the parents are going through the caboose, the green car, and the yellow car, trying to figure out do they have the car that was recalled. Obviously, they don't always remember the date they bought it. This can be easily fixed by putting a batch number on the toy. Obviously, you cannot do it on things such as Pick Up Stix, on individual sticks. We are reasonable about this. The bill says ''when practicable.'' You can put it on the toy where you can read it. It also requires that the batch number be put on the package. The reason it has to be put on the package is not for the parents. Except for my mother-in-law, I think most people throw the packaging away.

It needs to alert smaller retailers and people selling things on eBay. The major outlets, such as Target, are able to, once they find out what the batch number is, close down their register so those toys cannot get through. If you are selling it on eBay or if you are in a smaller store, you may have to look at the batch number to find out, such as a parent would, what is recalled.

That is why our legislation asked for the batch number to be both on the toy, when practicable, and on the packaging. We have seen too many headlines this summer to sit around and think this problem is going to solve itself.

As a Senator, I feel strongly that it is important to take this step to protect the safety of our children. When I think of that 4-year-old boy's parents back in Minnesota and about all these other children who have been hurt by these toys that they had no control over—they are little kids—we can do better in this country. We can beef up this agency that has been languishing for years, and we can put the rules in place that make it easier for them to do their job.

We cannot sit around bemoaning the results anymore. We have to act. We have our opportunity, and I hope we do it quickly.

I thank the Chair.

I yield the floor and 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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.

IRAN

Mr. DURBIN. Mr. President, we are now more than halfway through our fifth year in this war in Iraq. We find ourselves stuck as an occupier in a Middle East civil war. Thousands of our sons and daughters have been killed or injured. The total financial cost may be well over $1 trillion—money, I might add, that this administration has borrowed against our children's future.

America's reputation internationally has been severely damaged and critical military, diplomatic, and intelligence resources have been diverted from the war in Afghanistan—a war I supported, and a country this administration has increasingly neglected. And now, after so many errors, so many lives, and so much damage, this administration is again raising the prospect of yet another war in the Middle East—this time a war with Iran.

I fear this administration has learned nothing from the colossal error, colossal misjudgment in the invasion of Iraq. Let me be clear: I am gravely concerned about Iran's activities in the region and its nuclear agenda. But any offensive action against Iran must be approved by Congress. The Constitution is very clear: Article 1, section 8 vests in Congress the power to declare a war. Our Founding Fathers did this for an important reason. Taking a nation into war is a serious decision and must be decided with the consent of the people. The Framers wisely gave Congress this power based on experience in other nations in which their executives too easily took nations to war in the pursuit of glory, ambition, treasure, or revenge.

In fact, as my colleague Senator BYRD of West Virginia has eloquently said in the past, it is exactly during the time of war or emergency that our constitutional principles—checks and balances, separations of powers—are the most critical.

Recent statements by this administration give me concern that this administration is considering just this—an offensive military action against Iran without the consent of Congress. Both President Bush and Vice President CHENEY have made public remarks about Iran that suggest an administration readying for military aggression. We know Vice President CHENEY's historic views on fundamental checks and balances in our constitution. They are disturbing.

For example, in 1996, the PBS documentary series, ''Frontline,'' ran an episode on the fifth anniversary of the gulf war. It included a troubling interview with DICK CHENEY, who was Secretary of Defense during the first Bush administration. In it, Secretary CHENEY said:

> I argued in public session before the Congress that we did not need the congressional authorization. I was not enthusiastic about going to Congress for an additional grant of authority. I was concerned that they might well vote no, and that would make life more difficult for us.

President George H. W. Bush, nonetheless, wisely sought, and received, congressional approval. Yet incredibly, Secretary of Defense CHENEY said at the time:

> If we had lost the vote in Congress, I would certainly have recommended to the President that we go forward anyway.

Those were his words as Secretary of Defense. Now, not only a heartbeat away from the President but also the closest counsel to the President, we know what his views are in terms of the role of Congress and our constitution. He is not alone. President George W. Bush has shown similar disregard for the role of Congress and the law with his regular use of signing statements. Let me read an excerpt from his signing statement from the 2002 Iraq war resolution. President Bush wrote that while he appreciated receiving congressional support,

> My request for it did not, and my signing this resolution does not, constitute any change in the long-standing positions of the executive branch on either the President's constitutional authority to use force to deter, prevent, or respond to aggression or other threats to U.S. interests or on the constitutionality of the War Powers Resolution.

The President was appreciative that Congress, the majority of Congress, gave their support for his war in Iraq. He made it abundantly clear at his signing statement he didn't believe it was necessary.

And in October 2005, when asked by members of the Senate Committee on Foreign Relations whether the President would circumvent congressional authorization if the White House chose military action against Iran or Syria, Secretary of State Condoleezza Rice replied:

> I will not say anything that constrains his authority as Commander in Chief.

So now we know. Not only the President but the Vice President and the Secretary of State view the Constitution, when it comes to the declaration of war, as an annoyance, not to be taken seriously, if it would in any way stand in the path of a commander in chief's agenda. Apparently, the President, the Vice President, and the Secretary of State see congressional approval for war as an option, not a fundamental requirement under the Constitution. This should trouble every American.

Let me also be clear that nothing this Congress has previously said or done authorizes offensive military action against Iran. Nothing.

Following the attacks of September 11, Congress passed Senate Joint Resolution 23 on September 18, 2001. It authorized the President to use armed forces

> against those nations, organizations, or persons against those he determines planned, authorized, committed or aided the terrorist attacks that occurred on September 11.

This language was certainly never intended to allow this President to initiate offensive military action against Iran.

Later, in October 2002, Congress passed the Authorization for Use of Military Force Against Iraq Resolution. It authorized the President to use armed forces

> to defend the national security of the United States against the continuing threat posed by Iraq.

Again, that resolution was never intended to allow military action against Iran.

Even more troubling is how this administration missed early opportunities to deal with the challenge of Iran. For example, shortly after the toppling of Saddam Hussein, moderates in the Iranian Government faxed an offer to the State Department—a ''grand bargain,'' they called it. It arrived at a time when moderates were still in power in Iran and it reportedly had the approval of the Supreme Leader Ayatollah Ali Khomenei.

The grand bargain offered to put all issues on the table with the United States—Iran's support for terrorist groups in the region, its nuclear program, among other things. Tragically, this administration ignored it, as it ignored so many diplomatic opportunities prior to the invasion of Iraq. Hell-bent on use of our great military, it ignored a diplomatic opportunity that could have been historic. The Iranian moderates were discredited, replaced by hard-line elements who today are pursuing more reckless policies in the region.

A war with Iran could have devastating consequences. It could further inflame an already intense Middle East, further radicalize terrorist organizations, lead to more death and disability, and severely disrupt trade and oil shipments in the Middle East. It could entangle our beleaguered military in yet another complex, long-term conflict.

Richard Armitage, President Bush's former Deputy Secretary of State, warned us. He said:

> It would be the worst of worlds for an outgoing administration to start a conflict.

How right he was. Accordingly, any such decision must be taken seriously and with deliberation.

Last week, I introduced a resolution affirming in very plain, concise language the constitutional requirement that this President, any President, must seek congressional approval before initiating an offensive military action, such as one in Iran. Perhaps that time may inevitably arrive—I hope not—but if it does, this President cannot stand alone or act alone. The Constitution requires that he come to this Senate and the House of Representatives in the Capitol to make his case to the American people.

I recall his press conference of 2 weeks ago. The President brought up an image which was hard to comprehend—the image of a third world war, a third world war if we didn't take action against Iran. I know Iran is a threat in the region, I know they sponsor terrorism, I know a nuclear Iran is not a stabilizing force but a destabilizing force, and yet for this President to walk away from economic sanctions, diplomatic alternatives, and to suggest that the military is the only way to prove our resolve is to once again remind us that 5 years ago this same President came to us and asked for the invasion of Iraq.

I remember Vice President CHENEY telling us our soldiers would be greeted with flowers and parades and a triumphant welcome. That lasted for such a short period of time. And now, 3,900 American soldiers, 3,900 American lives later, tens of thousands who have been injured and disabled, we find ourselves embroiled in a conflict with no end in sight.

This President is looking to the exit on January 20, 2009. This Congress has to stand with one voice, Democrats and Republicans, and remind this President that as he heads for the exit he shouldn't head America into a new war. We are not prepared for this. We don't need this. And the President needs to understand what we do need is a chief executive who will follow the Constitution.

TRIBUTE TO POLICE CHIEF JOHN KAZLAUSKAS

Mr. MCCONNELL. Mr. President, I wish to pay tribute to John Kazlauskas, who after 41 years of dedicated service, will be retiring as the Owensboro, KY, chief of police this November.

Ever since his start at the Owensboro Police Department in 1966, Chief Kazlauskas has been committed to the progress of the department and to the safety of his community. His dedication and hard work allowed him to quickly progress from a patrol officer to captain, and ultimately to the highest rank within the department, chief of police, in 2002.

Throughout his tenure, Chief Kazlauskas has played a vital role in developing several innovative internal programs that have modernized the department. Chief Kazlauskas helped to create the evidence collection unit and the polygraph unit. Chief Kazlauskas also assisted the department with its accreditation process, which involved implementing 120 standards required by the Kentucky Association of Chiefs of Police.

As chief, Mr. Kazlauskas helped improve the services offered by the local police department by further expanding the bomb squad and emergency teams, ensuring police cruisers had modern mobile data terminals, and overseeing the implementation of an electronic management system, providing a major overhaul to the records department.

Chief Kazlauskas also made a significant impact throughout Owensboro, increasing the community involvement with the department by putting into place the Citizens Advisory Panel, Crime Stoppers, and creating a public information officer position within the department. These steps have built a trusting relationship between the citizens of Owensboro and local law enforcement, making them partners in keeping their neighborhoods safe.

Chief Kazlauskas not only spent his career ensuring the safety of his community, but also contributing to the safety of this Nation. Drafted into the armed services in 1968, Chief Kazlauskas served as an Army helicopter pilot, chief warrant officer. After a tour of duty in the Republic of South Vietnam, Chief Kazlauskas received a Bronze Star with 23 Air Medal Oak Leaf Clusters for flying over 800 hours of combat time.

Chief Kazlauskas has provided constant support, always placing the well-being of his community above his own. The Commonwealth, as well as the city of Owensboro, has benefited greatly from his outstanding leadership. Mr. President, I ask my colleagues to join with me in recognizing Police Chief John Kazlauskas's unwavering dedication to his fellow officers, his community, and Kentucky.

TRIBUTE TO LIEUTENANT COLONEL GEORGE WARFIELD FLOYD CHAPMAN

Mr. MCCONNELL. Mr. President, today I wish to pay tribute to LTC George Warfield Floyd Chapman, a war hero who sacrificed much to ensure the safety and freedom of his fellow Americans.

Lieutenant Colonel Chapman recently passed away at the age of 92, leaving behind a great legacy of faith, courage, and honor. Born in Lovely, KY, in January 1915, Lieutenant Colonel Chapman graduated from Pike Jr. College in 1937 and from Eastern Kentucky University in 1940.

In 1941, Lieutenant Colonel Chapman was drafted and commissioned a second lieutenant in the U.S. Army Infantry Division. In 1943, shortly after marrying his late wife of 64 years, Katherine Carole Coble, he was sent to Europe to fight in World War II.

In 1944, Lieutenant Colonel Chapman was captured by the German Army during the Battle of Anzio, Italy, a tragic conflict that witnessed the staggering loss of many British and American soldiers. He then spent the next year in prisoner of war camps in Germany and Poland, wounded and enduring great hardships and suffering.

Lieutenant Colonel Chapman was awarded the Silver Star and two Purple Hearts for his wartime service, but in no way do these truly reflect all that he gave for his country.

After his return from Europe, Lieutenant Colonel Chapman and his wife Katherine moved to Texas where they raised three sons. Lieutenant Colonel Chapman worked in production for the Continental Oil Company and remained active in the U.S. Army Reserve, retiring as a lieutenant colonel. By the time he retired from the Continental Oil Company in 1962, he had earned a master's degree from Texas A&I University.

Lieutenant Colonel Chapman was a hard worker who not only dedicated much of his life to his country but also to his family as a devoted husband and exceptional father. He was also a historian, maintaining an excellent knowledge and passion for understanding life, history, and politics.