

DEFENSE AUTHORIZATION

Mr. KYL. Mr. President, first, I want to compliment the distinguished minority leader for not just recalling the sacrifices of the family and members of the U.S. military today, but for his efforts to do that for a long time now on the Senate floor. He focuses on Kentuckians who have a long history of service to their country, and rightly so. I know he would add to that the service of those members of our military and their families from all over this country and add them to our prayers and thoughts as well. We spend time in Washington debating policies that affect them, and they are living it every day, every minute of every day. I appreciate the words he brought to the Senate floor not just on this occasion but on previous occasions as well.

Mr. President, I will talk about the action taken earlier by the majority and minority leaders. We have now, by unanimous consent, approved two key provisions of the Defense authorization bill by unanimous consent in a period of 3 or 4 minutes. Yet it took the last 2 weeks to debate the Defense authorization bill, only to have it pulled from the floor so that we could not vote on it. It was used by the majority leader as a surrogate for the debate on Iraq policy. We have had something like seven or eight different resolutions—perhaps more, I have forgotten the count this year—on policy relating to Iraq. There is no more important national security issue facing our country than the war against terrorists, and certainly the central battle field in that war is the Iraq war.

Republicans do not shy away from the debate about what to do. It is an extraordinarily important debate. On the other hand, I would have two arguments with the way this has been done. First, the time of the debate right now is misplaced because after the Senate unanimously confirmed General Petraeus, after the President had changed his course and consulted with General Petraeus and others about a new strategy, and that strategy was developed, we sent General Petraeus to Iraq to begin executing that strategy. We put together five brigades to represent a surge in troop strength to accomplish the mission, the last of which went into the theater about a month ago.

When we did that, we made a commitment to the soldiers, marines, airmen, and all the Navy personnel to back them in what we sent them to do, not to immediately begin questioning whether they could succeed in their mission. We heard a lot of calls from the other side of the aisle that were very defeatist in nature, saying it was already lost and there was no way they could win. That is, obviously, not a good sendoff for the young men and women you are putting in harm's way to accomplish a mission that is important to the American people.

So the timing of the debate was off. General Petraeus and Ambassador

Crocker will report back here in September. It is an interim report on this new strategy. But we have an idea that it will tell us a lot about the future course of action we should pursue. I think most Americans believe, even though all of us would like to have the troops come home and have our engagement there ended as much as it can, the reality is that Americans don't want to lose, don't want to be defeated. They certainly don't want to see the consequences of that defeat, with al-Qaida having a base of operations in Iraq, perhaps millions of Iraqis slaughtered in the ensuing chaos, and U.S. policy in the war against terror undercut dramatically in that very important region of the world. So the timing was off.

Secondly, using the Defense authorization bill as the surrogate for that debate was wrong. This is a little bit of an inside-the-beltway discussion, but the American people need to know why this is wrong. Each year, for 45 years, the Senate has passed a Defense authorization bill setting the policy for our national security for the following year and establishing the authorization for troop strength, military weapons acquisitions, policy related to missile defense, and you name it. The President has signed the Defense authorization bill. That then enables the Congress to appropriate the money to pay for the things that we believe are necessary for the military.

But this year, instead of having the debate and amending that bill and passing it, it was simply used as a vehicle to debate Iraq. Then when the last Iraq resolution was defeated, the bill was not passed. It was pulled from the floor. That left extraordinarily important policy hanging—policy on which our military troops rely.

This is not the first time the Democratic majority has had second thoughts about action it has taken on the Senate floor. I am glad it is having second thoughts about this bill. But by the action that has been taken, we are still not going to be adopting good policy in the right way. There are consequences to this piecemeal approach.

Let me illustrate my point. What we have just done this morning is to do two very important parts of that bill: to adopt a 3.5-percent, across-the-board pay raise for uniform military service personnel, and to adopt the language from the Dignified Treatment of Wounded Warriors Act, both of which were critical components.

Senator JOHN MCCAIN, my colleague from Arizona, spoke eloquently regarding both matters on this floor on numerous occasions. I know were he here now, he would be pleased at the action the Senate has taken.

Let me cite a few of the things that have been left on the cutting room floor as a result of not passing the Defense authorization bill, but rather simply taking a couple of provisions that are obviously popular with our constituents and leaving the remainder

behind. Here are a few of the things we are not adopting as a result of this piecemeal approach: Senator JOE BIDEN noted that the MRAP, or Mine Resistant Ambush Protected vehicles, "are the best available vehicle for force protection" for our troops. He is right. There was \$4.1 billion in the act to authorize payment for this equipment. Not adopted.

It authorizes the new hiring and bonus authorities to assist the Defense Department in recruiting and retaining needed, quality health and mental care professionals in the military. Not adopted.

It authorized \$50 million in supplemental educational aid to local school districts affected by the assignment and location of military families. That is something all military families know about. Not adopted.

It authorized payment of combat-related special compensation to servicemembers who are medically retired due to combat-related disability. Not adopted.

It included provisions to examine and strengthen security forces at defense sites storing weapons-grade nuclear materials. That is a very important provision relating to nuclear deterrent. Not adopted.

It would have satisfied the Army Chief of Staff's unfunded requirements list by authorizing an additional \$2.7 billion for items such as reactive armor, aviation survivability equipment, combat training centers, and machine guns—a variety of things the Pentagon said were necessary to support the missions of our men and women in the military. Not adopted.

My point here is that when you use the Defense authorization bill for the purpose simply of having a debate on Iraq, there are a lot of bad consequences to not passing that bill. You cannot cure them by simply picking a couple of the more politically popular items, such as we have done today, and getting those adopted by unanimous consent. I am delighted that we have done it, but that is not the end of the story if we are really going to support the mission of our troops.

Mr. President, let me conclude on this thought. To some extent, this debate we had in the last 2 weeks just on the Iraq war is a manifestation of what has gone on in the Congress for the last 200 days. It is hard to believe that 200 days is gone. What does this Congress have to show for its actions and being in session for these 200 days? I cannot say nothing because the reality is, we have approved and named 20 post offices. That is a post office every 10 days. It is not exactly heavy lifting, but it is something. As a matter of fact, it is the main thing this Senate can point to in terms of accomplishment. The only other thing of substance was the minimum wage increase, which, unfortunately, did not include the benefits to small businesses that have to pay the minimum wage in terms of tax relief, which Republicans

tried to have included. Of course, we had to pass the supplemental appropriations bill to fund the war effort. That is it.

I apologized yesterday for calling this a “do-nothing Congress.” After all, we have named 20 post offices. Let’s call it the “post office Congress.” Perhaps in the remaining time this year we will pick up the action. Perhaps we will find ways to accomplish things that the American people really want us to do.

One of the big problems we can see is because we have not done the appropriations bills to fund everything from the military to the Departments of Justice and Commerce, all of the other departments of Government that serve the American people are going to be facing a trillion-dollar-plus Omnibus appropriations bill this winter. That is the worst of legislating. It is kind of the opposite of what we are doing with the Defense authorization bill where we don’t pass the bill, but we pick two or three items that are politically popular and do them by unanimous consent.

In this case, you don’t do anything to fund the Government until the last few days, and then you ball it up into one giant bill, thinking nobody can vote against it because, after all, it is either all or nothing.

That is very bad legislating and something I think we are going to resist because it represents not just an increase in spending but will undoubtedly represent bad policy as well.

Mr. President, my hope is that this “post office Congress” can get on to some other business. I am delighted we have been able to select two items from the Defense authorization bill to adopt by unanimous consent today. But that will not correct the deficiencies. I hope my colleagues, in the remaining time before the August work period, and in the months of September and October, will roll up their sleeves and work on the problems the American people sent us here to resolve.

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

Mr. CORNYN. Mr. President, how much time remains on this side in morning business?

The ACTING PRESIDENT pro tempore. There remains 17½ minutes.

RECENT SENATE ACTIONS

Mr. CORNYN. I thank the Chair.

Mr. President, last week was not a great week in the U.S. Senate. We had an overnight session that was designed to highlight the efforts by the majority to pass a timetable for withdrawal in Iraq, regardless of the consequences of that timeline and that withdrawal.

We then had another episode where I think both sides of the aisle were sort of forced to look in the abyss and to pull back because, as I am sure the Chair and other colleagues will recall, there was an amendment clearly of-

fered to embarrass the President and this side of the aisle based upon the commutation of the sentence of Scooter Libby. There was an amendment offered highlighting the dozens of pardons issued by President Clinton. As you will recall, Mr. President, people paused at where we had gotten to in this debate—the acrimony and incriminations—and decided to figuratively lay our guns on the table and walk away.

That vote on the Scooter Libby commutation was actually vitiated, something I have never seen happen before, but I guess anything can happen by unanimous consent in the Senate, and it did. And there was no vote on the amendment to deal with the Clinton pardons.

I mention those because I think, unfortunately, the Senate has gotten to a bad place, not only in the eyes of the American people, where 16 percent, according to the most recent poll I have seen, believe the Senate is doing a good job, but we have gotten to a bad place in terms of the hyperpartisan atmosphere and the point-scoring that seems to take precedence over all other matters. That is not the kind of Senate I ran to serve in, and I know that a number of colleagues feel exactly the same way.

On Tuesday mornings, thanks to Senator LAMAR ALEXANDER of Tennessee and Senator JOE LIEBERMAN of Connecticut, we have instituted a new breakfast meeting each week. It is a bipartisan meeting. This was the subject of some conversation—the amendments, the hyperpartisan atmosphere, and really the episodes I just mentioned that occurred last week.

Again this morning, on Wednesday morning, one of the highlights of my week, I attended the Senate Prayer Breakfast. It is also bipartisan, obviously. This was brought up again, although I am not going to go into any detail since both of those meetings occur without any policy statements and, obviously, press is not invited; it is a private meeting where Senators can come together on a bipartisan basis, both at the Wednesday breakfast and the Tuesday breakfast, and talk about issues we care about, trying to do things for the American people, in the case of a prayer breakfast to share stories and get to know each other a little bit better.

I will say that there is some recognition that the Senate has too many team meetings—and by that I mean with Republicans meeting with other Republicans trying to figure out how we can win or score points against Democrats and Democrats meeting with Democrats thinking about ways they can score points against Republicans—and not enough meetings where we get together on a bipartisan basis to try to figure out what we can do to get business done for the benefit of the American people.

Senator KYL mentioned the woeful record of accomplishments so far this

year. I note that beyond the unanimous consent requests that were proffered this morning that passed the Wounded Warrior legislation and the pay raise for our men and women in uniform, the minimum wage increase is the only substantive legislation that has passed so far this year, notwithstanding that being part of the “6 for ’06” part of the campaign our friends on the other side of the aisle made part of their agenda.

I note, as Senator KYL has pointed out, that since taking power more than 200 days ago, the new majority has renamed 20 post offices. But my point is that it has opened more than 300 investigations and held more than 600 oversight hearings. Unfortunately, this has resulted in an effort to try to score political points by looking backward, conducting investigations about matters that have happened in the past or, I fear, too often partisan purposes and at the loss of our ability to look forward and figure out how do we work together to solve problems.

I guess one of the most recent manifestations of this hyperpartisan atmosphere and the kind of point-scoring we see going on, to the detriment of passing good bipartisan legislation, the Senator from Wisconsin, Mr. FEINGOLD, announced recently his intention to submit two resolutions to censure the President, one for his handling of the war in Iraq and the other for antiterrorism policies the administration has established. Of course, if he does follow through with his stated intention to submit these censure resolutions, that would prompt debate on what I believe would be meaningless political gestures and would further delay substantive legislation we should be considering.

Senator KYL mentioned the most direct example of the kind of game-playing we have seen recently with the Defense authorization bill. Of course, that served as the platform for the debate on the withdrawal resolutions and the sense-of-the-Senate resolution offered by Senator LEVIN and Senator REED, but when that did not pass, of course, that legislation was pulled from the Senate’s agenda. Of course, as Senator KYL pointed out, there are a lot of important parts of that bill which will not be enacted because it was pulled down.

I am glad to see that the Wounded Warrior legislation, which I have worked on as part of the Senate Armed Services Committee, has now passed, as well as the 3-percent across-the-board pay raise. But other important parts of that legislation have not been passed, including a \$4.1 billion authorization to procure Mine Resistant Ambush Protected vehicles. These, of course, are a new design of vehicles that are designed to defeat improvised explosive devices, which have been one of the most deadly weapons used against our troops in Iraq. Unfortunately, many of these weapons have been shipped, especially explosive foreign penetrators, from Iran to Iraq.