

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business for up to 60 minutes, with the first 30 minutes under the control of the Democratic leader or his designee and the second 30 minutes under the control of the majority leader or his designee.

The Senator from Iowa is recognized pursuant to previous agreement.

LEAK INVESTIGATION

Mr. HARKIN. Mr. President, on a matter of utmost importance to the national security of the United States, I want to point out that it has now been almost a full year since the identity of a covert CIA agent was revealed in print by columnist Robert Novak. In fact, it has been 359 days, 1 week short of a year. Next Wednesday will be 1 year exactly. It has been 10 months, exactly 285 days, since the Washington Post reported that a senior administration official said that two "senior White House officials called at least six Washington journalists and disclosed the identity of a covert CIA agent."

We still do not know the identity of those "senior White House officials" responsible for this destructive leak. It is simply astounding to me that as I stand here, the person or persons responsible for destroying the 20 years and millions of dollars invested in this agent and for jeopardizing the lives of other agents in the field could at this very moment still be exercising a senior decision making role in this administration.

In late December, I welcomed the appointment of Patrick Fitzgerald, the U.S. attorney for Illinois, as a special prosecutor to investigate this matter. I don't understand why it took almost 6 months for this appointment to be made, but from all reports I have heard, Mr. Fitzgerald has been conducting a very aggressive investigation over the past 190 days. But what I still don't understand is how this administration can claim to be cooperating with this investigation when the only public statement the President has made on this matter was to say:

I don't know if we're going to find out [who] the senior administration official [is].

Of course, that statement was an obvious wink and a nod to the leaker or leakers. The subtle message seems to be, don't worry. Sit tight. We can stonewall this and get it behind us.

So while I welcome the investigation of the special prosecutor, I find it hard to believe that the President and the administration are serious about getting to the bottom of this grave breach of national security. If they were seri-

ous, they would have resolved this matter immediately, without the aid of a grand jury, subpoenas, experienced prosecutors, polygraphs, and, most likely by now, millions of dollars of expense.

The President has never demanded answers from his White House staff. I remind my colleagues that the pivotal Washington Post article was published on a Sunday in late September. On Monday morning, the President could have, and should have, demanded answers from his staff. He could have, and should have, called his senior staff members into the Oval Office, put them under oath, and asked them one by one if they were involved in the leak of the CIA agent's name to the media. He could have, and should have, laid down the law and resolved this matter immediately. Indeed, that is exactly the way a President who truly wanted to identify the leakers would have acted. But President Bush took no such action.

Instead, the President joked about the leak with reporters. Judging from his statements, he doesn't seem all that eager to find and punish the people responsible. He said he has no idea whether the leakers will ever be identified.

The disclosure of the identity of the agent, Valerie Plame, as a covert CIA operative represents an extremely damaging breach of national security. In her 20-year career, we now know, she operated with "nonofficial cover," meaning she had no diplomatic immunity. Effectively, her only defense was a painstakingly created and maintained cover. She worked gathering human intelligence, the kind of intelligence we have heard over and over since September 11, 2001, is so critical to fighting terrorism. She ran agents and worked closely with other undercover operatives and contacts. These people were also potentially placed in jeopardy and exposed to danger by the disclosure.

One publication reported that after reading of her own blown cover, Ms. Plame immediately had to make a list of all of the contacts and associates of hers who could be in jeopardy. I only hope when Mr. FITZGERALD discovers the identity of the leaker, that person is forced to see this list and be confronted with the full extent of their betrayal—yes, betrayal—of this country and its citizens. That is what it is.

More important, Mr. FITZGERALD needs to discover how the information on Ms. Plame's status came into the hands of these leakers, or senior White House officials. Is someone in the CIA responsible for identifying Ms. Plame as a means of discrediting her husband, former Ambassador Joseph Wilson? Is someone in the National Security Council responsible?

We cannot stop at identifying the individual or individuals who leaked her identity and her status to the press. We also need to identify the person or persons who gave this classified information to the leakers in the first place.

This is about discovering those in our Government who have so little respect for the value of our intelligence assets that they are willing to use those assets as political weapons.

Both the President and the Vice President have been questioned by the special prosecutor's office in this matter, but almost a year after the leak we still don't know who is responsible.

Valerie Plame was a seasoned covert operator, we are told. She performed the kind of human intelligence gathering that is crucial to our national security. So why was her identity compromised? Why was the identity of a valuable intelligence asset treated so cavalierly and recklessly by senior officials in the White House? Was it done as part of an ongoing effort to discredit and retaliate against critics of the administration—especially anyone who dared to suggest that the intelligence used to justify the war in Iraq ranged from flawed to fabricated?

Let me recap. Since 2002, the administration's top officials, including Vice President CHENEY, Defense Secretary Rumsfeld, National Security Adviser Rice, and the President himself, have all claimed Saddam Hussein was actively developing weapons of mass destruction, and that he tried to buy uranium from the nation of Niger. These claims persisted despite conflicting intelligence reports, including one by Ambassador Joseph Wilson. Ambassador Wilson, we later learned, is Valerie Plame's husband.

Ambassador Wilson was sent on a fact finding mission by the CIA to Niger. After an investigation, he found no evidence to support the claim that Niger had sold uranium to Iraq.

Still, the President made the Niger claim in his State of the Union message. A few months later, the New York Times published Mr. Wilson's op-ed piece, which questioned the President's assertion and indeed refuted the President's assertion that Niger had sold uranium to Iraq. It was after that—at least in this Senator's opinion—that in order to discredit and punish Wilson, two senior White House officials leaked to the press the identity of Wilson's wife and the fact that she was a covert CIA operative. In doing so they broke the law and undercut our national security in time of war.

One day Ms. Plame was a valued human intelligence asset; the next day she was political fodder.

What guarantees does any other intelligence agent have he or she could not be next? It is not enough to find out who leaked the names; we have to find out how senior White House officials were given the classified information about Valerie Plame's status as a covert CIA agent. Who did this dastardly deed? Who betrayed our country and our intelligence asset?

It is not only Ms. Plame, it is all of the other CIA agents we have who do not have diplomatic immunity and are operating undercover, collecting human intelligence for the safety of

our country. What is there to give them assurance they are not the next Valerie Plame? What is there to give them the assurance they won't be fingered at some time in the future?

What happened here is not only confined to Ms. Plame, bad enough as that is. It sends all of the wrong signals to our CIA operatives that they could be next. Some future administration could finger them if they disagree or if their husband or wife, brother or sister, or maybe a friend, disagreed with official administration policy; they could be outted.

And what does it say to all of the contacts these people we have developed and nurtured over years and years, in countries where their lives would be at risk if they were identified as giving intelligence to our CIA people? What assurance do these networks have they won't be uncovered similarly at some time in the future?

I have waited, and we have all waited to get answers; 359 days is too long. One year is too long for this to drag on. It is time for the administration to come clean. It is time for those who leaked Ms. Plame's identity to be identified and to suffer the consequences. It is also time to find out who gave them this highly classified information, how it was they came to have the name of Ms. Plame.

Only a thorough airing of this, only prosecuting those who were involved, finding out who gave this name to these people in the White House, making sure they no longer have positions, wherever they are, in the National Security Council or in the CIA—only then will we send a clear signal we are not going to let this happen again. We must send a clear signal to those who would betray this country in order to get political retribution against somebody who disagreed with an administration's position. Only then will we be able to send a clear signal that these kinds of actions will never be tolerated.

Mr. REID. Will the Senator yield for a question?

Mr. HARKIN. Yes.

Mr. REID. Would the Senator succinctly state what harm was done, or could have been done, as a result of divulging the name of this woman?

Mr. HARKIN. I thank the Senator for his question.

Succinctly, what was done and what more could be done—Ms. Plame had a number of assets and contacts, people in other parts of the world who were giving her information valuable to our national security. These people have been put at risk.

Mr. REID. And these people, I interrupt the Senator through the Chair, did not know—her friends, neighbors, people around America—she was a spy; is that right?

Mr. HARKIN. That is correct. As I understand it, she operated—

Mr. REID. And the people supplying her information certainly did not want the world to know the information

they were giving to this woman was information being given to a CIA operative; is that true?

Mr. HARKIN. Absolutely. Their lives would be at risk, and their lives are at risk, I believe. Mr. President, I say to my friend from Nevada, that is the damage that has been done. But think about the damage that will be done in the future if we do not resolve this matter. Because other CIA operatives who operate without diplomatic immunity, like Valerie Plame, will have this cloud hanging over them. They will fear that they, too, could be outted in the future; that their name could be made public if their husband or wife or someone such as that disagreed with official administration policy.

To me, that is the real damage. The leak has undermined the human intelligence assets we have developed over years and years. I am told it takes over 10 years of CIA training to develop a good covert operative such as Ms. Plame. There are over 10 years of training and seasoning and intelligence gathering before they are a solid source of intelligence. So when we think of that, we think about all of this thrown away because someone had a vendetta against Mr. WILSON, her husband.

I say to my friend from Nevada, it was a vicious act, political intimidation and retribution, and I think it is a clear pattern that we have seen over 359 days of coverup, concealment, and contempt for the truth by this administration. It is time to resolve this issue.

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

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

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I ask that the time under the quorum call be charged against Senator LINCOLN to whom I, through the Chair, yielded 15 minutes. I ask that the time be charged against her.

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

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

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

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I have been told that Senator LINCOLN is unable to be here. I yield her remaining time to the Senator from Illinois, Mr. DURBIN.

The PRESIDENT pro tempore. Without objection, it is so ordered. The Senator from Illinois is recognized pursuant to the request.

Mr. DURBIN. I thank the Chair. Mr. President, how much time is remaining in morning business?

The PRESIDENT pro tempore. There is 11 minutes 12 seconds remaining.

ISSUES IMPORTANT TO AMERICAN FAMILIES

Mr. DURBIN. Mr. President, there is a lot of talk across this country about the important issues in this Presidential campaign. Some people are going to try to define those issues on the floor of the House and Senate in the weeks ahead, but the issues in this campaign will not be defined in Washington, not on Capitol Hill. Those issues will be defined in homes across America where families will decide what is important, and they will listen to the candidates for Congress—the House and Senate—and those who are running for President and Vice President. They will listen to hear whether those candidates are responding to their real concerns.

There will be an effort here to manufacture issues to try to divert American families from their real concerns. In just a short time, I suspect we will have this rush of proposed constitutional amendments coming to the floor of the Senate. It is suggested one will be on the issue of marriage and one on the flag. Quite honestly, it is very apparent why they are being brought to the floor. I personally think we should pass one law—and do it quickly—which says no one can propose a constitutional amendment in a Presidential election year, certainly not within 6 months of an election. Such proposals are automatically suspect and clearly political.

In this case, the Republican leadership is going to bring constitutional amendments to the floor in the hopes that they can divert the attention of American families from the issues they care about to some new set of issues. Why would the Republican leadership want the American people to look at issues other than those they take personally? Because, frankly, they do not have many answers to the questions most families ask.

The families in Illinois and across America with whom I talk are working families concerned about their inability to keep up with costs.

Not surprising, take a look at this chart as an illustration. What has happened to real earnings over the past year in America? For families, average weekly earnings have gone down, but for corporate profits, they have gone up dramatically. There is a disconnect. We want business to be successful. Of course, we do. Successful business means more people working and more good jobs in America. But what is wrong with this picture? Why did corporate profits go up so dramatically and yet working families fell behind so much? The obvious reason is because there are elements in the budget of most families that are not being addressed in Washington.