

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 re-serve 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 Emory 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.

As a team of miners was working on its shift at the Crandall Canyon mine, the earth shifted and debris and ruin rained down trapping six men, all of whom have remained missing since August 6.

As news began to travel regarding the collapse and the lives in peril, crews began working to somehow, some way, free the six men. As one day turned into the next and hopes were lifted, just to sadly be dashed, one thing has remained constant: men and women from all walks of life have come together to fight for Manuel Sanchez, Kerry Allred, Luis Hernandez, Carlos Payan, Brandon Phillips, and Don Erickson.

The list is long and varied of the many who have sacrificed and given their time, knowledge, and resources to help in this tragedy. The list includes officials from the Federal Mine Safety and Health Administration; Murray Energy Corporation; the United States Air Force; Utah's Departments of Public Safety, Natural Resources and Human Services; the Utah Air National Guard; local, State and national government; and last but perhaps most importantly of all the men, women and children living in the communities impacted by this tragedy.

As our State and Nation watched closely day after day for news of hope and rescue, we suffered another devastating blow the evening of August 16, 2007, when another seismic bump inside the mine buried rescue crews in coal and debris. As another new tragedy unfolded, many flew into action to now rescue the rescuers. People rushed to the scene to offer aid and valiantly try to save additional lives. Stories are told of miners using their bare hands to dig out buried miners.

As we heard the news of first one rescuer's death, then another, and another, it is difficult to describe the overwhelming sorrow and disbelief Utahns felt at the deaths of those who had risked everything for their co-workers, friends, and fellow miners.

Many were saved that evening, but sadly three lost their lives for others.

Dale Black was in the mine desperately trying to reach his cousin, Kerry Allred. In fact, he wasn't even supposed to have been in the mine that evening. He had been promoted the day before and would now be assigned as a rescue manager, working outside the mine. However, as Dale's brother Guy stated, "That's Dale. He wouldn't have let his guys go in without him."

Gary Lynn "Gibb" Jensen from Redmond, UT, was an employee working for MSHA who was no stranger to mining. He had been in the mining industry in various capacities for 35 years and was described by others as someone who steered his career toward mine safety. He never hesitated to better the lives of his fellow "coal" miners.

And finally, Brandon Kimber, a father of a 5-year-old daughter and twin 4-year-old boys. He was relatively new

to the mining industry, only working in the mines for 3½ years. He was described as an unselfish, wonderful man who never hesitated to help others.

Dale Black, Brandon Kimber, and Gary Jensen will long be remembered for their selfless acts that day. These were three humble miners who are now three wonderful heroes.

As our State and Nation grapples with this tragedy and looks for answers, I do not want us in our haste to solve this tragedy overlook the contributions miners and the mining industry has made to America for many, many years. We want to solve this tragedy, but we haven't been able to. The original six miners are still buried in the mine. We hope we can recover them.

Mining is a community, it is a brotherhood, and it helps fuel our economy and growth. Generations of Utahns from many of our communities have toiled in and helped propel the mining industry. Many men and women return home each evening with faces marred by coal dust, and tired bodies. However, to many Utahns mining is a way of life and their contributions to this important industry must always be appreciated.

As I have traveled throughout our State and Nation, some of the most wonderful people I have met and talked with are miners. They are humble, they work hard, and they display courage each day as they enter the mines to make a living and support their families.

Throughout the communities bordering the Crandall Canyon Mine, you don't need to travel far to see a sign, a t-shirt, or some other display urging all to "save our miners," "pray for our miners," and "love our miners." I have witnessed first-hand the courage, fortitude, and heroism of many wonderful people to do all three save, pray, and love our miners.

I have been saddened greatly by the events that have transpired in my home state throughout the past several weeks. The Crandall Canyon Mine collapse and tragedy will forever be remembered for the grief we shared as a State, and the valiant, and courageous efforts displayed by many. In the depths of this tragedy heroes emerged, and our faith in the human spirit lives on through the sacrifices made by many to comfort, and save the lives of others.

Senator BENNETT and I have introduced this resolution which has been agreed to, honoring the sacrifice of the miners and rescue workers and expressing the condolences of the Senate and our Nation to their families.

I have been almost blown away by the kindness of our fellow Utahns and the courage and strength of those who have tried to save these miners. I have appreciated the leadership of the mayors of both Huntington and Price who have stood so valiantly as rocks against the pain and suffering these good people have suffered. I am so

grateful to know these people. My heart goes out to the families of these miners and, of course, their children. I hope and pray that somehow we can do a lasting memorial for these folks who have died and who have worked so hard to try and support their families. I was happy to urge our colleagues to support this resolution, and I appreciate their support.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. BENNETT. Mr. President, I thank my senior colleague for the thorough and sensitive way in which he has described this Senate tribute to the families and the coworkers of the miners who were killed in the Crandall Canyon mine disaster.

I was there the day after the mine collapsed. The Governor was there as well. Senator HATCH was on his way and joined us later. We welcomed the assistant Secretary of Labor to Utah, and we examined with soberness and concern the facts surrounding the situation. We were not sure whether the miners had survived. There were reservations from those who were experienced with these kinds of mine problems. They were afraid the miners had, in fact, been killed in the initial blast. But we all held out hopes that they could survive, and efforts were undertaken to determine whether they were alive.

To show the ruggedness of the territory, there was no way to drill a significant hole into the mine immediately because there was no road up to the top of the mountain where the drill would have to be placed. So a smaller drill was brought in by helicopter and drilled a 2½ inch hole through roughly 1,200 feet in an attempt to find out whether we could make contact with any survivors who might be there. A road was built, a larger drill was brought in and followed the 2½ inch hole with an 8½ inch hole. Neither one produced any tangible evidence that the miners had survived.

In the briefings we had from the experts onsite, we discussed what might be done further besides drilling the holes. They talked about the dangers connected with trying to dig into where the miners were. It was understood there would be no further attempt in terms of digging in until the seismic activity in the mountain had stopped. The mountain would continue to shift, and as it was shifting, the experts said: We will not undertake any attempt at further rescue.

I subsequently learned they did make an attempt while the mountain was shifting. It was not a reckless attempt, although it was a heroic attempt. They believed they had sufficient protection from the rescue workers that they could get somewhere near where the miners had been trapped and find out if they were still alive, even while the mountain was still shifting. They applied fully known and reliable means of protection for the rescuers, and then the second tragedy occurred. Even with

this protection, the rescuers themselves were caught by a seismic shift in the mountain, and two more miners and one mine inspector were killed, bringing the tragic total to nine. More holes were drilled. More attempts were made to find out what could be found. But the mountain had claimed its nine lives and still has not yielded any of those bodies.

This double tragedy has united the mine community in Utah in the ways Senator HATCH has described. And throughout the State of Utah, far away from the minefields, flags were flown at half staff as the people of our State joined together in mourning for those who had lost their lives in this tragic accident. Hearings have been held. We hope to learn as much as we possibly can, to continue to work as hard as we can as a nation to see that the deaths in the mining world continue to decrease, but we recognize that whatever satisfaction we take from the fact that mining deaths have decreased over the decades, that still does not lessen the tragedy for those loved ones and co-workers who have seen this kind of death occur.

I am pleased to join with my colleague Senator HATCH in cosponsoring this resolution and I thank the Senate for its unanimous support of the resolution and extend, once again, my personal condolences and sympathies for all of those who are personally touched by the tragedy.

We must, as a Congress, do everything we can to see that this kind of tragedy is reduced to the point where, ultimately, it ceases to be.

I yield the floor.

The ACTING PRESIDENT pro tempore. Who yields time?

Mrs. MURRAY. I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

Mr. BENNETT. I ask unanimous consent that the order for the quorum call be rescinded.

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

#### CYBER ATTACKS

Mr. BENNETT. Mr. President, I rise to make note of an event that the newspapers have talked about and then passed over, but one we should pay a great deal more attention to. This has to do with the number of increasing cyber attacks that have occurred where hackers have gotten into computers and upset their ability to function. I am not talking about the kind of hackers who break into a computer to leave behind an obscene message simply to demonstrate that they could do it. These are amateurs. I am talking about attacks that appear to be state sponsored.

The Nation of Estonia had its computers shut down for a period of a

week, unable to perform any kind of connection with the outside world, almost as if it were a test on the part of some nation state to determine whether they could perform this kind of activity. Now we have had further demonstrations of their ability to do it in government computers. This has been going on for years. I remember, when I was connected with the Y2K issue as chairman of the Senate's committee on that problem, going over to the Pentagon and standing in the room where we watched the cyber attacks come in. The officials in the Pentagon would identify for me the countries from which they were coming. They would say: Those are attacks coming from the Philippines. Those are attacks, probing, trying to get into our computers. They come from South Korea. These are coming from whatever other country. That does not mean the attacks originated in any of those countries. It is entirely possible in today's world for someone to have a sophisticated computer attack in one nation and route the attacks through a second or even third or fourth nation as cutouts so the victim of the attack will not be able to know the original source.

The recent attacks that have occurred against our Government computers clearly come from a higher level of sophistication than those I saw 3 or 4 years ago.

I pursued an interest in this issue and then became consumed with other Senate business—that happens to us—and said, a few years later: I probably need to check into this to see what has happened. So I went back to the National Security Agency, I went back to the Pentagon, I made contact again with people at the CIA and said: What is going on in the world of cyberattacks and cyberterrorism?

I was startled that everything had progressed two, three, four, five generations beyond what it had been just a few years before. It is a classic sword-and-shield confrontation. The attack comes—representing the sword—we create firewalls—representing the shield—and then a new sword is invented and a new shield is called for. This game has been going on now to an escalated level where now we are seeing sophisticated nation state-sponsored attacks, and they break through occasionally, and they get a little space in the newspaper and maybe a mention on the evening news, and then we go about business as usual.

I am as guilty as anyone else of going about business as usual. I want to get back into this issue, dig a little deeper, and find out what is going on because eventually this will be the ultimate battlefield. Eventually, the people who wish this country ill will not come at us with tanks and aircraft carriers or cruise missiles; they will come at our computers. Our military is the most sophisticated in the world, but if you shut down their ability to communicate through satellites and by com-

puters, our military becomes crippled and impotent. I remember when I went through basic training being told that an army has to do three things: It has to move, shoot, and communicate. Those who are mounting these cyberattacks are developing the capability to prevent us from communicating. We need to spend more time and effort looking at this issue.

I have one suggestion for the executive branch. During the Clinton administration, the highest official dealing with this issue was in the White House. After President Bush became the President, that official reported to Condoleezza Rice in her role as National Security Adviser. I sat down with Condoleezza Rice to talk about this issue, to try to bring her up to date on what I thought was important. She was very polite, but I became quickly aware she knew more about this issue than I did. She was not patronizing about it, but she was up to speed and up to date on it, and I felt reassured that the White House had that level of understanding.

Well, she has now gone on to other duties, and the highest official now is in the Department of Homeland Security. I am not sure that is the place where it needs to be. It may very well be that it needs to go back into the White House at the high level it held at one point in the past.

I will be discussing this and other issues relating to this question in the months to come. I appreciate the opportunity of alerting my fellow Senators to this very important but often overlooked issue.

I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

Mrs. MURRAY. I ask unanimous consent that the order for the quorum call be rescinded.

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

#### DEPARTMENTS OF TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

VOTE ON AMENDMENT NO. 2792

Mrs. MURRAY. Mr. President, I believe a vote will now occur on an amendment.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the amendment. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN),