

Mr. BROWN. Mr. President, I ask unanimous consent to proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Ohio is recognized.

#### PRODUCT SAFETY

Mr. BROWN. Mr. President, last week, Mattel, the maker of Barbie and Elmo and Barney toys, issued its third recall of tainted products from China just in the last month. Toothpaste, tires, toys—when “made in China” becomes a warning label, something is very wrong. Our trade policy should prevent these problems, not invite them. Clearly, our trade policy has failed. Yet anyone who disagrees with America’s trade experts is labeled a protectionist, as if that is a bad word. It is not only our moral obligation to protect our communities, protect our families, protect our children from contaminated, possibly deadly products, as Members of Congress it is our duty to protect them.

Last year, the United States imported from China \$288 billion worth of goods, much of it food and toys and vitamins and dog food. Not only is China weak in unenforced health and safety regulations, as the Washington Post revealed again today, it aggressively foists on vulnerable nations contaminated food and products.

China sends formaldehyde-laced children’s candy, mercury-laced makeup, and fungus-infested dried fruits to unsuspecting consumers in Indonesia, Malaysia, and Hong Kong—a part of China—nations largely reliant upon Communist China for trade and for aid. Our country has worked hard to build safe working places, to build a reliable, healthy food supply, and to ensure that our drinking water is pure and safe. For 100 years, workers, community leaders, elected officials, advocates, labor union activists, people of faith in their synagogues and in their churches, took on some of the world’s most powerful corporations to make sure our food and our products were safe. Unrestricted, unregulated free trade with China threatens these gains and jeopardizes our public health. Why would we expect otherwise? China doesn’t enforce food safety, doesn’t enforce consumer product safety, doesn’t enforce worker safety in its own country for its own people. Why would we expect—with this wide-open trade arrangement with the People’s Republic of China, why would we expect that Communist government, which cares little about its own citizens—why would we expect them to ship us uncontaminated vitamins? Why would we expect them to ship us products that are safe? Why would we be surprised when toys are coated with lead-based paint or vitamins are contaminated?

As of now, there is little interest among the Chinese in changing the way we and they do business. Our trade deficit with China exceeded \$250 billion last year.

So what is to be done? Since the Chinese Communist party forbids third party inspectors on Chinese soil, we either buy less—much less—from China, or we hold importers responsible for the safety of the products they bring into our country. First of all, we must increase the number of food and consumer product safety inspectors. Less than 1 percent of all imported vegetables and fruits and seafoods and grains are inspected at the border—less than 1 percent.

Mattel is to be commended for taking the proactive step of an internal investigation into the recall of products. But such action should be the rarity, not the norm, which is why we cannot in our Nation’s best interests focus solely on consumer threats from China.

The real threat is our failed trade policy that allows—and in fact encourages in some ways—recall after recall after recall. The real threat is our failure to change course and craft a new trade policy. The real threat is this administration’s insistence not just on continuing these trade relationships, but on building more of the same: More trade pacts that send U.S. jobs overseas, more trade pacts that allow companies and countries to ignore the rules of fair trade, and more trade pacts that will lead to more recalls.

The administration and its free trade supporters in Congress are gearing up for another trade fight. They want to force on our Nation—a nation that in November demanded change in every State in the Union—they want to force on our Nation more trade agreements with Peru and Panama, Colombia and South Korea, all based on the same failed trade model.

FDA inspectors have rejected seafood imports from Peru and Panama. Yet the President is suggesting trade agreements with Peru and Panama. Yet the current trade agreements—as written—limit food safety standards and continue to ignore real border inspections. Adding insult to injury, the agreements would force the United States to rely on foreign inspectors who aren’t doing their jobs to ensure our safety. We have seen how well that worked in China.

More of the same in our trade policy will mean exactly what we have seen now with China: more contaminated imports; more unsafe, dangerous toys; more recalls. It is time for a new direction in our Nation’s trade policy.

As my friend from North Dakota says, we want plenty of trade. We want trade—plenty of it—but we want it under different rules. It is time for a trade policy that ensures the safety of food on our kitchen tables and toys in our children’s bedrooms.

Everyone agrees on one thing: We want more trade with countries around the world, but our first responsibility in the Senate is to protect the safety and the health of our families first.

Mr. DORGAN. Mr. President, would the Senator from Ohio yield for a question?

Mr. BROWN. I would love to.

Mr. DORGAN. Mr. President, the Senator from Ohio has spoken often about trade issues, and I have as well. We have talked a lot about the issue of workers, the impact of free-trade agreements on workers in this country, and the downward pressure on their income and the outsourcing of American jobs. We have talked a lot about its impact on the environment; being able to produce, for example, in China and pump effluents into the air and chemicals into the water and encouraging corporations to move to produce where they can hire people for 20 cents an hour, 30 cents an hour, and pump their pollutants into the air and the water unimpeded.

We have not talked previously much about this issue of protecting consumers. I would just say to my colleague that I spoke last week about a young boy, a 4-year-old boy, who swallowed a little heart-shaped charm—a little heart-shaped charm—and died. Why? Because that heart-shaped charm was made of 99 percent lead coming from China. Well, we know the impact of lead on human health. Ben Franklin described that. It is not something that is new. Yet we have these products now coming into this country with lead because it is cheap. It is bright. So we have all of this lead coming in.

My colleague describes the circumstance now as a “race to the bottom” with respect to consumer standards. We have always known that is what is going on with these free-trade agreements with respect to labor standards and environmental standards. But is it also the case—I would ask the Senator from Ohio is it also the case that this is a race to the bottom with respect to consumer standards, by passing these free-trade agreements and doing nothing to insist that the conditions abroad are the conditions that we require at home with respect to what is used in the production is safe for consumers, and so on?

Mr. BROWN. Mr. President, Senator DORGAN is exactly right. The tragedy of the young boy who swallowed the little toy made of lead is that it is less expensive to use lead. It is easier to paint. The paint dries quicker. All of that when you use lead. So when we have this race to the bottom, when our companies go to China and are looking for the cheapest way to make products, and then to import those products, export them from China, import them back into the United States, you are going to see that race to the bottom.

We have seen it with contaminated toothpaste, we have seen it with vitamins, we have seen it with inulin in apple juice, and we see it in toy after toy after toy made by Fisher Price, made by Mattel, some of the most respected companies in our country.

Until we change the trade policy when we are dealing with a country that doesn’t protect its own consumers, doesn’t do much for its own clean water, its clean air and safe

drinking water, doesn't do much for its workers, we know this race to the bottom will continue. That is why the Senator's efforts on trade issues and our efforts jointly on trade issues are so important. We want more trade, and we want plenty of it, but we want it under different rules that protect American families.

Mr. DORGAN. Mr. President, if the Senator would yield further for a question, it was, I believe, about a century ago when Upton Sinclair wrote the famous book that launched an effort in this country that decided to protect consumers. He was describing conditions in the slaughterhouses. Once people read what he described, they insisted—they demanded—protection for consumers. He talked about the rats in the slaughterhouses and how they would take pieces of bread, loaves of bread, slices of bread, and lace them with poison and lay them around so that the rats would eat the poison and die, the bread would poison the rats. It was all shoved down the same hole, and out the other hole came meat to be sold to the American consumer. There was a demand on behalf of the consumer to stand up for the protection of the American consumer.

So over a century, we lifted standards in this country to protect Americans, to protect consumers. Oh, I know some consider it regulation which is, in their minds, something we should never do, but we regulate to protect people. It is the case with the global economy.

I would ask my colleague from Ohio, it is the case, is it not, with the global economy that if you don't have rules that keep pace with the galloping global economy, you see downward pressure on American wages? Because it is unfair to workers—to ask a worker from Ohio or North Dakota to compete with someone who will work in Sri Lanka, Bangladesh, Indonesia, or China to work for 20 cents an hour; it is unfair to those of us who care about the environment—and there is only one fishbowl. We all live in the same fishbowl, and we breathe the China haze in the United States—and it is also unfair to consumers who believe that for over a century we raised standards to protect them and now we discover we have been engaged in a race to the bottom to obliterate those standards by those who are able to produce abroad.

Is this not the case?

Mr. BROWN. Exactly. As we weaken those standards, as we have this wide-open trade arrangement with a country that doesn't respect those standards and has a history of undermining any standards like that, it is intensified by the fact that we have seen in our own country a weakening of consumer products, safety laws, and we have seen a scaling back of the number of food inspectors at the U.S.-Mexican border and in other places. So the first job—and I know the Senator thinks in North Dakota, and I think in Ohio that U.S. Senators protect our families. And

the best way to do that is stronger consumer product laws, stronger health and safety laws, and not to allow them to be undercut and not to allow them to be unenforced.

So I thank my friend from North Dakota for his interest, and I also want to lend support for his amendment that he is about to introduce that deals with the same kinds of issues; in this case truck safety, and how important that is to all of us.

I yield the floor, Mr. President.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, I am going to offer an amendment to the underlying bill. My understanding is there is an amendment pending. I can withhold the amendment. I have not yet filed it. Let me at least describe for this moment the amendment, and then I will file it and offer it with the consent of the chairman and the ranking member.

In this morning's newspaper there is a story of a great tragedy in Mexico. It says: 37 die in Mexico truck blast accident. Monterrey, Mexico. Thirty-seven people killed when a truck loaded with explosives crashed into another truck in northern Mexico, Mexican media reported on Monday. About 150 people were injured by the blast, which left a crater of up to 65 feet in diameter in the road. Most of the dead were bystanders, including three newspaper journalists who had rushed to the scene of the crash and the truck exploded, the paper said. That area is a mining State where explosives are used in the coal industry.

Why is that something I raise today? Well, we also had something that happened last week that was pretty unbelievable. The inspector general issued a report, and the report is titled: "Issues Pertaining to the Proposed NAFTA Cross-Border Trucking Demonstration Project." What this means is they have issued a report on whether we ought to allow long-haul Mexican trucks to come into this country and begin trucking in our country.

Well, we then have an accident in Mexico of two trucks. Tragically, 37 people are killed, 150 are injured, with a crater in the highway of 65 feet.

And then we have the Bush administration that last week rushed—yes, I say rushed—to approve the pilot project of some 100 trucking firms to do long-haul trucking in our country.

The inspector general's report, which I have, is 40-some pages long. I had previously cosponsored an amendment with some of my colleagues saying that they had to wait to allow long-haul truckers from Mexico to do long-haul trucking in our country until they could have an inspector general's report which analyzed the advisability of this pilot program.

So they could not proceed with the pilot program despite the fact that they were itching to do it. But they were impeded from proceeding until they got the inspector general's report.

The inspector general's report came in at 7:30 last Thursday evening.

At 8:30 the same evening—presumably having read 40-some pages—the attorneys and the administrator at the Department of Transportation announced that the pilot program would begin. So in 1 hour, the Department of Transportation evaluated this inspector general's report—or maybe not.

Let me describe some of what this report is about. First, the inspector general's finding—the inspector general's finding, Department of Transportation only looking at records that the Mexican trucking companies make "available." Here is what it says:

While the Department of Transportation officials inspecting Mexican trucking companies took steps to certify onsite data, we noted that certain information was not available to them. Specifically, information pertaining to vehicle inspections, accident reports, and driver violations maintained by Mexican authorities was not available to the Department of Transportation.

I will say that again. This is very stunning, almost unbelievable. The Department of Transportation says it has now evaluated all of this—the pertinent information—and has decided now to trigger the pilot project by which Mexican long-haul trucks will be moved into this country, but they weren't able to verify the onsite data. What weren't they able to verify? Well, vehicle inspections, accident reports, and driver violations.

Why am I concerned about this whole issue? Because I know—and I think most people know—that you don't have the same circumstance in Mexico with respect to truck safety, with respect to requirements, regulations, and inspections; you don't have the same enforcement with respect to driver standards, hours of service, and all of those related issues. The practices are not equivalent. So if we move a trucking fleet into this country from Mexico that doesn't have equivalent safety requirements and standards, and drivers who have not been required to meet the same standards and have enforcement to the same standards, then there is no question but that we put at risk drivers on America's streets, roads, and highways. That is a fact.

Yet this administration is so anxious to move that they took only 1 hour to evaluate the IG report. They tell us: We have all this under control. Don't worry, be happy; it doesn't matter what truck you are driving next to ours or what truck you are going to meet at a four-way stop sign; it is all under control—except they weren't able to get information about vehicle inspections. That means they weren't able to get that information on Mexican trucks. They weren't able to get information about accident reports. They weren't able to get information about driver violations. What were they able to get?

Is this one of those "trust us" things? I think we have had enough of these "trust us" claims. How about verifying just a bit some of the basic

information we need to know and understand before we decide to allow Mexican long-haul trucks beyond that 25-mile perimeter they have been allowed to drive since NAFTA. Well, as I indicated, it took this administration all of 1 hour to approve this pilot project.

Let me provide the next chart that shows the key issue. The inspector general's report doesn't resolve these issues. You would think the Department of Transportation, having some sort of epiphany at 8:30 in the evening, must have felt everything was resolved. If they read the IG report, here is what it says:

Inconsistent data used to monitor Mexican commercial driving convictions in the U.S. Lack of coordination with the Department of Transportation offices to ensure that drug and alcohol testing issues are addressed. Lack of Federal motor vehicle policy to check and record vehicle identification numbers during an inspection. Inadequate Mexican bus inspection coverage during busy periods.

I went to page 2 of the IG report. Page 2 on the report is a response to what the administration said. They said, if we can allow these long-haul Mexican trucks in, we are going to inspect every one of them under the pilot project. If we get one coming North, we are inspecting it. We are going to put an inspector on the vehicle. We are going to inspect the vehicle. Here is what the IG report says: They agreed to develop a plan to check every truck every time. But as of July 2007—that is a little less than a month ago—no coordinated site-specific plans to carry out such checks were in place. Federal Motor Vehicle Carrier said it would have plans outlined by August 22, but the IG says we have not received any outlines or completed plans.

In our opinion, not having site-specific plans developed and in place prior to initiating the demonstration project will increase the risk that project participants will be able to avoid the required checks.

I will not read that all again. It means this: Despite the promises that they are going to inspect every truck every time, they don't have plans in place to do that. Those are pie-in-the-sky promises. We have had a bellyful of them. Time after time, they say here is what we are going to do and we commit, trust us. On this subject, the fact is we should not trust anybody. We should say show us the plan that is going to guarantee the next time you show up at a four-way stop, or you are driving down a highway in this country, and you are confronted by a truck that came across our border from Mexico, that that truck has met an equivalent safety standard as an American truck, and that that driver and his or her record of service and the conditions of service and the hours of service are equivalent to what you would expect with an American driver. If that is not the case, then there ought not to be a pilot project at this point.

I only referred to page 2 of the report. As I indicated, they took a little

less than 1 hour last Thursday evening to decide to approve the pilot project after they were prevented from doing so until this report came out. It is clear to me that they either didn't read the report or didn't understand the report, because this report doesn't suggest at all that what has been put into place represents any kind of safety or security for American drivers when confronting a Mexican long-haul truck coming across the border.

Do I allege that every truck that will come across is unsafe, that every American should shudder at the risk of pulling up to an intersection with them? That is not my point. We have two different standards with respect to the enforcement of safety requirements, with respect to trucks and drivers in Mexico versus the trucks and drivers in the United States. To decide at this moment that we are going to merge these systems without providing the assurance to the American people they are going to do what they say they are going to do—inspect every truck every time—that is a decision by the Department of Transportation to provide extraordinary risks they should not provide for American drivers.

Let me again put up a chart that shows three issues on which you would have to know, it seems to me, at least the body of information if you were serious about saying we are going to implement the NAFTA, which itself—by the way, in my conversation a few moments ago with the Senator from Ohio, we could have described our trade failures, and the hood ornament of that failure is certainly NAFTA, an agreement we reached with Mexico and Canada. At the time, we had a very small trade surplus with Mexico. We have turned that into a very large trade deficit with Mexico now. We had a modest trade deficit with Canada, and we have now turned that into a very large one. By all accounts and standards, NAFTA has been a huge failure for this country. It ought to be, in my judgment, renegotiated, but those who chant “free trade” and believe that any trade agreement is better than no trade agreement continue to say NAFTA was a success, despite all of the evidence. It is very hard to describe success as very large and growing trade deficits. NAFTA, apparently, indicated that we should integrate our trucking and, therefore, Mexican trucks should be allowed into this country for long-haul capability. But in order to do that, we would harmonize the safety standards in Mexico and the United States with respect to equipment and drivers.

So the Department of Transportation, anxious as it is to allow long-haul Mexican trucking into this country right now and, again, with a pilot program right now, they have tried to assure us there is no risk, no problem, be happy. The problem is the very IG report they rely on to trigger the pilot project, in my judgment, tells them they should not do it at all; there is

substantial risk. You would need to have a body of information about what is happening with respect to Mexican trucking in order to make this judgment. What kind of information did they get? They didn't get accident reports because there wasn't any central repository of information for the reports. They didn't get vehicle inspections. They didn't have that information. They didn't get driver violations—with one exception; that exception was the Mexican companies that decided voluntarily to provide the information. They have that—whatever that is. It is not very much, but they have that. That doesn't represent any information that is validated by anybody.

It is unbelievable to me that they would rush off and—I know this about transportation, but it seems to me if anybody should be arrested for speeding here, it is those who have decided they are going to rush and speed to approve this pilot project less than 1 hour after the IG report comes out, at a time when the IG says clearly they have not been able to get the information you would need.

Again, on page 2 of the IG report, I will say it again because it is central to what I am saying on the floor of the Senate, the Department of Transportation says they will inspect every truck every time with respect to this pilot project. Let me say, again, here are the facts. They agreed to develop a plan to check every truck every time. But as of July 2007, a month ago, no coordinated site-specific plan to carry out such checks was in place. They stated they would have plans outlined by August 22 at that point. That is about 2 weeks ago.

But the IG says that “we have not received any outlines or completed plans.” “In our opinion,” they say, “not having site-specific plans developed and in place prior to initiating the demonstration project will increase the risk that project participants will be able to avoid the required checks.” What the IG is saying is if you don't have a plan in place to inspect every truck every time, you increase the risk that these participants will be able to avoid the required checks.

I think this sets us up for failure, but, more importantly, it imposes substantial additional risks, I believe, for American drivers.

First and foremost, with respect to our trade agreements, they ought to be able to protect this country's economic interests and our interests with respect to safety. I don't believe the actions by the Department of Transportation have done that.

I don't believe the inspector general's report suggests that standard has been met. For that reason, I will offer an amendment that is identical to the amendment previously passed by the House that will prohibit the use of funds to continue this pilot project.

Thursday, at 8:30 in the evening, 1 hour after the inspector general's report was published, the administration

announced they were embarking on the pilot project. I don't know exactly where they are at this moment on it, but wherever that happens to be, the House of Representatives has already said no, and I believe the Senate, in support of my amendment, will do exactly the same thing.

There is an amendment pending on the floor of the Senate. I will shortly file my amendment, and I will call it up at an appropriate time. But I wish to make a comment on another matter very briefly, if I may.

#### IRAQ

General Petraeus and Ambassador Crocker are now testifying before the House of Representatives. Most of us know from this morning's news reports and from the expectations last week what the report will be today. The report will be as existed now for a good many years, longer than the Second World War has lasted. That is how long we have been engaged in the war in Iraq. The report will be: Things are getting better; there is marginal improvement; things are uneven; we can't leave; we have to stay. That is going to be the report. We understand.

I wish to raise the question again, however, that I think is being missed with the Petraeus report and the Crocker report, and missed by Congress as well.

Last week, we were told that we received a message from Osama bin Laden. Osama bin Laden, in a "safe and secure" hideaway—and I use the words "safe and secure" in quotes because that is what our intelligence officials have indicated to us—in a safe and secure hideaway, we are receiving messages from the leadership of al-Qaida. The last National Intelligence Estimate, just months ago, indicated that the greatest threat to our country and our homeland is the leadership of al-Qaida and that they are ensconced in a safe or secure hideaway.

My question is this: Despite all of the reports we will now hear on the subject of Iraq, does it meet any kind of test of faith or good strategy that we should be going door to door in Baghdad in the middle of a civil war at a time when those planning additional attacks against our country are in safe and secure havens in northern Pakistan, at a time when the National Intelligence Estimate says that the greatest threat to our homeland—this is not me making this up—the greatest terrorist threat to this country and our homeland is from the leadership of al-Qaida, and they are planning new attacks, does it make sense there is a spot on Earth that ought to be safe and secure for them? Isn't it the case there ought not be 1 square inch on this planet 6 years after 9/11 that the leadership of al-Qaida can plan and plot attacks against our country?

I guess that is the case because we are in the middle, once again, of civil war in Iraq and have been for a long while, and we will, if we agree there shall not be a change in course, remain in Iraq for some long while.

My own view is we are going to leave Iraq. The question is not whether; the question is how and when. It makes little sense to me not to have as a priority, not to have as the priority in our country to eliminate the greatest terrorist threat to our country, and that, according to the National Intelligence Estimate, is the leadership of al-Qaida.

Some will make the point that there is al-Qaida in Iraq, and that is true. That is not the central war on terror, however, and Iraq is not the central war on terror. Iraq is more sectarian violence. The National Intelligence Estimate tells us that as well.

All of us hope for the same thing. We want this country to find its way; we would wish that the leadership of Iraq will be able to provide strong leadership, resolve the questions, and then at some point find a way to provide for its own security. Saddam Hussein has been executed; he is dead. The people of Iraq have a new constitution; they voted for it. The people of Iraq have a new government; they voted for that government. The next question for the people of Iraq is whether they have the capability and the will to provide for their own security because this country cannot do that for many more years, and we do that at the expense of not eliminating the most significant threat to our country, according to the National Intelligence Estimate, and that threat is the leadership of al-Qaida that sits now in a safe haven, a safe and secure place.

I say again, as I conclude, that even as we have testimony today before the House and tomorrow before the Senate, our goal ought to be to fight the terrorists first, and those terrorists, according to the National Intelligence Estimate, plan additional attacks against our homeland even now from safe and secure places. There ought not be 1 square inch on this planet that should be safe and secure for the leadership of the terrorist organizations plotting attacks against our country. That ought to be our priority.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BOND. Mr. President, I appreciate all the comments of my colleague. He had some very interesting things to say. I don't believe I can let it pass, as vice chairman of the Intelligence Committee, without clarifying some of what has been said about the danger to this country.

First, we have never taken our eyes, our efforts off getting the leaders of al-Qaida. There were times in the past, in the nineties, when we had an opportunity to get him, and apparently, according to published reports, from one of the people who was with Osama bin Laden, we came close, but we have not been able to find him. I can assure you, without going into the details, that we continue to make a major effort to find Osama bin Laden and Ayman al-Zawahiri, the No. 2 man. If any Senator wants to come to the Senate Intel-

ligence Committee in Hart 219, we will be happy to brief them on the efforts made there.

As far as the threat to the United States, the greatest threat to the United States from abroad is having al-Qaida establish a safe haven where they can recruit, have training facilities, issue command-and-control orders, and develop weapons of mass destruction. We have no better authorities than Osama bin Laden and Ayman al-Zawahiri that they still seek to establish that headquarters for their effort in Iraq because this is where they believe their caliphate should be headquartered. They would be far more capable of operating against the United States and others if they could go back to establishing their safe havens in Iraq, as they had in Afghanistan prior to our eliminating the Taliban.

I believe anybody will tell you that this country is safer because we have denied them a safe haven. Yes, some of the leaders are hiding out in the rugged mountains in that region. Their communications are very difficult. Their training facilities have been interrupted from time to time by our and allied efforts. We continue those efforts. They know they cannot operate safely there with impunity, but they are denied the operational freedom of a safe haven in Iraq. That is their goal—that and attacking the United States. Establishing a foothold in Iraq would give them not only the training facilities and recruiting and command-and-control capacities, but it would give them access to tremendous oil reserves, so they would have the funding from the oil resources, potentially putting tremendous economic pressure on us if they cut off Iraq's oil supply to the free world. But they would have the oil resources.

As far as Iraq is concerned, the intelligence we had before we went in was not good. We pointed out in the Intelligence Committees where it fell short. But we have also had the report of the Iraqi Survey Group, David Kay, which said Iraq was a far more dangerous place even than we knew. Before we went in and took out Saddam Hussein, we did not know the chaotic system in that country. The fact that there were terror groups operating in that country who sought weapons of mass destruction—and we know Saddam Hussein not only manufactured but used weapons of mass destruction—those terrorist groups in Iraq were seeking to get weapons of mass destruction from Saddam Hussein's operations and his just-in-time inventory system.

There is a lot more to the story than we just heard, but I can assure my colleagues, from the intelligence standpoint, we are not giving anybody any safe haven where we have any reasonable knowledge of where they stand or in what way they are operating.

I wanted to make those comments. I thank the Chair. I note another colleague has asked to speak.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, let me take 2 minutes. My colleague is a distinguished member of the Senate Intelligence Committee, but I want to observe this point because it is important. We will certainly have an Iraq discussion late this week or next week. It will be, I hope, a discussion that represents the best of what both sides have to offer rather than the worst of each. When we get the best of both, the country has benefited. I hope and expect that will be the case. But I do wish to make this point: The training camps have already been reconstituted. Last week, I was on the floor of the Senate describing in three different pieces of evidence that Osama bin Laden, Ayman al-Zawahiri, and others have already reconstituted training camps, which represents a problem. Last week in Denmark, they picked up terrorists. Guess where they were trained. Partly in Afghanistan but mostly in Pakistan. And the expectation is they were trained in those training camps which have been reconstituted because the leadership of al-Qaida does, in fact, have a safe haven.

I have great respect for my colleague, and I do not want to pursue a lengthy debate, but I want to say that the leadership of al-Qaida has largely been given safe haven. We took our eye off the ball. There was a period of time when it didn't matter where they were. They have reconstituted their training bases, and we are starting to see the bitter fruits of that effort, and we will see more. It is why I say I believe it is very important, as a matter of national strategy, to fight the terrorists first.

I will speak later about the question of what was in Iraq when we went there. At this point, I think all of us as a country believe that if that is the greatest terrorist threat to our country, the leadership of al-Qaida, the elimination of that leadership and the elimination of any safe and secure haven must be the most important goal for this country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

The Senator is recognized.

#### IRAQ

Mr. VITTER. Mr. President, today we are embarking on another very important chapter in our ongoing Iraq debate, and it is very appropriate that we do so because we are receiving testimony and reports from two great American leaders who have been forging our cause there—GEN David Petraeus and Ambassador Ryan Crocker. In that context, I wish to begin to offer some preliminary thoughts of my own as we reenter this debate. They are forged in particular by a recent experience, my recent visit to Iraq with

three of our Senate colleagues during the August recess. I was able to go there with Senators VOINOVICH, ALEXANDER, and CORKER. We had a very good review of many issues there, as well as, obviously, a great opportunity to converse and study and talk with experts on the way there and on the way back.

I guess out of that trip in particular—it was my second trip to Iraq; the first was just about a year prior to that, and this was my fourth trip to the Middle East—three things struck me in particular, that while many of them have been stated before, they are very important to get out on the table and reaffirm at the beginning of this debate.

One is, it is very clear—in fact, I think it is largely beyond dispute—that in recent months, because of not just the personnel and the extra manpower given to the effort through the surge but because of the excellent strategy, the strategic thinking largely of General Petraeus behind that effort, there have been real and meaningful gains made on the security side. There have been enormous gains made against al-Qaida in Iraq in particular and in tapping down the sectarian violence more generally, although perhaps gains there to a lesser extent.

We have heard a lot about the Anbar awakening and the enormous gains made against al-Qaida in Iraq. But I think those who try to isolate those gains just to that region, just to that situation are missing the full picture.

We got a fuller picture of the gains while we were there. Not perfectly even gains, not all across the country but significant gains made in a number of different places, in a number of different contexts, and not just in that one region. The security gains, again because of our greater numbers but even more so because of the strategic thinking that was placed behind that surge, I think those gains are very real and very meaningful. They were evident to us, to myself and Senators VOINOVICH and ALEXANDER and CORKER, because of a number of factors and a number of parts of our visit.

What got the message through particularly forcefully was the last part of our visit in Iraq, when we went to Combat Outpost X-ray near Taji, outside of Baghdad about a half-hour, 45 minutes by helicopter. This was a very instructive and, indeed, inspiring visit. Because, again, we saw the very real fruit of our new strategy and the surge force put behind it. And it wasn't just in that situation of Al Anbar, that many folks try to portray as extremely unique and not being able to be replicated anywhere else; it was in this combat outpost outside of Baghdad. And it wasn't just among a Sunni population or Sunni insurgents; it was in an area that was roughly half and half, Sunni-Shia.

Two things struck me about that visit more than anything else. One was talking to a young African-American

soldier from Louisiana, an enlisted man, who in casual conversation—he wasn't quoting any talking points, he wasn't giving any formal brief—who said how motivated he was and what a greater sense of progress he thought they were making during his work there at Combat Outpost X-ray as compared to his previous deployment about 2 years before. He said the difference was night and day, and he felt so much more optimistic because of the surge and the strategic thinking behind the surge and the results it was having that he could see, face-to-face, on the ground.

Some of those results we saw on that visit. Because we not only visited with U.S. military commanders and their military personnel, such as this young soldier from Louisiana, we also sat down with four sheiks from the region who had become full and active partners with our military and the Iraqi military in getting after the bad guys. It so happened, as is representative of that area, that two of the sheiks were Sunni and two of the sheiks were Shia, but they had come together as true brothers in arms and as true brothers in arms with the U.S. military and the Iraqi military to get after the bad guys, particularly al-Qaida in Iraq but also insurgents who were causing violence and terrorizing their families.

That is the sort of real progress the Louisiana soldier was talking about. That is what was exciting him and had gotten him so motivated, particularly compared to his previous tour of duty about 2 years prior.

The second thing I saw firsthand during that visit to Iraq is on the other side of the ledger and is also talked about quite freely and quite openly, and that is that while we have this meaningful security progress, while we have real results from the surge and the strategic thinking behind the surge, unfortunately we don't have a lot of political progress produced at the Iraqi central government level. Again, this was very evident from our personal experiences on the ground, particularly two meetings we had, one with the Sunni Vice President of Iraq and one with the Shia Vice President. Those two meetings, separate meetings, helped to underscore the enormous need we have for further reconciliation and for further political progress on the ground at the central government level.

I remarked during our visit to Combat Outpost X-ray that I would like to nominate those four sheiks to help form a new central government because their reconciliation was in stark contrast, their friendship and partnership was in stark contrast, quite frankly, to the discussions we had with the two Iraqi Vice Presidents, one Shia, one Sunni. So, again, we saw firsthand the unfortunate lack of political progress. Of course, the surge was designed to create breathing room and time for the political process at the central government level, but that lack of progress has been very frustrating.

Now, I do have to say there has been a little progress since then. Since we came home, the big five Iraqi leaders, if you will—the President, the two Vice Presidents, the Prime Minister, and also the Kurdish leader—have signed a joint communique and have laid out a path to reconciliation and progress on the key political issues facing them. That is encouraging. But certainly it doesn't completely change the situation on the ground politically, which wasn't particularly encouraging when we were there.

The third and final thing which I observed very directly, and which is perhaps the most important, in my opinion that we focus on this week, is the enormous integrity, focus, dedication, and intelligence of our two primary leaders on the ground in Iraq—GEN David Petraeus and Ambassador Ryan Crocker. Again, our four-Senator delegation had a great opportunity to sit down with them for about an hour and a half, and we had a very meaningful, indepth discussion, hearing recent progress and lack of progress from them. They gave us their own personal observations, and they responded to all of our queries and questions. There were a lot of details and facts that came through during that meeting. But what most came through, to me, was their enormous credibility, in terms of what is going on there on the ground, and their enormous dedication, focus, background, and real intelligence about the challenge they were leading there on the ground.

I think that is perhaps the most important of my three observations as we begin this new chapter of the Iraq debate, for a very simple reason. Those gentlemen are testifying, as we speak, before the House. They will testify tomorrow before the Senate. This is following the lead-up of many months, where we have been looking forward and waiting to hear their direct observations and their testimony. This is after it is universally acknowledged that they are very smart, qualified people; there to lead our military and diplomatic effort. Yet, even having said all of that, I think the rush of all of us in Congress, House and Senate, is to talk and debate and offer our own opinions without taking a little time to be quiet, to take a deep breath and listen to the observations and opinions of those two highly qualified leaders.

So I end with that observation, of their enormous credibility, dedication, focus, and intelligence, in terms of the task before them. I end on that observation to encourage all of us not to reserve our opinions forever, not to shy away from an important debate, not to disagree, if we truly disagree in our minds and in our hearts, but to take a deep breath for a few days, for a few moments, to listen to the observations and the suggestions of these very capable leaders.

That is the third thing I brought back from my personal trip to Iraq during August with Senators VOINOVICH,

ALEXANDER, and CORKER. Today, tomorrow, as General Petraeus and Ambassador Crocker testify before Congress, perhaps that is the most important observation. We will have plenty of time to debate, argue, disagree, propose resolutions, move forward with legislation, and take votes. But surely, given the universal credibility of these two men, we should take a deep breath and listen carefully to their observations, their suggestions, and their plans. That is certainly what I am going to do as we begin this new chapter of the debate.

With that, I yield the floor.

Mrs. MURRAY. Mr. President, I ask unanimous consent that at 3:30 p.m. the Senate proceed to vote in relation to the Murray amendment No. 2792, and that regardless of the outcome, amendment No. 2791 be agreed to as amended, if amended.

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

The Senator from Maryland.

Mr. CARDIN. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

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

(The remarks of Mr. CARDIN are printed in today's RECORD under "Morning Business.")

Mr. CARDIN. I yield the floor.

Mrs. MURRAY. Mr. President, I ask unanimous consent that at 2:45 p.m. Senators BENNETT and HATCH be given 15 minutes of time to talk about a resolution regarding the Utah mining incident.

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

Mrs. MURRAY. Mr. President, I 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.

Mr. HATCH. 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.

#### HONORING THE SACRIFICE AND COURAGE OF MINERS AND RESCUERS IN THE CRANDALL CANYON MINE DISASTER IN UTAH

Mr. HATCH. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 312, which was submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 312) honoring the sacrifice and courage of the 6 miners who were trapped, the 3 rescue workers who were killed, and the many others who were in-

jured in the Crandall Canyon mine disaster in Utah, and recognizing the community and the rescue crews for their outstanding efforts in the aftermath of the tragedies.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. HATCH. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 312) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 312

Whereas, on August 6, 2007, 6 miners, Kerry Allred, Don Erickson, Luis Hernandez, Carlos Payan, Brandon Phillips, and Manuel Sanchez, were trapped 1,800 feet below ground in the Crandall Canyon coal mine in Emery County, Utah;

Whereas Federal, State, and local rescue crews have worked relentlessly in an effort to find and rescue the trapped miners;

Whereas, on August 16, 2007, Dale "Bird" Black, Gary Jensen, and Brandon Kimber bravely gave their lives and 6 other workers were injured during the rescue efforts;

Whereas Utah is one of the largest coal-producing States in the United States, having produced more than 26,000,000 tons of coal in 2006;

Whereas coal generates more than half of our Nation's electricity, providing millions of Americans with energy for their homes and businesses;

Whereas coal mining continues to provide economic stability for many communities in Utah and throughout the United States;

Whereas during the last century over 100,000 coal miners have been killed in mining accidents in the Nation's coal mines; and

Whereas the American people are greatly indebted to coal miners for the difficult and dangerous work they perform: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors Kerry Allred, Don Erickson, Luis Hernandez, Carlos Payan, Brandon Phillips, and Manuel Sanchez, as well as Dale "Bird" Black, Gary Jensen, and Brandon Kimber for their sacrifice in the Crandall Canyon coal mine;

(2) extends the deepest condolences of the Nation to the families of these men;

(3) recognizes the brave work of the many volunteers who participated in the rescue efforts and provided support for the miners' families during rescue operations; and

(4) honors the contribution of coal mines and coal-mining families to America's proud heritage.

Mr. HATCH. Mr. President, in the early morning hours of August 6, 2007, my home State of Utah, our home State of Utah—my distinguished friend and colleague, Senator BENNETT, is with me today—suffered a seismic event at the Crandall Canyon mine in Emery County. These "mountain bumps" set up a chain of events that culminated in great tragedy and tremendous sorrow to all of our fellow Utahans and, I think, to many people across the country.