retired list under section 1202 or 1205 of title 10, United States Code, who is being retired under another provision of such title or is being discharged, at a location reasonably convenient to the member.

(c) BENEFITS DELIVERY AT DISCHARGE PROGRAM DEFINED.—In this section, the term ''benefits delivery at discharge program'' means a program administered jointly by the Secretary of Defense and the Secretary of Veterans Affairs to provide information and assistance on available benefits and other transition assistance to members of the Armed Forces who are separating from the Armed Forces, including assistance to obtain any disability benefits for which such members may be eligible.

SA 2037. Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title IV, add the following:

SEC. 416. INCREASE IN AUTHORIZED VARIANCE IN END STRENGTHS FOR ACTIVE DUTY AND NATIONAL GUARD PERSONNEL PAYABLE FROM FUNDS FOR RESERVE PERSONNEL.

(a) INCREASE.—Section 115(f)(2) of title 10, United States Code, is amended by striking ''2 percent'' and inserting ''3 percent''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2007, and shall apply with respect to fiscal years beginning on or after that date.

SA 2038. Mr. COLEMAN (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title III, add the following:

SEC. 325. CONVEYANCE OF A–12 BLACKBIRD AIRCRAFT TO THE MINNESOTA AIR NATIONAL GUARD HISTORICAL FOUNDATION.

(a) CONVEYANCE REQUIRED.—The Secretary of the Air Force shall convey, without consideration, to the Minnesota Air National Guard Historical Foundation, Inc. (in this section referred to as the ''Foundation''), a non-profit entity located in the State of Minnesota, A–12 Blackbird aircraft with tail number 60–6931 that is under the jurisdiction of the National Museum of the United States Air Force and, as of January 1, 2007, was on loan to the Foundation and display with the 133rd Airlift Wing at Minneapolis-St. Paul International Airport, Minnesota.

(b) CONDITION.—The conveyance required by subsection (a) shall be subject to the requirement that Foundation utilize and display the aircraft described in that subsection for educational and other appropriate public purposes as jointly agreed upon by the Secretary and the Foundation before the conveyance.

(c) RELOCATION OF AIRCRAFT.—As part of the conveyance required by subsection (a), the Secretary shall relocate the aircraft described in that subsection to Minneapolis-St. Paul International Airport and undertake any reassembly of the aircraft required as part of the conveyance and relocation. Any costs of the Secretary under this subsection shall be borne by the Secretary.

(d) MAINTENANCE SUPPORT.—The Secretary may authorize the 133rd Airlift Wing to provide support to the Foundation for the maintenance of the aircraft relocated under subsection (a) after its relocation under that subsection.

(e) REVERSION OF AIRCRAFT.—

(1) REVERSION.—In the event the Foundation ceases to exist, all right, title, and interest in and to the aircraft conveyed under subsection (a) shall revert to the United States, and the United States shall have immediate right of possession of the aircraft.

(2) ASSUMPTION OF POSSESSION.—Possession under paragraph (1) of the aircraft conveyed under subsection (a) shall be assumed by the 133rd Airlift Wing.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance required by subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SA 2039. Mr. COLEMAN (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VI, add the following:

SEC. 625. PAYMENT OF ASSIGNMENT INCENTIVE PAY FOR RESERVE MEMBERS SERVING IN COMBAT ZONE FOR MORE THAN 22 MONTHS.

(a) PAYMENT.—The Secretary of a military department may pay assignment incentive pay under section 307a of title 37, United States Code, to a member of a reserve component under the jurisdiction of the Secretary for each month during the eligibility period of the member determined under subsection (b) during which the member served for any portion of the month in a combat zone associated with Operating Enduring Freedom or Operation Iraqi Freedom in excess of 22 months of qualifying service.

(b) ELIGIBILITY PERIOD.—The eligibility period for a member extends from January 1, 2005, through the end of the active duty service of the member in a combat zone associated with Operating Enduring Freedom or Operation Iraqi Freedom if the service on active duty during the member's most recent period of mobilization to active duty began before January 19, 2007.

(c) AMOUNT OF PAYMENT.—The monthly rate of incentive pay payable to a member under this section is $1,000.

(d) QUALIFYING SERVICE.—For purposes of this section, qualifying service includes cumulative mobilized service on active duty under sections 12301(d), 12302, and 12304 of title 10, United States Code, during the period beginning on January 1, 2003, through the end of the member's active duty service during the member's most recent period of mobilization to active duty beginning before January 19, 2007.

SA 2040. Mr. COLEMAN (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title IV, add the following:

SEC. 416. INCREASE IN AUTHORIZED VARIANCE IN END STRENGTHS FOR ACTIVE DUTY AND NATIONAL GUARD PERSONNEL PAYABLE FROM FUNDS FOR RESERVE PERSONNEL.

(a) INCREASE.—Section 115(f)(2) of title 10, United States Code, is amended by striking ''2 percent'' and inserting ''3 percent''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2007, and shall apply with respect to fiscal years beginning on or after that date.

SA 2041. Mrs. CLINTON (for herself and Ms. MIKULSKI) submitted an amendment intended to be proposed by her to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

SEC. 1205. REPORTS ON PLANNING AND IMPLEMENTATION OF UNITED STATES ENGAGEMENT AND POLICY TOWARD DARFUR.

(a) REQUIREMENT FOR REPORTS.—Not later than 120 days after the date of the enactment

of this Act and annually thereafter until December 31, 2011, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report on the policy of the United States to address the crisis in Darfur, in eastern Chad, and in north-eastern Central African Republic, and on the contributions of the Department of Defense to the North Atlantic Treaty Organization (NATO), the United Nations, and the African Union in support of the current African Union Mission in Sudan (AMIS) or any covered United Nations mission.

(b) ELEMENTS.—Each report under subsection (a) shall include the following:

(1) An assessment of the extent to which the Government of Sudan is in compliance with its responsibilities and commitments under international law and as a member of the United Nations, including under United Nations Security Council Resolutions 1706 (2006) and 1591 (2005), and a description of any violations of such responsibilities and commitments, including violations relating to the denial of or delay in facilitating access by AMIS and United Nations peacekeepers to conflict areas, failure to implement responsibilities to demobilize and disarm the Janjaweed militias, obstruction of the voluntary safe return of internally displaced persons and refugees, and degradation of security of and access to humanitarian supply routes.

(2) A comprehensive explanation of the policy of the United States to address the crisis in Darfur, including the activities of the Department of Defense in coordination with the Department of State.

(3) A comprehensive assessment of the impact of a no-fly zone for Darfur, including an assessment of the impact of such a no-fly zone on humanitarian efforts in Darfur and the region and a plan to minimize any negative impact on such humanitarian efforts during the implementation of such a no-fly zone.

(4) A description of contributions made by the Department of Defense in support of NATO assistance to AMIS and any covered United Nations mission.

(5) An assessment of the extent to which additional resources are necessary to meet the obligations of the United States to AMIS and any covered United Nations mission.

(c) FORM AND AVAILABILITY OF REPORTS.—

(1) FORM.—Each report submitted under this section shall be in an unclassified form, but may include a classified annex.

(2) AVAILABILITY.—The unclassified portion of any report submitted under this section shall be made available to the public.

(d) REPEAL OF SUPERSEDED REPORT REQUIREMENT.—Section 1227 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2426) is repealed.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) COVERED UNITED NATIONS MISSION.—The term ''covered United Nations mission'' means any United Nations-African Union hybrid peacekeeping operation in Darfur, and any United Nations peacekeeping operating in Darfur, eastern Chad, or northern Central African Republic, that is deployed on or after the date of the enactment of this Act.

SA 2042. Mr. DURBIN (for himself, Mr. HAGEL, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. NATIONAL INTELLIGENCE ESTIMATE ON GLOBAL CLIMATE CHANGE.

(a) REQUIREMENT FOR NATIONAL INTELLIGENCE ESTIMATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), not later than 270 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress a National Intelligence Estimate (NIE) on the anticipated geopolitical effects of global climate change and the implications of such effects on the national security of the United States.

(2) NOTICE REGARDING SUBMITTAL.—If the Director of National Intelligence determines that the National Intelligence Estimate required by paragraph (1) cannot be submitted by the date specified in that paragraph, the Director shall notify Congress and provide—

(A) the reasons that the National Intelligence Estimate cannot be submitted by such date; and

(B) an anticipated date for the submittal of the National Intelligence Estimate.

(3) CONTENT.—The Director of National Intelligence shall prepare the National Intelligence Estimate required by this subsection using the mid-range projections of the fourth assessment report of the Intergovernmental Panel on Climate Change—

(A) to assess the political, social, agricultural, and economic risks during the 30-year period beginning on the date of the enactment of this Act posed by global climate change for countries or regions that are—

(i) of strategic economic or military importance to the United States and at risk of significant impact due to global climate change; or

(ii) at significant risk of large-scale humanitarian suffering with cross-border implications as predicted on the basis of the assessments;

(B) to assess other risks posed by global climate change, including increased conflict over resources or between ethnic groups, within countries or transnationally, increased displacement or forced migrations of vulnerable populations due to inundation or other causes, increased food insecurity, and increased risks to human health from infectious disease;

(C) to assess the capabilities of the countries or regions described in clause (i) or (ii) of subparagraph (A) to respond to adverse impacts caused by global climate change; and

(4) to make recommendations for further assessments of security consequences of global climate change that would improve national security planning.

(5) COORDINATION.—In preparing the National Intelligence Estimate under this subsection, the Director of National Intelligence shall consult with representatives of the scientific community, including atmospheric and climate studies, security studies, conflict studies, economic assessments, and environmental security studies, the Secretary of Defense, the Secretary of State, the Administrator of the National Oceanographic and Atmospheric Administration, the Administrator of the National Aeronautics and Space Administration, the Administrator of the Environmental Protection Agency, the Secretary of Energy, and the Secretary of Agriculture, and, if appropriate, multilateral institutions and allies of the United States that have conducted significant research on global climate change.

(b) RESPONSE TO THE NATIONAL INTELLIGENCE ESTIMATE.—

(1) REPORT BY THE SECRETARY OF DEFENSE.—Not later than 270 days after the date that the National Intelligence Estimate required by subsection (a) is submitted to Congress, the Secretary of Defense shall submit to the Committee on Appropriations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate and the Committee on Appropriations, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives a report on—

(A) the projected impact on the military installations and capabilities of the United States of the effects of global climate change as assessed in the National Intelligence Estimate;

(B) the projected impact on United States military operations of the effects of global climate change described in the National Intelligence Estimate; and

(C) recommended research and analysis needed to further assess the impacts on the military of global climate change.

(2) SENSE OF CONGRESS ON THE NEXT QUADRENNIAL DEFENSE REVIEW.—It is the sense of Congress that the Secretary of Defense should address the findings of the National Intelligence Estimate required by subsection (a) regarding the impact of global climate change and potential implications of such impact on the Armed Forces and for the size, composition, and capabilities of Armed Forces in the next Quadrennial Defense Review.

(c) AUTHORIZATION OF RESEARCH.—

(1) IN GENERAL.—The Secretary of Defense is authorized to carry out research on the impacts of global climate change on military operations, doctrine, organization, training, material, logistics, personnel, and facilities and the actions needed to address those impacts. Such research may include—

(A) the use of war gaming and other analytical exercises;

(B) analysis of the implications for United States defense capabilities of large-scale Arctic sea-ice melt and broader changes in Arctic climate;

(C) analysis of the implications for United States defense capabilities of abrupt climate change;

(D) analysis of the implications of the findings derived from the National Intelligence Estimate required under subsection (a) for United States defense capabilities;

(E) analysis of the strategic implications for United States defense capabilities of direct physical threats to the United States posed by extreme weather events such as hurricanes; and

(F) analysis of the existing policies of the Department of Defense to assess the adequacy of the Department's protections against climate risks to United States capabilities and military interests in foreign countries.

(2) REPORT.—Not later than 2 years after the date that the National Intelligence Estimate required by subsection (a) is submitted to Congress, the Secretary of Defense shall submit to Congress a report on the results of the research, war games, and other activities carried out pursuant to paragraph (1).

(d) ASSISTANCE.—

(1) AGENCIES OF THE UNITED STATES.—In order to produce the National Intelligence Estimate required by subsection (a), the Director of National Intelligence may request

any appropriate assistance from any agency, department, or other entity of the United State Government and such agency, department, or other entity shall provide the assistance requested.

(2) OTHER ENTITIES.—In order to produce the National Intelligence Estimate required by subsection (a), the Director of National Intelligence may request any appropriate assistance from any other person or entity.

(3) REIMBURSEMENT.—The Director of National Intelligence is authorized to provide appropriate reimbursement to the head of an agency, department, or entity of the United States Government that provides support requested under paragraph (1) or any other person or entity that provides assistance requested under paragraph (2).

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director of National Intelligence such sums as may be necessary to carry out this subsection.

(e) FORM.—The National Intelligence Estimate required by subsection (a) shall be submitted in unclassified form, to the extent consistent with the protection of intelligence sources and methods, and include unclassified key judgments of the National Intelligence Estimate. The National Intelligence Estimate may include a classified annex.

(f) DUPLICATION.—If the Director of National Intelligence determines that a National Intelligence Estimate has been prepared that includes the content required by subsection (a) prior to the date of the enactment of this Act, the Director of National Intelligence shall not be required to produce the National Intelligence Estimate required by such subsection.

SA 2043. Mr. DURBIN (for himself, Mr. INHOFE, Mr. OBAMA, Mr. MENENDEZ, and Mr. BIDEN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title V, add the following:

SEC. 555. NURSE MATTERS.

(a) IN GENERAL.—The Secretary of Defense shall provide for the carrying out of each of the programs described in subsections (b) through (f), with each of the military departments to carry out at least one such program.

(b) SERVICE OF NURSE OFFICERS AS FACULTY IN EXCHANGE FOR COMMITMENT TO ADDITIONAL SERVICE IN THE ARMED FORCES.—

(1) IN GENERAL.—One of the programs required under this section shall be a program in which covered commissioned officers with a graduate degree in nursing or a related field who are in the nurse corps of the Armed Force concerned serve a tour of duty of two years as a full-time faculty member of an accredited school of nursing.

(2) COVERED OFFICERS.—A commissioned officer of the nurse corps of the Armed Forces described in this paragraph is a nurse officer on active duty who has served for more than nine years on active duty in the Armed Forces as an officer of the nurse corps at the time of the commencement of the tour of duty described in paragraph (1).

(3) BENEFITS AND PRIVILEGES.—An officer serving on the faculty of an accredited school or nursing under this subsection shall be accorded all the benefits, privileges, and responsibilities (other than compensation and compensation-related benefits) of any other comparably situated individual serving a full-time faculty member of such school.

(4) AGREEMENT FOR ADDITIONAL SERVICE.—Each officer who serves a tour of duty on the faculty of a school of nursing under this subsection shall enter into an agreement with the Secretary to serve upon the completion of such tour of duty for a period of four years for such tour of duty as a member of the nurse corps of the Armed Force concerned. Any service agreed to by an officer under this paragraph is in addition to any other service required of the officer under law.

(c) SERVICE OF NURSE OFFICERS AS FACULTY IN EXCHANGE FOR SCHOLARSHIPS FOR NURSE OFFICER CANDIDATES.—

(1) IN GENERAL.—One of the programs required under this section shall be a program in which commissioned officers with a graduate degree in nursing or a related field who are in the nurse corps of the Armed Force concerned serve while on active duty a tour of duty of two years as a full-time faculty member of an accredited school of nursing.

(2) BENEFITS AND PRIVILEGES.—An officer serving on the faculty of an accredited school of nursing under this subsection shall be accorded all the benefits, privileges, and responsibilities (other than compensation and compensation-related benefits) of any other comparably situated individual serving as a full-time faculty member of such school.

(3) SCHOLARSHIPS FOR NURSE OFFICER CANDIDATES.—(A) Each accredited school of nursing at which an officer serves on the faculty under this subsection shall provide scholarships to individuals undertaking an educational program at such school leading to a degree in nursing who agree, upon completion of such program, to accept a commission as an officer in the nurse corps of the Armed Forces.

(B) The amount of funds made available for scholarships by an accredited school of nursing under subparagraph (A) for each officer serving on the faculty of that school under this subsection shall be not less than the amount equal to an entry-level full-time faculty member of that school for each year that such officer so serves on the faculty of that school.

(C) The total number of scholarships provided by an accredited school of nursing under subparagraph (A) for each officer serving on the faculty of that school under this subsection shall be such number as the Secretary of Defense shall specify for purposes of this subsection.

(d) SCHOLARSHIPS FOR CERTAIN NURSE OFFICERS FOR EDUCATION AS NURSES.—

(1) IN GENERAL.—One of the programs required under this section shall be a program in which the Secretary provides scholarships to commissioned officers of the nurse corps of the Armed Force concerned described in paragraph (2) who enter into an agreement described in paragraph (4) for the participation of such officers in an educational program of an accredited school of nursing leading to a graduate degree in nursing.

(2) COVERED NURSE OFFICERS.—A commissioned officer of the nurse corps of the Armed Forces described in this paragraph is a nurse officer who has served not less than 20 years on active duty in the Armed Forces and is otherwise eligible for retirement from the Armed Forces.

(3) SCOPE OF SCHOLARSHIPS.—Amounts in a scholarship provided a nurse officer under this subsection may be utilized by the officer to pay the costs of tuition, fees, and other educational expenses of the officer in participating in an educational program described in paragraph (1).

(4) AGREEMENT.—An agreement of a nurse officer described in this paragraph is the agreement of the officer—

(A) to participate in an educational program described in paragraph (1); and

(B) upon graduation from such educational program—

(i) to serve not less than two years as a full-time faculty member of an accredited school of nursing; and

(ii) to undertake such activities as the Secretary considers appropriate to encourage current and prospective nurses to pursue service in the nurse corps of the Armed Forces.

(e) TRANSITION ASSISTANCE FOR RETIRING NURSE OFFICERS QUALIFIED AS FACULTY.—

(1) IN GENERAL.—One of the programs required under this section shall be a program in which the Secretary provides to commissioned officers of the nurse corps of the Armed Force concerned described in paragraph (2) the assistance described in paragraph (3) to assist such officers in obtaining and fulfilling positions as full-time faculty members of an accredited school of nursing after retirement from the Armed Forces.

(2) COVERED NURSE OFFICERS.—A commissioned officer of the nurse corps of the Armed Forces described in this paragraph is a nurse officer who—

(A) has served an aggregate of at least 20 years on active duty or in reserve active status in the Armed Forces;

(B) is eligible for retirement from the Armed Forces; and

(C) possesses a doctoral or master degree in nursing or a related field which qualifies the nurse officer to discharge the position of nurse instructor at an accredited school of nursing.

(3) ASSISTANCE.—The assistance described in this paragraph is assistance as follows:

(A) Career placement assistance.

(B) Continuing education.

(C) Stipends (in an amount specified by the Secretary).

(4) AGREEMENT.—A nurse officer provided assistance under this subsection shall enter into an agreement with the Secretary to serve as a full-time faculty member of an accredited school of nursing for such period as the Secretary shall provide in the agreement.

(f) BENEFITS FOR RETIRED NURSE OFFICERS ACCEPTING APPOINTMENT AS FACULTY.—

(1) IN GENERAL.—One of the programs required under this section shall be a program in which the Secretary provides to any individual described in paragraph (2) the benefits specified in paragraph (3).

(2) COVERED INDIVIDUALS.—An individual described in this paragraph is an individual who—

(A) is retired from the Armed Forces after service as a commissioned officer in the nurse corps of the Armed Forces;

(B) holds a graduate degree in nursing; and

(C) serves as a full-time faculty member of an accredited school of nursing.

(3) BENEFITS.—The benefits specified in this paragraph shall include the following:

(A) Payment of retired or retirement pay without reduction based on receipt of pay or other compensation from the institution of higher education concerned.

(B) Payment by the institution of higher education concerned of a salary and other compensation to which other similarly situated faculty members of the institution of higher education would be entitled.

(C) If the amount of pay and other compensation payable by the institution of higher education concerned for service as an associate full-time faculty member is less than the basic pay to which the individual was entitled immediately before retirement from the Armed Forces, payment of an amount

equal to the difference between such basic pay and such payment and other compensation.

(g) DEFINITIONS.—In this section, the terms ''school of nursing'' and ''accredited'' have the meaning given those terms in section 801 of the Public Health Service Act (42 U.S.C. 296).

SA 2044. Mr. WARNER (for himself and Mr. WEBB) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 131, add the following:

(c) SHIPBUILDER TEAMING REQUIREMENTS.—Paragraphs (2)(A), (3), and (4) of section 121(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1648) shall apply in the exercise of authority under subsection (a) to enter into multiyear contracts described in that subsection.

SA 2045. Mr. WARNER (for himself and Mr. WEBB) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1215 and insert the following:

SEC. 1215. SENSE OF CONGRESS ON MILITARY ASSISTANCE AND THE RETURN TO DEMOCRATIC RULE IN THAILAND.

(a) FINDINGS.—Congress makes the following findings:

(1) Thailand is an important strategic ally and economic partner of the United States.

(2) The United States strongly supports the prompt restoration of democratic rule in Thailand.

(3) While it is in the interest of the United States to have a robust defense relationship with Thailand, it is appropriate that the United States has curtailed certain military-to-military cooperation and assistance programs until democratic rule has been restored in Thailand.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Thailand should continue on the path to restore democratic rule as quickly as possible, and should hold free and fair national elections as soon as possible and no later than December 2007; and

(2) once Thailand has fully reestablished democratic rule, it will be both possible and desirable for the United States to reinstate a full program of military assistance to the Government of Thailand, including programs such as International Military Education and Training (IMET) and Foreign Military Financing (FMF) that were appropriately suspended following the military coup in Thailand in September 2006.

SA 2046. Mrs. CLINTON (for herself, Mr. COLEMAN, and Mr. SANDERS) submitted an amendment intended to be proposed by her to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end subtitle F of title VI, add the following new section:

SEC. 683. POSTAL BENEFITS PROGRAM FOR MEMBERS OF THE ARMED FORCES SERVING IN IRAQ OR AFGHANISTAN.

(a) AVAILABILITY OF POSTAL BENEFITS.—The Secretary of Defense, in consultation with the United States Postal Service, shall provide for a program under which postal benefits are provided to qualified individuals in accordance with this section.

(b) QUALIFIED INDIVIDUAL.—In this section, the term ''qualified individual'' means a member of the Armed Forces on active duty (as defined in section 101 of title 10, United States Code) who—

(1) is serving in Iraq or Afghanistan; or

(2) is hospitalized at a facility under the jurisdiction of the Department of Defense as a result of a disease or injury incurred as a result of service in Iraq or Afghanistan.

(c) POSTAL BENEFITS DESCRIBED.—

(1) VOUCHERS.—The postal benefits provided under the program shall consist of such coupons or other similar evidence of credit, whether in printed, electronic, or other format (in this section referred to as a ''voucher''), as the Secretary of Defense, in consultation with the Postal Service, shall determine, which entitle the bearer or user to make qualified mailings free of postage.

(2) QUALIFIED MAILING.—In this section, the term ''qualified mailing'' means the mailing of a single mail piece which—

(A) is first-class mail (including any sound- or video-recorded communication) not exceeding 13 ounces in weight and having the character of personal correspondence or parcel post not exceeding 10 pounds in weight;

(B) is sent from within an area served by a United States post office; and

(C) is addressed to a qualified individual.

(3) COORDINATION RULE.—Postal benefits under the program are in addition to, and not in lieu of, any reduced rates of postage or other similar benefits which might otherwise be available by or under law, including any rates of postage resulting from the application of section 3401(b) of title 39, United States Code.

(d) NUMBER OF VOUCHERS.—A member of the Armed Forces shall be eligible for one voucher for every second month in which the member is a qualified individual.

(e) LIMITATIONS ON USE; DURATION.—A voucher may not be used—

(1) for more than a single qualified mailing; or

(2) after the earlier of—

(A) the expiration date of the voucher, as designated by the Secretary of Defense; or

(B) the end of the one-year period beginning on the date on which the regulations prescribed under subsection (f) take effect.

(f) REGULATIONS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense (in consultation with the Postal Service) shall prescribe such regulations as may be necessary to carry out the program, including—

(1) procedures by which vouchers will be provided or made available in timely manner to qualified individuals; and

(2) procedures to ensure that the number of vouchers provided or made available with respect to any qualified individual complies with subsection (d).

(g) TRANSFERS TO POSTAL SERVICE.—

(1) BASED ON ESTIMATES.—The Secretary of Defense shall transfer to the Postal Service, out of amounts available to carry out the program and in advance of each calendar quarter during which postal benefits may be used under the program, an amount equal to the amount of postal benefits that the Secretary estimates will be used during such quarter, reduced or increased (as the case may be) by any amounts by which the Secretary finds that a determination under this section for a prior quarter was greater than or less than the amount finally determined for such quarter.

(2) BASED ON FINAL DETERMINATION.—A final determination of the amount necessary to correct any previous determination under this section, and any transfer of amounts between the Postal Service and the Department of Defense based on that final determination, shall be made not later than six months after the end of the one-year period referred to in subsection (e)(2)(B).

(3) CONSULTATION REQUIRED.—All estimates and determinations under this subsection of the amount of postal benefits under the program used in any period shall be made by the Secretary of Defense in consultation with the Postal Service.

(h) FUNDING.—

(1) ADDITIONAL AMOUNT FOR MILITARY PERSONNEL.—The aggregate amount authorized to be appropriated by section 421 for military personnel is hereby increased by $10,000,000.

(2) AVAILABILITY.—Of the amount authorized to be appropriated by section 421 for military personnel, as increased by paragraph (1), $10,000,000 may be available for postal benefits as provided in this section.

(3) OFFSET.—The aggregate amount authorized to be appropriated by titles I, II, III, IV (other than the amounts authorized to be appropriated and made available by this subsection), XV, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, and XXVIII is hereby reduced by $10,000,000, with the amount of the reduction to be allocated among such titles in a manner determined appropriate by the Secretary of Defense.

SA 2047. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle D of title VI, add the following:

SEC. 656. ADDITIONAL INDIVIDUALS ELIGIBLE FOR TRANSPORTATION FOR SURVIVORS OF DECEASED MEMBERS TO ATTEND THE MEMBER'S BURIAL CEREMONIES.

Section 411f(c) of title 37, United States Code, is amended—

(1) in paragraph (1) by adding at the end the following new subparagraphs:

''(D) Any child of the parent or parents of the deceased member who is under the age of 18 years if such child is attending the burial ceremony of the memorial service with the parent or parents and would otherwise be left unaccompanied by the parent or parents.

''(E) The person who directs the disposition of the remains of the deceased member under section 1482(c) of title 10, or, in the case of a deceased member whose remains are commingled and buried in a common grave in a national cemetery, the person who have been designated under such section to direct the

disposition of the remains if individual identification had been made.''; and

(2) in paragraph (2), by striking ''may be provided to—'' and all that follows through the end and inserting ''may be provided to up to two additional persons closely related to the deceased member who are selected by the person referred to in paragraph (1)(E).''.

SA 2048. Mr. HAGEL submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XV, add the following:

SEC. 1535. MODIFICATIONS TO UNITED STATES POLICY IN IRAQ.

(a) FINDINGS.—Congress makes the following findings:

(1) The President and Congress must now focus on developing a viable new strategy in Iraq that the American people can support and that protects and advances United States interests in the Middle East.

(2) Political accommodation in Iraq can only be achieved within a constructive regional framework supported by the international community. The role of the regional and international community must be enhanced.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the primary objective of United States policy on Iraq should be to help achieve Iraqi political accommodation that will begin to move Iraq toward political reconciliation;

(2) the United States Government must refocus its policy, leadership, and resources on directly helping the people of Iraq establish an inclusive political framework to begin to defuse the violence in that country; and

(3) United States policy on Iraq should be one element of a new strategic direction for the United States in the Middle East region that includes—

(A) engaging countries in the Middle East to develop a sustainable and constructive comprehensive regional security framework;

(B) making a renewed commitment to addressing the Arab-Israeli conflict.

(c) APPOINTMENT OF INTERNATIONAL MEDIATOR IN IRAQ.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to seek the appointment of an international mediator in Iraq, under the auspices of the United Nations Security Council, who has the authority of the international community to engage political, religious, ethnic, and tribal leaders in Iraq in an inclusive political process.

(d) PHASED REDEPLOYMENT OF UNITED STATES FORCES FROM IRAQ.—

(1) TRANSITION OF MISSION.—The Secretary of Defense shall promptly transition the mission of United States forces in Iraq to the limited purposes set forth in paragraph (2).

(2) COMMENCEMENT OF PHASED REDEPLOYMENT.—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 Act, 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:

(A) Protecting diplomatic facilities and citizens of the United States, including members of the Armed Forces.

(B) Serving in roles consistent with customary diplomatic positions.

(C) Training and equipping members of the Iraqi Security Forces.

(D) Engaging in targeted actions against members of al-Qaeda and allied parties and other terrorist organizations with global reach.

(3) WAIVER AUTHORITY.—

(A) IN GENERAL.—The President may waive the redeployment requirements of this subsection if he submits to Congress a written certification setting forth a detailed justification for the waiver. The certification shall be submitted in unclassified form, but may include a classified annex.

(B) DURATION.—A waiver under subparagraph (A) shall be effective for 90 days beginning on the date of the submittal of the certification under such subparagraph.

(C) RENEWAL.—A waiver under subparagraph (A) may be renewed if, before the end of the expiration of the waiver under subparagraph (B), the President submits to Congress a certification meeting the requirements of subparagraph (A). Any waiver so renewed may be further renewed as provided in this subparagraph.

(e) REPORTING REQUIREMENT.—The President shall include in each report required under section 1227(c) of the National Defense Authorization Act for Fiscal Year 2006 (50 U.S.C. 1541 note) the following:

(1) A comprehensive update on the diplomatic and political measures undertaken by the President pursuant to this section.

(2) A description of the progress made in transitioning the mission of the United States forces in Iraq and implementing the phased redeployment of United States forces from Iraq as required under subsection (d).

SA 2049. Mr. CHAMBLISS (for himself and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 155, beginning on line 18, strike ''the date of the enactment of this subsection'' and insert ''September 11, 2001''.

SA 2050. Mr. CHAMBLISS (for himself and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

SEC. 703. REPORT ON PATIENT SATISFACTION SURVEYS.

(a) REPORT REQUIRED.—Not later than March 1, 2008, the Secretary of Defense shall submit to the congressional defense committees a report on the ongoing patient satisfaction surveys taking place in Department of Defense inpatient and outpatient settings at military treatment facilities.

(b) CONTENT.—The report required under subsection (a) shall include the following:

(1) The types of survey questions asked.

(2) How frequently the surveying is conducted.

(3) How often the results are analyzed and reported back to the treatment facilities.

(4) To whom survey feedback is made available.

(5) How best practices are incorporated for quality improvement.

(6) An analysis of the impact and effect of inpatient and outpatient surveys quality improvement and a comparison of patient satisfaction survey programs with patient satisfaction survey programs used by other public and private health care systems and organizations.

(c) USE OF REPORT INFORMATION.—The Secretary shall use information in the report as the basis for a plan for improvements in patient satisfaction surveys at health care at military treatment facilities in order to ensure the provision of high quality healthcare and hospital services in such facilities.

SA 2051. Mr. COLEMAN (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 536. SATISFACTION OF PROFESSIONAL LICENSURE AND CERTIFICATION REQUIREMENTS BY MEMBERS OF THE NATIONAL GUARD AND RESERVE ON ACTIVE DUTY.

(a) ADDITIONAL PERIOD BEFORE RE-TRAINING OF NURSE AIDES REQUIRED UNDER MEDICARE AND MEDICAID PROGRAMS.—

(1) MEDICARE.—Section 1819(b)(5)(D) of the Social Security Act (42 U.S.C. 1395i–3(b)(5)(D)) is amended—

(A) by striking ''For purposes of'' and inserting the following:

''(i) IN GENERAL.—Subject to clause (ii), for purposes of''; and

(B) by inserting after clause (i), as added by subparagraph (A), the following new clause:

''(ii) EXCEPTION FOR ACTIVE DUTY MILITARY SERVICE.—For purposes of clause (i), if, since an individual's most recent completion of a training and competency evaluation program, the individual was ordered to active duty in the Armed Forces or was engaged in employment outside the United States essential to the prosecution of a war or to national defense, the 24-consecutive-month period described in clause (i) shall begin on the date on which the individual completes the active duty service or employment. The preceding sentence shall not apply to an individual who had already reached such 24-consecutive-month period on the date on which such individual was ordered to such active duty service or was engaged in such employment.''.

(2) MEDICAID.—Section 1919(b)(5)(D) of the Social Security Act (42 U.S.C. 1396r(b)(5)(D)) is amended—

(A) by striking ''For purposes of'' and inserting the following:

''(i) IN GENERAL.—Subject to clause (ii), for purposes of''; and

(B) by inserting after clause (i), as added by subparagraph (A), the following new clause:

''(ii) EXCEPTION FOR ACTIVE DUTY MILITARY SERVICE.—For purposes of clause (i), if, since an individual's most recent completion of a training and competency evaluation program, the individual was ordered to active

duty in the Armed Forces or was engaged in employment outside the United States essential to the prosecution of a war or to national defense, the 24-consecutive-month period described in clause (i) shall begin on the date on which the individual completes the active duty service or employment. The preceding sentence shall not apply to an individual who had already reached such 24-consecutive-month period on the date on which such individual was ordered to such active duty service or was engaged in such employment.''.

(b) REPORT ON RELIEF FROM REQUIREMENTS FOR NATIONAL GUARD AND RESERVE ON LONG-TERM ACTIVE DUTY.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth recommendations for such legislative action as the Secretary considers appropriate (including amendments to the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.)) to provide for the exemption or tolling of professional or other licensure or certification requirements for the conduct or practice of a profession, trade, or occupation with respect to members of the National Guard and Reserve who are on active duty in the Armed Forces for an extended period of time.

SA 2052. Mrs. FEINSTEIN (for herself and Mr. SPECTER) submitted an amendment intended to be proposed by her to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 824.

SA 2053. Mr. CONRAD (for himself, Mr. DORGAN, Ms. LANDRIEU, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle D of title I, add the following:

SEC. 143. MODIFICATION OF LIMITATIONS ON RETIREMENT OF B–52 BOMBER AIRCRAFT.

(a) MAINTENANCE OF PRIMARY AND BACKUP INVENTORY OF AIRCRAFT.—Subsection (a)(1) of section 131 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2111) is amended—

(1) in subparagraph (A), by striking ''and'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph (C):

''(C) shall maintain in a common configuration a primary aircraft inventory of not less than 63 such aircraft and a backup aircraft inventory of not less than 11 such aircraft.''.

(b) NOTICE OF RETIREMENT.—Subsection (b)(1) of such section is amended by striking ''until'' and all that follows and inserting the following: ''until the later of the following:

''(A) The date that is 45 days after the date on which the Secretary of the Air Force submits the report specified in paragraph (2).

''(B) The date of the completion by the Secretary of written notification of such retirement to the congressional defense committees in accordance with established procedures.''.

SA 2054. Mr. LIEBERMAN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle D of title X, add the following:

SEC. 703. REVIEW OF MENTAL HEALTH SERVICES AND TREATMENT FOR FEMALE MEMBERS OF THE ARMED FORCES AND FOR FEMALE VETERANS.

(a) COMPREHENSIVE REVIEW.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly conduct a comprehensive review of—

(1) the need for mental health treatment and services for female members of the Armed Forces and for female veterans;

(2) the efficacy and adequacy of existing mental health treatment programs and services for female members of the Armed Forces; and

(3) the efficacy and adequacy of existing mental health treatment programs and services for female veterans.

(b) ELEMENTS.—The review required by subsection (a) shall include an assessment of the following:

(1) The need for mental health outreach, prevention, and treatment services specifically for female members of the Armed Forces.

(2) The need for mental health outreach, prevention, and treatment services specifically for female veterans.

(3) The access to and efficacy of existing mental health outreach, prevention, and treatment services and programs (including substance abuse programs) for female veterans who served in a combat zone.

(4) The access to and efficacy of services and treatment for female members of the Armed Forces who experience post-traumatic stress disorder (PTSD).

(5) The access to and efficacy of services and treatment for female veterans who experience post-traumatic stress disorder.

(6) The availability of services and treatment for female members of the Armed Forces who experienced sexual assault or abuse.

(7) The availability of services and treatment for female veterans who experienced sexual assault or abuse.

(8) The access to and need for treatment facilities focusing on the mental health care needs of female members of the Armed Forces.

(9) The access to and need for treatment facilities focusing on the mental health care needs of female veterans.

(10) The need for further clinical research on the unique needs of female veterans who served in a combat zone.

SA 2055. Mr. LIEBERMAN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle C of title X, add the following:

SEC. 1031. PROVISION OF CONTACT INFORMATION OF SEPARATING MEMBERS OF THE ARMED FORCES BY SECRETARY OF DEFENSE TO STATE VETERANS AGENCIES.

Upon the separation of a member of the Armed Forces from the Armed Forces, the Secretary of Defense shall, upon the consent of the member, provide the address and other appropriate contact information of the member to the State veterans agency in the State in which the veteran will first reside after separation.

SA 2056. Mr. HARKIN (for himself, Ms. COLLINS, Mr. KERRY, Ms. KLOBUCHAR, and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

SEC. 583. FAMILY SUPPORT FOR FAMILIES OF MEMBERS OF THE ARMED FORCES UNDERGOING DEPLOYMENT, INCLUDING NATIONAL GUARD AND RESERVE PERSONNEL.

(a) FAMILY SUPPORT.—

(1) IN GENERAL.—The Secretary of Defense shall enhance and improve current programs of the Department of Defense to provide family support for families of deployed members of the Armed Forces, including deployed members of the National Guard and Reserve, in order to improve the assistance available for families of such members before, during, and after their deployment cycle.

(2) SPECIFIC ENHANCEMENTS.—In enhancing and improving programs under paragraph (1), the Secretary shall enhance and improve the availability of assistance to families of members of the Armed Forces, including members of the National Guard and Reserve, including assistance in—

(A) preparing and updating family care plans;

(B) securing information on health care and mental health care benefits and services and on other community resources;

(C) providing referrals for—

(i) crisis services; and

(ii) marriage counseling and family counseling; and

(D) financial counseling.

(b) POST-DEPLOYMENT ASSISTANCE FOR SPOUSES AND PARENTS OF RETURNING MEMBERS.—

(1) IN GENERAL.—The Secretary of Defense shall provide spouses and parents of members of the Armed Forces, including members of the National Guard and Reserve, who are returning from deployment assistance in—

(A) understanding issues that arise in the readjustment of such members—

(i) for members of the National Guard and Reserve, to civilian life; and

(ii) for members of the regular components of the Armed Forces, to military life in a non-combat environment;

(B) identifying signs and symptoms of mental health conditions; and

(C) encouraging such members and their families in seeking assistance for such conditions.

(2) INFORMATION ON AVAILABLE RESOURCES.—In providing assistance under paragraph (1), the Secretary shall provide information on local resources for mental health services, family counseling services, or other appropriate services, including services available from both military providers of such services and community-based providers of such services.

(3) TIMING.—The Secretary shall provide resources under paragraph (1) to a member of the Armed Forces approximately six months after the date of the return of such member from deployment.

SEC. 584. SUPPORT SERVICES FOR CHILDREN, INFANTS, AND TODDLERS OF MEMBERS OF THE ARMED FORCES UNDERGOING DEPLOYMENT, INCLUDING NATIONAL GUARD AND RESERVE PERSONNEL.

(a) ENHANCEMENT OF SUPPORT SERVICES FOR CHILDREN.—The Secretary of Defense shall—

(1) provide information to parents and other caretakers of children, including infants and toddlers, who are deployed members of the Armed Forces to assist such parents and caretakers in responding to the adverse implications of such deployment (and the death or injury of such members during such deployment) for such children, including the role such parents and caretakers can play in addressing and mitigating such implications;

(2) develop programs and activities to increase awareness throughout the military and civilian communities of the potential adverse implications of such deployment (including the death or injury of such members during such deployment) for such children and their families and to increase collaboration within such communities to address and mitigate such implications;

(3) develop training for early childhood education, child care, mental health, health care, and family support professionals to enhance the awareness of such professionals of their role in assisting families in addressing and mitigating the potential adverse implications of such deployment (including the death or injury of such members during such deployment) for such children; and

(4) conduct or sponsor research on best practices for building psychological and emotional resiliency in such children in coping with the deployment of such members.

(b) REPORTS.—

(1) REPORTS REQUIRED.—At the end of the 18-month period beginning on the date of the enactment of this Act, and at the end of the 36-month period beginning on that date, the Secretary of Defense shall submit to Congress a report on the services provided under subsection (a).

(2) ELEMENTS.—Each report under paragraph (1) shall include the following:

(A) An assessment of the extent to which outreach to parents and other caretakers of children, or infants and toddlers, as applicable, of members of the Armed Forces was effective in reaching such parents and caretakers and in mitigating any adverse effects of the deployment of such members on such children or infants and toddlers.

(B) An assessment of the effectiveness of training materials for education, mental health, health, and family support professionals in increasing awareness of their role in assisting families in addressing and mitigating the adverse effects on children, or infants and toddlers, of the deployment of deployed members of the Armed Forces, including National Guard and Reserve personnel.

(C) A description of best practices identified for building psychological and emotional resiliency in children, or infants and toddlers, in coping with the deployment of deployed members of the Armed Forces, including National Guard and Reserve personnel.

(D) A plan for dissemination throughout the military departments of the most effective practices for outreach, training, and building psychological and emotional resiliency in the children of deployed members.

SA 2057. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle E of title X, add the following:

SEC. 1070. TERMINATION OR SUSPENSION OF CONTRACTS FOR CELLULAR TELEPHONE SERVICE FOR SERVICEMEMBERS UNDERGOING DEPLOYMENT OUTSIDE THE UNITED STATES.

(a) IN GENERAL.—Title III of the Servicemembers Civil Relief Act (50 U.S.C. App. 531 et seq.) is amended by inserting after section 305 the following new section:

"SEC. 305A. TERMINATION OR SUSPENSION OF CONTRACTS FOR CELLULAR TELEPHONE SERVICE.

''(a) IN GENERAL.—A servicemember who receives orders to deploy outside of the continental United States for not less than 90 days may request the termination or suspension of any contract for cellular telephone service entered into by the servicemember before that date if the servicemember's ability to satisfy the contract or to utilize the service will be materially affected by that period of deployment. The request shall include a copy of the servicemember's military orders.

''(b) RELIEF.—Upon receiving the request of a servicemember under subsection (a), the cellular telephone service contractor concerned shall, at the election of the contractor—

''(1) grant the requested relief without imposition of an early termination fee for termination of the contract or a reactivation fee for suspension of the contract; or

''(2) permit the servicemember to suspend the contract at no charge until the end of the deployment without requiring, whether as a condition of suspension or otherwise, that the contract be extended.''.

(b) CLERICAL AMENDMENT.—The table of contents for that Act is amended by inserting after the item relating to section 305 the following new item:

''Sec. 305A. Termination or suspension of contracts for cellular telephone service.''.

SA 2058. Mr. HAGEL submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of title XV, add the following:

SEC. 1535. MODIFICATIONS TO UNITED STATES POLICY IN IRAQ.

(a) FINDINGS.—Congress makes the following findings:

(1) The President and Congress must now focus on developing a viable new strategy in Iraq that the American people can support and that protects and advances United States interests in the Middle East.

(2) Political accommodation in Iraq can only be achieved within a constructive regional framework supported by the international community. The role of the regional and international community must be enhanced.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the primary objective of United States policy on Iraq should be to help achieve Iraqi political accommodation that will begin to move Iraq toward political reconciliation;

(2) the United States Government must refocus its policy, leadership, and resources on directly helping the people of Iraq establish an inclusive political framework to begin to defuse the violence in that country; and

(3) United States policy on Iraq should be one element of a new strategic direction for the United States in the Middle East region that includes—

(A) engaging countries in the Middle East to develop a sustainable and constructive comprehensive regional security framework; and

(B) making a renewed commitment to addressing the Arab-Israeli conflict.

(c) APPOINTMENT OF INTERNATIONAL MEDIATOR IN IRAQ.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to seek the appointment of an international mediator in Iraq, under the auspices of the United Nations Security Council, who has the authority of the international community to engage political, religious, ethnic, and tribal leaders in Iraq in an inclusive political process.

(d) PHASED REDEPLOYMENT OF UNITED STATES FORCES FROM IRAQ.—

(1) TRANSITION OF MISSION.—The Secretary of Defense shall promptly transition the mission of United States forces in Iraq to the limited purposes set forth in paragraph (2).

(2) COMMENCEMENT OF PHASED REDEPLOYMENT.—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 Act, 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:

(A) Protecting diplomatic facilities and citizens of the United States, including members of the Armed Forces.

(B) Serving in roles consistent with customary diplomatic positions.

(C) Training and equipping members of the Iraqi Security Forces.

(D) Engaging in targeted actions against members of al-Qaeda and allied parties and other terrorist organizations with global reach.

(E) Protecting the territorial integrity of Iraq.

(3) WAIVER AUTHORITY.—

(A) IN GENERAL.—The President may waive the redeployment requirements of this subsection if he submits to Congress a written certification setting forth a detailed justification for the waiver. The certification shall be submitted in unclassified form, but may include a classified annex.

(B) DURATION.—A waiver under subparagraph (A) shall be effective for 90 days beginning on the date of the submittal of the certification under such subparagraph.

(C) RENEWAL.—A waiver under subparagraph (A) may be renewed if, before the end of the expiration of the waiver under subparagraph (B), the President submits to Congress a certification meeting the requirements of subparagraph (A). Any waiver so renewed may be further renewed as provided in this subparagraph.

(e) REPORTING REQUIREMENT.—The President shall include in each report required under section 1227(c) of the National Defense Authorization Act for Fiscal Year 2006 (50 U.S.C. 1541 note) the following:

(1) A comprehensive update on the diplomatic and political measures undertaken by the President pursuant to this section.

(2) A description of the progress made in transitioning the mission of the United States forces in Iraq and implementing the phased redeployment of United States forces from Iraq as required under subsection (d).

SA 2059. Mr. CORNYN submitted an amendment intended to be proposed by her to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 594. PROHIBITION ON AVAILABILITY OF FEDERAL FUNDS TO LOCAL EDUCATIONAL AGENCIES THAT PREVENT ACCESS TO JROTC ON CAMPUSES OF SECONDARY SCHOOLS.

(a) PROHIBITION.—

(1) IN GENERAL.—Chapter 49 of title 10, United States Code, is amended by inserting after section 983 the following new section:

"§ 983a. Local educational agencies that prevent JROTC access on secondary school campuses

''(a) DENIAL OF FUNDS FOR PREVENTING JROTC ACCESS TO CAMPUS.—No funds described in subsection (c) may be provided by contract, grant, or cooperative agreement to a local educational agency (or any subelement of that agency) if the Secretary of Defense determines that that agency (or any subelement of that agency) has a policy or practice (regardless of whether implemented) that either prohibits, or in effect prevents—

''(1) the Secretary of a military department from maintaining, establishing or operating a unit of the Junior Reserve Officers' Training Corps (in accordance with chapter 102 of this title and other applicable Federal law) at any secondary school served by that agency; or

''(2) a student at any secondary school served by that agency from enrolling in a unit of the Junior Reserve Officers' Training Corps at another secondary school.

''(b) EXCEPTION.—The limitation in subsection (a) shall not apply to any local educational agency (or any subelement of that agency) if the Secretary of Defense determines that the agency (and each secondary school served by that agency) has ceased the policy or practice described in that subsection (a).

''(c) COVERED FUNDS.—The limitation in subsection (a) shall apply to the following:

''(1) Any funds made available to the Department of Defense.

''(2) Any funds made available for any department or agency for which regular appropriations are made in a Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act.

''(3) Any funds made available to the Department of Homeland Security.

''(4) Any funds made available for the National Nuclear Security Administration of the Department of Energy.

''(5) Any funds made available for the Department of Transportation.

''(d) NOTICE OF DETERMINATIONS.—Whenever the Secretary of Defense makes a determination under subsection (a) or (b), the Secretary—

''(1) shall transmit a notice of the determination to the Secretary of Education, to the head of each other department or agency the funds of which are subject to the determination, and to Congress; and

''(2) shall publish in the Federal Register a notice of the determination and the effect of the determination on the eligibility of the local educational agency (and any subelement of that agency) for contracts and grants.

''(e) SEMIANNUAL NOTICE IN FEDERAL REGISTER.—The Secretary of Defense shall publish in the Federal Register once every six months a list of each local educational agency that is currently ineligible for contracts and grants by reason of a determination of the Secretary under subsection (a).

''(f) DEFINITIONS.—In this section:

''(1) The term 'local educational agency' has the meaning given that term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

''(2) The term 'secondary school' has the meaning that term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 49 of such title is amended by inserting after the item relating to section 983 the following new item:

''983a. Local educational agencies that prevent JROTC access on secondary school campuses.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2007, and shall apply with respect to funds available for fiscal years beginning on or after that date.

SA 2060. Mr. SANDERS (for himself, Mr. BYRD, and Mr. FEINGOLD) submitted an amendment intended to be proposed by her to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

SEC. 703. PROGRAM OF RESEARCH ON DIAGNOSIS AND TREATMENT OF ILLNESSES INCURRED IN THE PERSIAN GULF WAR.

(a) PROGRAM REQUIRED.—

(1) IN GENERAL.—The Army Medical Research and Materiel Command shall carry out, as part of its Medical Research Program, a program of research on the diagnosis and treatment of illnesses incurred by members of the Armed Forces during service in the Southwest Asia theater of operations in the early 1990s during the Persian Gulf War.

(2) DESIGNATION.—The program required by this section shall be known as the ''Gulf War Veterans' Illnesses Research Program''.

(3) PURPOSE.—The purpose of the program shall be to develop diagnostic markers and treatments for the complex of symptoms commonly known as ''Gulf War Illnesses (GWI)'', including widespread pain, cognitive impairment, and persistent fatigue in conjunction with diverse other symptoms and abnormalities, that are associated with service in the Southwest Asia theater of operations in the early 1990s during the Persian Gulf War.

(b) PROGRAM ACTIVITIES.—Activities under the program required by this section shall include the following:

(1) Research activities on the chronic effects of exposures to neurotoxins associated with service in the Southwest Asia theater of operations in the early 1990s during the Persian Gulf War, body functions underlying illnesses associated with exposure to such neurotoxins, and the identification of treatments for such illnesses.

(2) Pilot studies of treatments for the complex of symptoms described in subsection (a)(3) and comprehensive clinical trials of such treatments that have demonstrated effectiveness in previous past pilot studies, in the conduct of which treatments and trials—

(A) highest priority shall be afforded to studies and trials to identify and develop effective biological markers and treatments for such complex of symptoms;

(B) secondary priority shall be afforded to studies and trials that identify biological mechanisms underlying such complex of symptoms and can lead to the identification and development of such markers; and treatments; and

(C) no study shall be conducted on a psychiatric or psychological basis for such complex of symptoms (as is consistent with current research findings).

(c) SOLICITATION AND EVALUATION OF PROGRAM ACTIVITIES.—

(1) SOLICITATION.—In providing for the conduct of activities under the program required by this section, the Army Medical Research and Materiel Command shall distribute broad solicitations and announcements of requests for proposals for such activities among governmental and non-governmental entities.

(2) PEER REVIEW.—In selecting activities to be conducted under the program, the Army Medical Research and Materiel Command shall utilize a peer review process for the identification of activities having the most substantial scientific merit.

(3) UTILIZATION OF EXPERT SERVICES.—In preparing solicitations and announcements under paragraph (1), and in conducting peer review under paragraph (2), the Army Medical Research and Materiel Command shall, to the extent practicable, utilize the services of individuals with recognized expertise in the complex of symptoms described in subsection (a)(3).

(d) CONSULTATION.—The Army Medical Research and Materiel Command shall carry out the program required by this section in close consultation with the advisory committee established under section 707(b) of the Persian Gulf War Veterans' Health Status Act (title VII of Public Law 102–585; 38 U.S.C. 527 note).

(e) FUNDING.—

(1) ADDITIONAL AMOUNT FOR DEFENSE HEALTH PROGRAM.—The amount authorized to be appropriated by section 1403 for Defense Health Program is hereby increased by $30,000,000.

(2) AVAILABILITY.—Of the amount authorized to be appropriated by section 1403 for Defense Health Program, as increased by paragraph (1), $30,000,000 may be available for the program required by this section.

SA 2061. Mr. MCCONNELL (for himself, Mr. SALAZAR, Mr. ALLARD, and Mr. BUNNING) submitted an amendment intended to be proposed by him to the

bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 470, after the table following line 22, add the following:

SEC. 2406. MUNITIONS DEMILITARIZATION FACILITIES, BLUE GRASS ARMY DEPOT, KENTUCKY, AND PUEBLO CHEMICAL ACTIVITY, COLORADO.

(a) INCREASE IN AMOUNT FOR CONSTRUCTION OF MUNITIONS DEMILITARIZATION FACILITY, BLUE GRASS ARMY DEPOT, KENTUCKY.—The amount authorized to be appropriated by section 2403(14) for the construction of increment 8 of a munitions demilitarization facility at Blue Grass Army Depot, Kentucky, is hereby increased by $17,300,000.

(b) INCREASE IN AMOUNT FOR CONSTRUCTION OF MUNITIONS DEMILITARIZATION FACILITY, PUEBLO CHEMICAL ACTIVITY, COLORADO.—The amount authorized to be appropriated by section 2403(13) for the construction of increment 9 of a munitions demilitarization facility at Pueblo Chemical Activity, Colorado, is hereby increased by $32,000,000.

(c) OFFSET.—The total amount authorized to be appropriated by this Act (excluding the amounts authorized to be appropriated by paragraphs (13) and (14) of section 2403, as amended by subsections (b) and (a), respectively) is hereby reduced by $49,300,000, with the amount of the reduction to be allocated to amounts available for purposes other than chemical demilitarization.

(d) DEADLINE FOR DESTRUCTION OF CHEMICAL AGENTS AND MUNITIONS STOCKPILE.—

(1) DEADLINE.—Notwithstanding any other provision of law, the Department of Defense shall complete work on the destruction of the entire United States stockpile of lethal chemical agents and munitions, including those stored at Blue Grass Army Depot, Kentucky, and Pueblo Chemical Depot, Colorado, by the deadline established by the Chemical Weapons Convention, and in no circumstances later than December 31, 2017.

(2) REPORT.—

(A) IN GENERAL.—Not later than December 31, 2007, and every 180 days thereafter, the Secretary of Defense shall submit to the parties described in paragraph (2) a report on the progress of the Department of Defense toward compliance with this subsection.

(B) PARTIES RECEIVING REPORT.—The parties referred to in paragraph (1) are the Speaker of the House of the Representatives, the Majority and Minority Leaders of the House of Representatives, the Majority and Minority Leaders of the Senate, and the congressional defense committees.

(C) CONTENT.—Each report submitted under subparagraph (A) shall include the updated and projected annual funding levels necessary to achieve full compliance with this subsection. The projected funding levels for each report shall include a detailed accounting of the complete life-cycle costs for each of the chemical disposal projects.

(3) CHEMICAL WEAPONS CONVENTION DEFINED.—In this subsection, the term ''Chemical Weapons Convention'' means the Convention on the Prohibition of Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, with annexes, done at Paris, January 13, 1993, and entered into force April 29, 1997 (T. Doc. 103-21).

(4) APPLICABILITY; RULE OF CONSTRUCTION.—This subsection shall apply to fiscal year 2008 and each fiscal year thereafter, and shall not be modified or repealed by implication.

SA 2062. Mr. WEBB (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1070. MODIFICATION OF AUTHORITIES ON COMMISSION TO ASSESS THE THREAT TO THE UNITED STATES FROM ELECTROMAGNETIC PULSE ATTACK.

(a) EXTENSION OF DATE OF SUBMITTAL OF FINAL REPORT.—Section 1403(a) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 50 U.S.C. 2301 note) is amended by striking ''June 30, 2007'' and inserting ''November 30, 2008''.

(b) COORDINATION OF WORK WITH DEPARTMENT OF HOMELAND SECURITY.—Section 1404 of such Act is amended by adding at the end the following new subsection:

''(c) COORDINATION WITH DEPARTMENT OF HOMELAND SECURITY.—The Commission and the Secretary of Homeland Security shall jointly ensure that the work of the Commission with respect to electromagnetic pulse attack on electricity infrastructure, and protection against such attack, is coordinated with Department of Homeland Security efforts on such matters.''.

(c) FUNDING FOR FISCAL YEAR 2008.—Of the amounts authorized to be appropriated for the Department of Defense by this division, $5,600,000 may be available for the Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack during fiscal year 2008.

SA 2063. Mr. SALAZAR (for himself, Mr. ALEXANDER, Mr. PRYOR, Mr. BENNETT, Mr. CASEY, Mr. GREGG, Mrs. LINCOLN, Mr. SUNUNU, Mr. DOMENICI, Ms. COLLINS, Mr. NELSON of Florida, Ms. LANDRIEU, and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XV, add the following:

Subtitle D—Implementation of Iraq Study Group Recommendations

SEC. 1541. SHORT TITLE.

This subtitle may be cited as the ''Iraq Study Group Recommendations Implementation Act of 2007''.

SEC. 1542. FINDINGS.

Congress makes the following findings:

(1) On March 15, 2006, the Iraq Study Group was created at the request of a bipartisan group of members of Congress.

(2) The United States Institute of Peace was designated as the facilitating organization for the Iraq Study Group with the support of the Center for the Study of the Presidency, the Center for Strategic and International Studies, and the James A. Baker III Institute for Public Policy at Rice University.

(3) The Iraq Study Group was composed of a bipartisan group of senior individuals who have had distinguished careers in public service. The Group was co-chaired by former Secretary of State James A. Baker, III and former chairman of the House Foreign Affairs Committee Lee H. Hamilton, and the other members were former Secretary of State Lawrence S. Eagleburger; Vernon E. Jordan, Jr, the Senior Managing Director of Lazard, Freres and Company; former Attorney General Edwin Meese III; former Supreme Court Associate Justice Sandra Day O'Connor; former White House Chief of Staff Leon E. Panetta; former Secretary of Defense William J. Perry; United States Senator Charles S. Robb; and United States Senator Alan K. Simpson.

(4) On June 15, 2006, President George W. Bush signed into law the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234), which provided $1,000,000 to the United States Institute of Peace for activities in support of the Iraq Study Group.

(5) The Iraq Study Group consulted nearly 200 leading officials and experts, including the senior members of the Government of Iraq, the United States Government, and key coalition partners and received advice from more than 50 distinguished scholars and experts from a variety of fields who conducted working groups in the areas of economy and reconstruction, military and security, political development, and the strategic environment in Iraq and the Middle East.

(6) While the Iraq Study Group recommended shifting the primary mission of United States military forces in Iraq from combat to training, and while the Iraq Study Group described actions and conditions that could allow for a redeployment of troops not necessary for force protection out of Iraq by the first quarter of 2008, the Iraq Study Group did not set a fixed timetable for withdrawal and said it could support a short-term redeployment of United States combat forces, complemented by comprehensive political, economic, and diplomatic efforts, to stabilize Baghdad or to speed up the mission of training and equipping Iraqis if the United States commander in Iraq determines that such steps would be effective.

(7) The report of the Iraq Study Group includes a letter from the co-chairs of the Iraq Study Group, James A. Baker, III and Lee H. Hamilton, which states, ''Our political leaders must build a bipartisan approach to bring a responsible conclusion to what is now a lengthy and costly war. Our country deserves a debate that prizes substance over rhetoric, and a policy that is adequately funded and sustainable. The President and Congress must work together. Our leaders must be candid and forthright with the American people in order to win their support.''

(8) The Republicans and Democrats who comprised the Iraq Study Group reached compromise and consensus and unanimously concluded that their recommendations offer a new way forward for the United States in Iraq and the region, and are comprehensive and need to be implemented in a coordinated fashion.

SEC. 1543. SENSE OF CONGRESS ON IMPLEMENTATION OF IRAQ STUDY GROUP RECOMMENDATIONS.

It is the sense of Congress that the President and Congress should agree that the way forward in Iraq is to implement the comprehensive set of recommendations of the Iraq Study Group, particularly those specifically described in this Act, and the President should formulate a comprehensive plan to do so.

SEC. 1544. SENSE OF CONGRESS ON DIPLOMATIC EFFORTS IN IRAQ.

It is the sense of Congress that, consistent with the recommendations of the Iraq Study Group, the United States Government should—

(1) establish a ''New Diplomatic Offensive'' to deal with the problems of Iraq and of the region;

(2) support the unity and territorial integrity of Iraq;

(3) encourage other countries in the region to stop the destabilizing interventions and actions of Iraq's neighbors;

(4) secure the borders of Iraq, including through the use of joint patrols with neighboring countries;

(5) prevent the expansion of the instability and conflict beyond the borders of Iraq;

(6) promote economic assistance, commerce, trade, political support, and, if possible, military assistance for the Government of Iraq from non-neighboring Muslim nations;

(7) energize the governments of other countries to support national political reconciliation in Iraq;

(8) encourage the governments of other countries to validate the legitimate sovereignty of Iraq by resuming diplomatic relations, where appropriate, and reestablishing embassies in Baghdad;

(9) assist the Government of Iraq in establishing active working embassies in key capitals in the region;

(10) help the Government of Iraq reach a mutually acceptable agreement on the future of Kirkuk;

(11) assist the Government of Iraq in achieving certain security, political, and economic milestones, including better performance on issues such as national reconciliation, equitable distribution of oil revenues, and the dismantling of militias;

(12) encourage the holding of a meeting or conference in Baghdad, supported by the United States and the Government of Iraq, of the Organization of the Islamic Conference or the Arab League, both to assist the Government of Iraq in promoting national reconciliation in Iraq and to reestablish their diplomatic presence in Iraq;

(13) seek the creation of the Iraq International Support Group to assist Iraq in ways the Government of Iraq would desire, attempting to strengthen Iraq's sovereignty;

(14) engage directly with the Governments of Iran and Syria in order to obtain their commitment to constructive policies toward Iraq and other regional issues;

(15) provide additional political, economic, and military support for Afghanistan including resources that might become available as United States combat forces are redeployed from Iraq;

(16) remain in contact with the Iraqi leadership, conveying the clear message that there must be action by the Government of Iraq to make substantial progress toward the achievement of the milestones described in section 1551, and conveying in as much detail as possible the substance of these exchanges in order to keep the American people, the Iraqi people, and the people of countries in the region well informed of progress in these areas;

(17) make clear the willingness of the United States Government to continue training, assistance, and support for Iraq's security forces, and to continue political, military, and economic support for the Government of Iraq until Iraq becomes more capable of governing, defending, and sustaining itself;

(18) make clear that, should the Government of Iraq not make substantial progress toward the achievement of the milestones described in section 1551, the United States shall reduce its political, military, or economic support for the Government of Iraq;

(19) make clear that the United States Government does not seek to establish permanent military bases in Iraq;

(20) restate that the United States Government does not seek to control the oil resources of Iraq;

(21) make active efforts to engage all parties in Iraq, with the exception of al Qaeda;

(22) encourage dialogue between sectarian communities and press religious leaders inside and outside of Iraq to speak out on behalf of peace and reconciliation;

(23) support the presence of neutral international experts as advisors to the Government of Iraq on the processes of disarmament, demobilization, and reintegration of militias and other armed groups not under the control of the Government of Iraq; and

(24) ensure that reconstruction efforts in Iraq consist of great involvement by and with international partners that actively participate in the design and construction of projects.

SEC. 1545. STATEMENT OF POLICY ON SECURITY AND MILITARY FORCES.

It shall be the policy of the United States to formulate and implement with the Government of Iraq a plan, consistent with the recommendations of the Iraq Study Group, that—

(1) gives the highest priority to the training, equipping, advising, and support for security and military forces in Iraq and to supporting counterterrorism operations in Iraq; and

(2) supports the providing of more and better equipment for the Iraqi Army by encouraging the Government of Iraq to accelerate its requests under the Foreign Military Sales program and, as United States combat brigades redeploy from Iraq, provides for the transfer of certain United States military equipment to Iraqi forces.

SEC. 1546. STATEMENT OF POLICY ON STRENGTHENING THE UNITED STATES MILITARY.

It shall be the policy of the United States to formulate and implement a plan, consistent with the recommendations of the Iraq Study Group, that—

(1) directs the Secretary of Defense to build healthy relations between the civilian and military sectors, by creating an environment where senior military leaders feel free to offer independent advice to the civilian leadership of the United States Government;

(2) emphasizes training and education programs for the forces that have returned to the United States in order to restore the United States Armed Forces to a high level of readiness for global contingencies;

(3) provides sufficient funds to restore military equipment to full functionality over the next 5 years; and

(4) assesses the full future budgetary impact of the war in Iraq and its potential impact on—

(A) the future readiness of United States military forces;

(B) the ability of the United States Armed Forces to recruit and retain high-quality personnel;

(C) needed investments in military procurement and in research and development; and

(D) the budgets of other Federal agencies involved in the stability and reconstruction effort in Iraq.

SEC. 1547. STATEMENT OF POLICY ON POLICE AND CRIMINAL JUSTICE IN IRAQ.

It shall be the policy of the United States to formulate and implement with the Government of Iraq a plan, consistent with the recommendations of the Iraq Study Group, that—

(1) transfers the Iraqi National Police to the Ministry of Defense, where the police commando units will become part of the new Iraqi Army;

(2) transfers the Iraqi Border Police to the Ministry of Defense, which would have total responsibility for border control and external security;

(3) establishes greater responsibility for the Iraqi Police Service to conduct criminal investigations and expands its cooperation with other elements in the judicial system in Iraq in order to better control crime and protect Iraqi civilians;

(4) establishes a process of organizational transformation, including efforts to expand the capability and reach of the current major crime unit, to exert more authority over local police forces, and to give sole authority to the Ministry of the Interior to pay police salaries and disburse financial support to local police;

(5) proceeds with efforts to identify, register, and control the Facilities Protection Service;

(6) directs the Department of Defense to continue its mission to train Iraqi National Police and the Iraqi Border Police, which shall be placed within the Iraqi Ministry of Defense;

(7) directs the Department of Justice to proceed with the mission of training the police forces remaining under the Ministry of the Interior;

(8) provides for funds from the Government of Iraq to expand and upgrade communications equipment and motor vehicles for the Iraqi Police Service;

(9) directs the Attorney General to lead the work of organizational transformation in the Ministry of the Interior and creates a strategic plan and standard administrative procedures, codes of conduct, and operational measures for Iraqis; and

(10) directs the Attorney General to establish courts, train judges, prosecutors, and investigators, and create strongly supported and funded institutions and practices in Iraq to fight corruption.

SEC. 1548. STATEMENT OF POLICY ON OIL SECTOR IN IRAQ.

It shall be the policy of the United States to formulate and implement with the Government of Iraq a plan, consistent with the recommendations of the Iraq Study Group, that—

(1) provides technical assistance in drafting legislation to implement the February 27, 2007, agreement by Iraq's Council of Ministers on principles for the equitable sharing of oil resources and revenues;

(2) encourages the Government of Iraq to accelerate contracting for the comprehensive oil well work-overs in the southern fields needed to increase oil production, while ensuring that the United States no longer funds such infrastructure projects;

(3) supports the Iraqi military and private security forces in their efforts to protect oil infrastructure and contractors;

(4) implements metering at both ends of the oil supply line to immediately improve accountability in the oil sector;

(5) in conjunction with the International Monetary Fund, encourages the Government of Iraq to reduce subsidies in the energy sector;

(6) encourages investment in Iraq's oil sector by the international community and by international energy companies;

(7) assists Iraqi leaders to reorganize the national oil industry as a commercial enterprise, in order to enhance efficiency, transparency, and accountability;

(8) encourages the Government of Iraq to post all oil contracts, volumes, and prices on

the Internet so that Iraqis and outside observers can track exports and export revenues;

(9) supports the efforts of the World Bank to ensure that best practices are used in contracting; and

(10) provides technical assistance to the Ministry of Oil for enhancing maintenance, improving the payments process, managing cash flows, improving contracting and auditing, and updating professional training programs for management and technical personnel.

SEC. 1549. STATEMENT OF POLICY ON IMPROVING ASSISTANCE PROGRAMS IN IRAQ.

It shall be the policy of the United States to formulate and implement a plan, consistent with the recommendations of the Iraq Study Group, that—

(1) provides for the United States to take the lead in funding assistance requests from the United Nations High Commissioner for Refugees and other humanitarian agencies;

(2) creates a new Senior Advisor for Economic Reconstruction in Iraq reporting to the President, with the authority to bring interagency unity of effort to the policy, budget, and implementation of economic reconstruction programs in Iraq and the authority to serve as the principal point of contact with United States partners in the overall reconstruction effort;

(3) gives the chief of mission in Iraq the authority to spend significant funds through a program structured along the lines of the Commander's Emergency Response Program, with the authority to rescind funding from programs and projects—

(A) in which the Government of Iraq is not demonstrating effective partnership; or

(B) that do not demonstrate substantial progress toward achievement of the milestones described in section 1551;

(4) authorizes and implements a more flexible security assistance program for Iraq, breaking down the barriers to effective interagency cooperation; and

(5) grants authority to merge United States assistance with assistance from international donors and Iraqi participants for the purpose of carrying out joint assistance projects.

SEC. 1550. STATEMENT OF POLICY ON BUDGET PREPARATION, PRESENTATION, AND REVIEW.

It shall be the policy of the United States to formulate and implement a plan, consistent with the recommendations of the Iraq Study Group, that—

(1) directs the President to include the costs for the war in Iraq in the annual budget request;

(2) directs the Secretary of State, the Secretary of Defense, and the Director of National Intelligence to provide United States military and civilian personnel in Iraq the highest possible priority in obtaining professional language proficiency and cultural training;

(3) directs the United States Government to provide for long-term training for Federal agencies that participate in complex stability operations like those in Iraq and Afghanistan;

(4) creates training for United States Government personnel to carry out civilian tasks associated with complex stability operations; and

(5) directs the Director of National Intelligence and the Secretary of Defense to devote greater analytic resources to understanding the threats and sources of violence in Iraq and institute immediate changes in the collection of data and violence and the sources of violence to provide a more accurate picture of events on the ground in Iraq.

SEC. 1551. CONDITIONS FOR CONTINUED UNITED STATES SUPPORT IN IRAQ.

(a) IN GENERAL.—It shall be the policy of the United States to condition continued United States political, military and economic support for Iraq upon the demonstration by the Government of Iraq of sufficient political will and the making of substantial progress toward achieving the milestones described in subsection (b), and to base the decision to transfer command and control over Iraqi security forces units from the United States to Iraq in part upon such factors.

(b) MILESTONES.—The milestones referred to in subsection (a) are the following:

(1) Promptly establishing a fair process for considering amendments to the constitution of Iraq that promote lasting national reconciliation in Iraq.

(2) Enacting legislation or establishing other mechanisms to revise the de-Baathification laws in Iraq to encourage the employment in the Government of Iraq of qualified professionals, irrespective of ethnic or political affiliation, including ex-Baathists who were not leading figures of the Saddam Hussein regime.

(3) Enacting legislation or establishing other binding mechanisms to ensure the sharing of all Iraqi oil revenues among all segments of Iraqi society in an equitable manner.

(4) Holding free and fair provincial elections in Iraq at the earliest date practicable.

(5) Enacting legislation or establishing other mechanisms to ensure the rights of women and the rights of all minority communities in Iraq are protected.

SEC. 1552. SENSE OF CONGRESS ON REDEPLOYMENT OF UNITED STATES FORCES FROM IRAQ.

It is the sense of Congress that—

(1) with the implementation of the policies specified in sections 1545 through 1551 and the engagement in the increased diplomatic efforts specified in section 1544, and as additional Iraqi brigades are being deployed, and subject to unexpected developments in the security situation on the ground, all United States combat brigades not necessary for force protection could be redeployed from Iraq by the first quarter of 2008, except for those that are essential for—

(A) protecting United States and coalition personnel and infrastructure;

(B) training, equipping, and advising Iraqi forces;

(C) conducting targeted counterterrorism operations;

(D) search and rescue; and

(E) rapid reaction and special operations; and

(2) the redeployment should 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.

SEC. 1553. REPORT ON POLICY IMPLEMENTATION.

Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to Congress a report on the actions that have been taken to implement the policies specified in sections 1544 through 1551.

SA 2064. Mr. GRAHAM (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1023.

AUTHORITY FOR COMMITTEES TO MEET

AD HOC SUBCOMMITTEE ON DISASTER RECOVERY

Mr. AKAKA. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Disaster Recovery of the Committee on Homeland Security and Governmental Affairs be authorized to meet on Tuesday, July 10, 2007, at 10 a.m. in order to conduct a hearing titled ''FEMA's Project Worksheets: addressing a prominent obstacle to the gulf coast rebuilding.''

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. AKAKA. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing on community services and supports for people with disabilities during the session of the Senate on Tuesday, July 10, 2007, at 10 a.m. in room 106 of the Dirksen Senate office building.

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. AKAKA. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet on Tuesday, July 10, 2007, at 2:30 p.m. in order to conduct a hearing entitled, ''From Warehouse to Warfighter: an update on supply chain management at DoD.''

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

SUBCOMMITTEE ON TRANSPORTATION SAFETY, INFRASTRUCTURE SECURITY, AND WATER QUALITY

Mr. AKAKA. Mr. President, I ask unanimous consent that the Subcommittee on Transportation Safety, Infrastructure Security, and Water Quality be authorized to meet during the session of the Senate on Tuesday, July 10, 2007, at 10 a.m. in room 406 of the Dirksen Senate Office Building in order to conduct a hearing entitled, ''Lessons Learned from Chemical Safety Board (CSB) Investigations including Texas City, TX.''

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

PRIVILEGES OF THE FLOOR

Mr. GRAHAM. Mr. President, I ask unanimous consent that Senator MCCAIN's legislative fellow, Navy LTC Fitzhugh Lee, be granted floor privileges during the first session of the 110th Congress.

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

Mr. AKAKA. Mr. President, I ask unanimous consent that my Defense fellow, Mr. Rob Elliott, be given full floor privileges for the remainder of the debate on the fiscal year 2008 Defense authorization bill.

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

Mr. LEAHY. Mr. President, I ask unanimous consent that Jill Antonishak, a fellow in Senator HARKIN's office, be granted floor privileges for the duration of consideration of H.R. 1585, the National Defense Authorization Act for 2008.

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

Mr. SESSIONS. Mr. President, I ask unanimous consent that Nicholas Greenway and Eugene Lipkin, interns in Senator WARNER's office, be granted floor privileges for the period July 10 through August 3, 2007.

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

Mr. REED. Madam President, I ask unanimous consent that Mark Paolicelli, a fellow on my staff, be granted the privilege of the floor for the duration of consideration of the fiscal year 2008 Defense authorization bill.

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

MAKING MINORITY PARTY APPOINTMENTS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 266, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 266) making minority party appointments for the 110th Congress.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent the resolution be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 266) was agreed to, as follows:

S. RES. 266

Resolved, That the following be the minority membership on the following committees for the remainder of the 110th Congress, or until their successors are appointed:

The Committee on Energy and Natural Resources: Mr. Domenici, Mr. Craig, Ms. Murkowski, Mr. Burr, Mr. DeMint, Mr. Corker, Mr. Barrasso, Mr. Sessions, Mr. Smith, Mr. Bunning, and Mr. Martinez;

The Committee on Environment and Public Works: Mr. Inhofe, Mr. Warner, Mr. Voinovich, Mr. Isakson, Mr. Vitter, Mr. Barrasso, Mr. Craig, Mr. Alexander and Mr. Bond;

The Committee on Finance: Mr. Grassley, Mr. Hatch, Mr. Lott, Ms. Snowe, Mr. Kyl, Mr. Smith, Mr. Bunning, Mr. Crapo, Mr. Roberts and Mr. Ensign;

The Committee on Indian Affairs: Ms. Murkowski, Mr. McCain, Mr. Coburn, Mr. Barrasso, Mr. Domenici, Mr. Smith and Mr. Burr.

HONORING TOM LEA

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 267, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 267) honoring the life of renowned painter and writer Tom Lea on the 100th anniversary of his birth and commending the City of El Paso for recognizing July 2007 as ''Tom Lea Month.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 267) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 267

Whereas Tom Lea was born on July 11, 1907 in El Paso, Texas;

Whereas Tom Lea attended El Paso public schools before continuing his education at the Art Institute of Chicago and working as an apprentice to muralist John Warner Norton;

Whereas Tom Lea painted Texas Centennial murals at the Dallas State Fairgrounds Hall of State in 1936;

Whereas Tom Lea won many commissions for murals from the Section of Fine Arts of the Department of the Treasury, including commissions for ''The Nesters'' at the Benjamin Franklin Post Office in Washington, D.C.; ''Pass of the North'' at the Federal Courthouse in El Paso, Texas; ''Stampede'' at the Post Office in Odessa, Texas; ''Comancheros'' at the Post Office in Seymour, Texas; and ''Back Home, April 1865'' at the Post Office in Pleasant Hill, Missouri;

Whereas Tom Lea was an accredited World War II artist correspondent for Life magazine who traveled over 100,000 miles with United States military forces and reported from places such as the North Atlantic, China, and on board the Hornet in the South Pacific;

Whereas Tom Lea landed with the First Marines at Peleliu;

Whereas many of the war paintings of Tom Lea are displayed at the United States Army Center for Military History in Washington, D.C. and others have been loaned to exhibitions worldwide;

Whereas Texas A&M University Press plans to publish the war diaries of Tom Lea in 2008;

Whereas Tom Lea wrote and illustrated 4 novels and 2 nonfiction works, including The Brave Bulls (1948) and The Wonderful Country (1952), both of which were adapted as screenplays for motion pictures, and a 2-volume annotated history of the King Ranch;

Whereas Tom Lea excelled at painting portraits for public buildings in Washington, D.C. and at capturing the likenesses of individuals as diverse as Sam Rayburn, Benito Juarez, Claire Chennault, Madame Chiang Kai-shek, and the bullfighter Manolete;

Whereas Tom Lea was honored with numerous awards, including the Navy Distinguished Public Service Award, the United States Marine Corps' Colonel John W. Thomason, Jr. Award, and the National Cowboy and Western Heritage Museum's Great Westerners Award;

Whereas the paintings of Tom Lea hang in the Oval Office of the White House, the Smithsonian American Art Museum, the United States Army Center for Military History, the Dallas Museum of Art, the El Paso Museum of Art, the University of Texas at El Paso, Texas A&M University, and the University of Texas at Austin;

Whereas Tom Lea enjoyed living on the east side of Mount Franklin in El Paso because it was the ''side to see the day that is coming, not the side to see the day that is gone''; and

Whereas Tom Lea lived on the east side of Mount Franklin with his wife, Sarah, until he died on January 29, 2001: Now, therefore, be it

Resolved, That the Senate—

(1) honors the life and accomplishments of Tom Lea on the 100th anniversary of his birth; and

(2) commends the City of El Paso, Texas for recognizing July 2007 as ''Tom Lea Month''.

ORDERS FOR WEDNESDAY, JULY 11, 2007

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m., Wednesday, July 11; that on Wednesday, 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; that there then be a period of morning business until 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes, and the time equally divided and controlled between the two leaders or their designees, with the first half under the control of the majority and the final half under the control of the Republicans; that at 10:30, the Senate resume consideration of H.R. 1585, with the time until 11:30 a.m. for debate only with respect to the motion to invoke cloture on Webb amendment No. 2012, with the time equally divided and controlled between the chair and ranking member of the Armed Services Committee, or their designees; with the 20 minutes immediately prior to 11:30 a.m. equally divided between the two leaders, with the majority leader controlling the final 10 minutes; that at 11:30 a.m, without further intervening action or debate, the Senate proceed to vote on the motion to invoke cloture on the Webb amendment; further, that Members have until 10:30 a.m. to file any germane second-degree amendments to the Webb amendment.

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

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. DURBIN. Mr. President, if there is no further business to come before the Senate today, I now ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 7:26 p.m., adjourned until Wednesday, July 11, 2007, at 9:30 a.m.