

is the reality of the “no” politics, the “no” production, the “no” refinement. That is the answer to our problem today. You saw it on the last chart, the chart of supply and demand and 60 percent dependency on foreign sources. We cannot even drill in our own hemisphere.

Then let's go to this map. I call it the no zone. Why is it called the no zone? Because you can't drill here and you can't drill here and you won't drill here and you can't drill here. Why? American politics today. It is the no-drill zone.

If we could drill in the no-drill zone, it is possible that we could find, through U.S. geological surveys already under way, 115 billion barrels of oil and a phenomenal amount of gas. But the answer is no. Who said no? They said no. Republicans didn't say no.

Let me talk about that for just a moment. President Bush comes to town. We meet over here in the leader's office. He says: My first priority is to allow the Vice President to assemble a group of the experts and put together a national energy policy. We have to get this country back into production. He said that as his first initiative. Five years later, after they kept saying no, last August we got a bill. We are beginning to produce. But this is still all “no.” Mr. President, 115 billion barrels are outside the reach of the American consumer today, even though our technology is the best in the world and even though, after the worst natural disaster ever, we proved ourselves out in the gulf. In this little clean area right over here where we have not said no—at least the States of Texas and Louisiana didn't say no—we found out that wells went off line, rigs got blown off their foundations, but no oil was spilled. Why? Because of the phenomenal technology today and because of environmental rules and regulations that we have asked for and demanded compliance and received it from the major oil companies that drill in deep-water and the Outer Continental Shelf.

The reason I bring these issues today is quite simple: We have to quit saying no. The other side can demagog and they can try to blame, but the reality is here. The facts are here.

Let's run down the rest of the chart. We have said no to ANWR, no to OCS, no to 181 leasing, no drilling in the northern Cuba zone—at least American companies—while China drills in our backyard. American consumers need to know that the answer to their problem is not no. It is, yes, we can produce and, yes, we ought to produce and, yes, we ought to be energy independent and, yes, it ought to happen in our hemisphere, and, yes, we ought to be less dependent on foreign oil.

If we put all of those things together, America can be independent today. But you are not independent by saying no. And the answer has been no, no, no, no. That is why we ought to talk about the “no zone” and the naysayers and the minority who have said no for so long.

Reality is at hand. The American consumer is being squeezed at the gas pump like never before, and the answer still remains no. Americans are demanding that this be resolved. We are rushing to new production in all kinds of alternatives, but you do not get away by denying the obvious.

The PRESIDING OFFICER (Mr. MARTINEZ). The Senator's time has expired.

Mr. CRAIG. I thank the leader for that time.

I will conclude by simply saying 115 billion barrels of oil are denied because somebody—and it was over here—said no, and now we enter the “no zone.” Americans do not believe it. Americans are going to demand a change, and we ought to be able to deliver.

I yield the floor.

Mr. NELSON of Florida. Will the Senator yield for a question?

The PRESIDING OFFICER. The Senator has no time to yield for a question.

Mr. NELSON of Florida. I thank the Presiding Officer. I will raise the questions in a speech later on. I thank the Chair.

Mr. WARNER. Mr. President, we want to accommodate colloques. If the request is to be asked and granted by the Chair, then I suggest the morning business hour for the Republican side be extended 10 minutes to accommodate that.

The PRESIDING OFFICER. Is there objection?

Mr. WARNER. How much time does the Senator require?

Mr. NELSON of Florida. I am not going to request time.

Mr. WARNER. Mr. President, at this time I seek the concurrence of the Presiding Officer to speak about 12 to 14 minutes regarding General Hayden.

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

APPOINTMENT OF MICHAEL HAYDEN

Mr. WARNER. I have known this fine officer for some time. I worked with him, and I'm very pleased that the President of the United States has asked the Senate for its advice and consent on this important nomination.

Mr. President, our Nation is at war on two main battlefields—Iraq and Afghanistan. The national security apparatus of our country centers around the White House, the National Security Council there, the Secretary of State, the Secretary of Defense, the Secretary of Homeland Security and, most importantly, the new organization headed by John Negroponte, our national intelligence community.

It is imperative that this Nation receive as early as possible the replacement for Porter Goss to take over his position with the Central Intelligence Agency, and I hope that the hearings, which I believe will be scheduled, subject to Chairman Robert's views, early next week. Early next week there will be a very thorough investigation of

this officer, and we, the Senate as a body, can conform General Hayden and move forward. This Senator, the Senator from Virginia, will give him the strongest support and as an ex officio member of the Intelligence Committee, I will participate in those hearings.

Before turning to General Hayden, though, I would like to say a few words about Porter Goss. Mr. President, I am privileged to know this fine public servant who, presumably, is going to step down here shortly and conclude, perhaps, maybe not, maybe another assignment some day, but he certainly has had a distinguished public record of service. He was at the CIA himself, and served thereafter in the Congress. That is when I first came to know him.

The Presiding Officer may recall that there was a time here, a dozen or so years ago, when, I remember, our good friend, Senator MOYNIHAN from New York, said, it is time to re-examine the CIA, and possibly abolish it. Well, I and others came to the forefront and did what we could to begin to put that debate into balance. And we successfully put in a bill, and Porter Goss in the other body put in a similar bill, to establish a commission to review the origins of the CIA, and see how it was an integral part of our intelligence system.

The late Les Aspen, the former Secretary of Defense, was the first chairman of that commission. He had an untimely death, and was succeed in that position by former Secretary of Defense Harold Brown, at that time also having finished his work in the Department of Defense. The Commission did an excellent job. I just point that out as a reference in history of how hard Porter Goss has fought throughout his career to preserve the integrity and the viability of the Central Intelligence Agency.

Now, we do not know, many of us, all the facts regarding this transition of positions. I personally hope to visit with Mr. Goss, and will do so prior to the hearings, so that I can understand his perspective more fully. But he did a lot of valuable work at that agency, notably he began to restore the focus of the agency to its principle function as it was established some 50 years ago, and that is the collection of human intelligence. So I say to Porter Goss, well done. And I say to General Hayden, you fill the shoes of a very able man, but you have a challenge of your own.

Now, there are several issues that have been brought up by the general's nomination, and I would like to address those issues. First, there is a question of surveillance. As the head of the NSA, the National Security Agency, General Hayden was in the business of collecting electronic signals from around the world, from emissions abroad. We will go into that very thoroughly during the course of the hearings. I think that debate I appropriate. But I wish to point out that a very important debate has proceeded on that

issue on the Senate floor. It will continue for some time. And that is a debate over the legal ramifications, in other words, what are the origins of the power of the President to have directed this type of collection?

I do believe that you can separate the collection, really, into two parts. One, the value of the collected intelligence from abroad as a contribution to our overall security. We have established now, here in the Senate, a larger committee that is looking into that, and I am confident that there will be a unanimous view that the collection of this intelligence, thus far, has been an important contribution to this Nation's effort in the war on terrorism.

The other question, equally important, is the question of legality. Now, let me make it clear. In my visit with General Hayden yesterday, I said to him, "You're not a lawyer." He said, "No, I'm not a lawyer . . . I, General Hayden, when instructed to initiate this program, carefully assessed all variety of legal opinions, and it was clear by those contributing the legal opinions, the Attorney General, the White House Counsel, and others, that I had the authority to do so. As a non-lawyer, I accepted their opinions, like all of us do every day in life, I accepted the opinions of our counsel, whether it be in private or public life."

So I believe that the Intelligence committee, as it sorts that out, will eventually find that, while we may not resolve—and I doubt in the context of this nomination we will in fact resolve—the very important questions of the legalities of this program, we will decide that General Hayden acted in accordance with prudence, and was guided by appropriate counsel. So I believe that that issue will not be an impediment to his nomination.

Next is a question of the fact that this distinguished officer has risen through the ranks to become a four-star general. I have been privileged, I say with a sense of humility, to work with the uniformed people of this country for close to a half a century, in one way or another. I had a very modest military career of my own, but particularly when I was Secretary of the Navy, I had the opportunity work with and assess the biographies and the careers of many officers with worked their way from the lowest ranks up to four-star ranked general and flag rank in the Navy and Marine Corps.

Now, I certainly say to the people of this country, that an individual who can withstand all of the rigor, all of the competition, to come from the very bottom to the very top is one who has been screened and thoroughly reviewed by many peer groups. And how proud this officer is to have succeeded to have gained four-star rank. I do not personally have any trouble with his retaining that rank in this capacity, if confirmed by the Senate to lead the CIA. The question is raised, though, legitimately. It should be a civilian running our intelligence. But my distin-

guished colleagues, I say to you, it is a civilian that runs the intelligence community: John Negroponte. He is now the top individual in charge of this magnificent intelligence system that this country has.

Yesterday, I visited with Secretary Rumsfeld on this issue on several occasions by phone, and he spoke publicly to the issue, as well. He endorses General Hayden. He said, General Hayden will report directly to John Negroponte, the head of the overall intelligence community. And in no way does Secretary Rumsfeld feel that the fact that General Hayden continues to wear this uniform should there be any impediment in the chain of command, or in the responsibilities or the direction that this officer will give to his responsibilities. So, again, I believe that issue will be resolved in the committee hearings.

In the work of the Intelligence Committee to review the credentials, the integrity, the character of this individual, I am confident that he will meet the highest standards of the office which he aspires to take over at the direction of the President. So that will be behind us.

Finally, I would like to say a little bit about the Central Intelligence Agency itself. It is in Virginia, and I am privileged, as a current Virginia Senator, as have my predecessors, to give a little special attention, to that Agency. When the new structure of the intelligence community was devised here on the floor, I was active in the debate, and I think, if I can say with some modesty, helped to preserve more and more of the functions of that agency which I felt should remain in that agency, and the CIA has survived that legislation, I believe, quite well.

There is still more to be done in finally convincing various persons, distinguished individuals in that Agency, that this is the way it is under the law, and this is the way we have got to conduct our business in the future. General Hayden can do that. He did it at NSA. He made a transformation of the thought process over there, and likewise he can do it here.

But it is interesting: who would be his deputy? Well, we don't know entirely for sure, but I would like to read part of a column in today's Washington Post by David Ignatius. I happen to know him. His father, coincidentally, was Secretary of the Navy just before the late Senator CHAFEE and joined that Secretariat. And he is an author of some distinction.

He points out that the current thinking, and I believe it to be correct, is that the transition in the CIA would be painful for General Hayden, I read from his article, but he's got a good choice for the second person in Mr. Stephen Kappes. And it is interesting about Mr. Kappes' career. I would like to read just a part of the column.

At the core of the intelligence puzzle is the CIA, whose very name is outdated. It is no longer the Central Intel-

ligence Agency, coordinating the work of the community. That's the DNI's job now. In a sensible reorganization, the CIA should refocus on the specific mission for which it was created more than 50 years ago—gathering HUMINT, which is intelligence jargon for the secrets between someone's ears. The days when the CIA could be all things to all intelligence consumers are over. Today's CIA should be a truly secret intelligence service in which the job of analysts is to target operations. The all-source analysis that creates finished intelligence should be managed by the DNI.

Making this transition at the CIA will be painful, and Hayden is a good choice for the necessary surgery. As a feisty military officer, he's paradoxically the right person to fend off poaching by the Pentagon. By his own admission, Hayden doesn't know much about the CIA's operational work, but he does know how to modernize a big, hidebound bureaucracy. He did that at the National Security Agency—helping the wiretappers adapt to a new world of e-mail, fiber-optic cables and wireless phones. He made enemies at the NSA, but he was a successful change agent.

Hayden will have the ideal partner in Stephen Kappes, who is slated to be deputy director. Kappes is something of a legend at the agency: a charismatic ex-Marine who knows how to lead from the front. He punched all the tickets—fixing a broken Iranian operations group that had lost a string of agents, serving as chief of station in Moscow and as head of counterintelligence, and visiting Moammar Gaddafi and persuading him to give up his nuclear weapons program. Kappes' pitch to the Libyan leader is said to have been blunt, and irresistible: "You are the drowning man and I am the life-guard."

And on it goes. It points out very carefully that in the eyes of the professionals at the Agency, this gentleman, Mr. Kappes, is a man of impeccable credential, one who resigned from the Agency rather than fire his deputy, and that is to his everlasting credit.

So I believe the morale at the Agency will be raised, Mr. President. It is a magnificent group of professionals. Our Nation should take pride in the quality of persons who fortunately are selected to serve in the CIA for generations. And I am proud and humbled to have a voice in representing so many of the officers at the CIA, who are my constituents. But I do so in knowing that this Agency is essential to our intelligence operations. This new leadership team of General Hayden and Mr. Kappes will take over and provide the strong direction that is needed to even strengthen the Agency, and to the extent that there has been any diminution in morale, I am confident this team will raise in a very short period of time.

Mr. President, I ask unanimous consent to have printed in the RECORD the full column from David Ignatius, and an excerpt from the official biography of General Hayden.

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

[From the Washington Post, May 10, 2006]

THE CIA'S MISSION POSSIBLE

(By David Ignatius)

Firing Porter Goss was the easy part. The challenge now is to complete the reorganization of U.S. intelligence so that the 16 spy agencies under Director of National Intelligence John Negroponte are fighting America's enemies rather than battling each other in bureaucratic turf wars.

But how to fit the pieces together? That's the quandary for Negroponte and Gen. Michael Hayden, the administration's nominee to succeed the miscast Goss. I suggest they take a careful look at the British model. The Brits have a basic division of labor: a small, elite Secret Intelligence Service (known as MI6) collects human intelligence; an inter-agency group known as the Joint Intelligence Committee analyzes that information for policymakers and tells the spies what to collect. When I look at Negroponte's organization chart, that's the model that I hope is emerging. If so, he's moving in the right direction.

At the core of the intelligence puzzle is the CIA, whose very name is outdated. It is no longer the Central Intelligence Agency, coordinating the work of the community. That's the DNI's job now. In a sensible reorganization, the CIA should refocus on the specific mission for which it was created more than 50 years ago—gathering HUMINT, which is intelligence jargon for the secrets between someone's ears. The days when the CIA could be all things to all intelligence consumers are over. Today's CIA should be a truly secret intelligence service in which the job of analysts is to target operations. The all-source analysis that creates finished intelligence should be managed by the DNI.

Making this transition at the CIA will be painful, and Hayden is a good choice for the necessary surgery. As a feisty military officer, he's paradoxically the right person to fend off poaching by the Pentagon. By his own admission, Hayden doesn't know much about the CIA's operational work, but he does know how to modernize a big, hide-bound bureaucracy. He did that at the National Security Agency—helping the wiretappers adapt to a new world of e-mail, fiber-optic cables and wireless phones. He made enemies at the NSA, but he was a successful change agent.

Hayden will have the ideal partner in Stephen Kappes, who is slated to be deputy director. Kappes is something of a legend at the agency: a charismatic ex-Marine who knows how to lead from the front. He punched all the tickets—fixing a broken Iranian operations group that had lost a string of agents, serving as chief of station in Moscow and as head of counterintelligence, and visiting Moammar Gaddafi and persuading him to give up his nuclear weapons program. Kappes's pitch to the Libyan leader is said to have been blunt, and irresistible: You are the drowning man and I am the lifeguard.

Kappes is the CIA version of the ultimate stand-up guy. After achieving his dream of heading the Directorate of Operations, Kappes walked away from the job in late 2004 rather than fire his deputy, Mike Sulick, as demanded by one of the conservative hatchet men Goss had brought with him from Capitol Hill. A former agency officer remembers the reaction to Kappes's departure: "It was a devastating body blow, like someone has punched you in the solar plexus. The wind came out of the sails that day and it has never come back."

Kappes had a plan for reorganizing the Directorate of Operations when he left, and

he's in a position to implement it now. It's said that he wants to create a far more nimble spy service—one that can attack terrorist groups and other targets around the world more aggressively. Today the CIA is still locked in a Cold War structure, with the same fixed array of directorates and geographical divisions. The agency is frantically hiring new case officers, but under the old structure there aren't "OCFs" (or overseas covered positions) ready for them, so many of the young recruits languish, "stacked up at headquarters like cordwood" in the phrase of one CIA insider.

CIA veterans say Kappes hopes to create an operations capability that's more like a flying squad—detached from headquarters and its layers of bureaucracy. If an al-Qaeda call surfaces on a remote island in the Philippines where the United States doesn't have an embassy or consulate, officers from Kappes's revamped spy service could grab a laptop and be on their way in hours.

Maybe it's time to say goodbye to those three spooky initials "CIA" and the bloated, barnacle-encrusted agency they represent. Let Negroponte move his shop to Langley and create a new elite analytical service there. Meanwhile, let the covert operatives slip away in the night to destinations unknown, where they can get to work stealing the secrets that will keep America safe.

BIOGRAPHY OF

U.S. AIR FORCE GENERAL MICHAEL V. HAYDEN

Gen. Michael V. Hayden is Principal Deputy Director of National Intelligence, Washington, D.C. Appointed by President George W. Bush, he is the first person to serve in this position. General Hayden is responsible for overseeing the day-to-day activities of the national intelligence program. He is the highest-ranking military intelligence officer in the armed forces.

General Hayden entered active duty in 1969 after earning a bachelor's degree in history in 1967 and a master's degree in modern American history in 1969, both from Duquesne University. He is a distinguished graduate of the university's ROTC program. General Hayden has served as Commander of the Air Intelligence Agency and as Director of the Joint Command and Control Warfare Center. He has been assigned to senior staff positions at the Pentagon, Headquarters U.S. European Command, National Security Council and the U.S. Embassy in the People's Republic of Bulgaria. The general has also served as Deputy Chief of Staff, United Nations Command and U.S. Forces Korea, Yongsan Army Garrison, South Korea. Prior to his current assignment, General Hayden was Director, National Security Agency, and Chief, Central Security Service, Fort George G. Meade, Md.

EDUCATION

1967 Bachelor of Arts degree in history, Duquesne University, Pittsburgh, Pa., 1969 Master's degree in modern American history, Duquesne University, 1975 Academic Instructor School, Maxwell Air Force Base, Ala., 1976 Squadron Officer School, Maxwell AFB, Ala., 1978 Air Command and Staff College, Maxwell AFB, Ala., 1980 Defense Intelligence School, Defense Intelligence Agency, Bolling AFB, D.C., 1983 Armed Forces Staff College, Norfolk, Va., 1983 Air War College, Maxwell AFB, Ala.

Mr. WARNER. I yield the floor.

The PRESIDING OFFICER (Mr. DEMINT). The Senator from Tennessee.

Mr. ALEXANDER. How much time remains?

The PRESIDING OFFICER. Five minutes.

ENGLISH UNITES

Mr. ALEXANDER. Mr. President, on Monday night, with unanimous support, the Senate passed resolution No. 458 that I sponsored, along with 12 other Senators, affirming that the Pledge of Allegiance and the National Anthem be said or sung in the language that unites us as one Nation, that language being English.

This was more than bipartisan. It was unanimous, with one dissent expressed on the other side. It should be virtually unanimous.

This is the land of immigrants. Almost all Americans know we need and must value our common language, which is English. Yet during the last week, the idea of a non-binding resolution expressing the Senate's thought that whenever we say the Pledge of Allegiance, sing the Star-Spangled Banner, take the oath of citizenship, that it ought to be in our common language, produced quite a little storm across the country. Some said we were restricting liberty.

But this not about what we are free to do; this is about what we ought to do at the opening of the Senate, at the opening of a ball game or Boy or Girl Scout troop meeting. As Americans, we are free to sing the Star-Spangled Banner in Swahili, we are free to say the Pledge of Allegiance in pig Latin, but that is not what we ought to do. And the Senate, by unanimous consent, said that on Monday night.

Some said this was disrespect for other languages. Nothing could be further from the truth. I believe our official documents ought to be in our common language. I have always favored, including when I was Education Secretary of this country, what I call "English plus." The luckiest among us are those who know more than one language, but one of those must be English. Children should learn it as quickly as possible if they want to succeed in the United States of America.

The real reason for the storm of reaction to the singing of the Star-Spangled Banner in a foreign language is that most Americans instinctively understand that while diversity is important, unity is more precious. That is why we pledge allegiance to the American flag rather than the flags of the countries from which our ancestors came. That is why most of our politics is about principles upon which we agree, principles found in our founding documents. That is why we give rights to individuals instead of to groups. That is why we honor our common language, English.

In Sunday's Washington Post, a Chilean-American playwright, a professor at Duke, said our country is well on its way to becoming a bilingual nation and that he thought we would endure just fine. I respectfully disagree. I think it would make it harder for us to endure. I think it would make us more a United Nations than the United States of America.

Now the Senate unanimously agrees. So does the mayor of Los Angeles, an