

the employer is: We will help you verify that the employee's social security number is legitimate and it matches the name provided. However, Secretary Chertoff explained the limitations of the program. He said, if two people are using the same Social Security number at the same time, he can't get the information to recognize it. So when a number comes in to his agency when he is working with these pilot programs, all he can assure is that the name goes with the Social Security number. But he can't get the information out of the Social Security Administration as to whether two people are using the same number.

In some cases, as in the child I mentioned, the same social security number is being used in as many as 17 different jobs at once. We have had thousands of cases in Colorado where this has happened, where the victim didn't realize that somebody else was using their Social Security number until they were contacted by the Internal Revenue Service and told that they weren't reporting all their income, and they discovered that somebody else was using it at their place of employment.

So by simply sharing this information, cases of identity theft could be discovered much sooner. Victims of identity theft deserve to have this information acted on, and my amendment enables this.

We have a choice. We can side with the victims or side with the thieves. I urge my colleagues to take the side of the victims and enact this commonsense reform.

Mr. President, I ask unanimous consent to insert for the RECORD an article in the Rocky Mountain News entitled "Owens Wants Action on ID Theft."

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

[From the Rocky Mountain News, July 6, 2006]

**OWENS WANTS ACTION ON ID THEFT**  
(By David Montero)

Gov. Bill Owens called upon the legislature Wednesday to require employers to be more diligent when verifying the validity of Social Security numbers of those they hire.

On the eve of the legislature's special session to address illegal immigration, Owens rattled off a list of identity-theft transgressions in Colorado and said the current \$50 fine levied against businesses who submit false Social Security numbers isn't enough of a deterrent.

"We're going to seek additional penalty from the legislature so that we can actually make this more than a cost of doing business," he said.

It costs the state more than \$50 to levy the fine and prosecute the businesses submitting invalid Social Security numbers, he said.

Standing next to Rick Grice, executive director of the Colorado Department of Labor and Employment, Owens said that the numbers related to identity theft in the state are startling.

According to Grice's statistics, one Social Security number alone was reported by 57 different employers. Another Social Security number was found to be on the rolls of 50 different businesses.

During the first quarter of 2006, 368 Social Security numbers were filed more than six times by 2,828 employers, according to data combed over by Grice's department. Some numbers were obviously phony.

"The false numbers jumped off the pages of the reports by showing such numbers as 333-3333 and 444-4—well, you get the picture," Grice said.

Grice said he didn't know what kind of fine would be useful as a deterrent to employers submitting false Social Security numbers to the Labor Department, but that he suspects any new penalty would begin with a warning to the employer to check all workers' identification.

According to data provided by the governor's office, Colorado ranked fifth in the nation in identity-theft cases per 100,000 people.

Owens provided examples of identity theft victims—including an 84-year-old woman in Grand Junction who was deemed ineligible for federal housing assistance because her Social Security number was being used in Denver at a variety of jobs, making her income too high to qualify for the housing.

He also said a 10-year-old boy in Douglas County had his Social Security number used at 17 different jobs.

Owens, who recently signed legislation criminalizing identity theft and authorizing the formation of the Identity Theft Commission, suggested that employers use a federal basic pilot program run by the Social Security Administration and the Immigration and Naturalization Service, saying it is a "good first step," despite some flaws in the system.

Donnah Moody, vice president of government affairs at the Colorado Association of Commerce and Industry, said that the pilot program—designed for employers to verify the legality of Social Security numbers—isn't ready yet.

Mr. ENZI. I yield the floor.

**VOTE EXPLANATION**

Ms. CANTWELL. Mr. President, I was unfortunately delayed from voting on the DeMint amendment No. 158—rollcall vote No. 25. For the record, I would have voted no on the motion to waive the Budget Act.

The PRESIDING OFFICER. The Senator from Illinois.

**MORNING BUSINESS**

Mr. DURBIN. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

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

**REMARKS OF THE VICE PRESIDENT**

Mr. DURBIN. Mr. President, there was an interview between Wolf Blitzer and the President of the United States that was aired this morning on the news. Some of the statements that were made by the Vice President are very difficult to understand. When he was asked about Iraq, Vice President CHENEY said:

Bottom line is that we've had enormous successes and we will continue to have enormous successes.

It is interesting that the Vice President would make this statement barely

a week after the President of the United States announced that we are facing a slow failure in Iraq. The President sees a slow failure; the Vice President sees enormous successes.

This is not the first time the Vice President has made statements which defy reality. We can all recall the statements made by him and many others in the administration suggesting the presence of weapons of mass destruction, nuclear weapons, suggesting a connection somehow between Saddam Hussein and the tragedy of 9/11. It turns out that in each and every instance the Vice President was wrong.

We can also remember that in June of 2005 when we were facing one of the bloodiest, deadliest periods in Iraq, Vice President CHENEY said:

The level of activity that we see today from a military standpoint, I think, will clearly decline. I think they're in their last throes, if you will, of the insurgency.

Another quote from the Vice President which was not in touch with the reality of the war in Iraq.

We have had that from the beginning. Whether it was the Vice President's suggestion—this comes from March 16, 2003:

Now, I think things have gotten so bad inside Iraq, from the standpoint of the Iraqi people, my belief is we will, in fact, be greeted as liberators.

I will concede the Vice President later admitted he was wrong in making that statement.

The point I am making is this: If the current Secretary of Defense concedes to our Armed Services Committee that we are not winning this war, if the Baker-Hamilton bipartisan study group comes forward and says the situation is grave and deteriorating, if the President says our continued course of action is a slow failure, one has to wonder where the Vice President is receiving his information.

Earlier this morning, I said that he was delusional when it came to this issue. To be delusional is to be out of touch with reality. And I believe the Vice President has been out of touch with reality when he makes comments such as that.

At the least, the American people expect an honest answer about the situation in Iraq. I think what the President has said about a slow failure is an honest appraisal. I think what the Secretary of Defense, Mr. Gates, said about not winning this war is an honest appraisal. I think the findings of the Baker-Hamilton bipartisan study group that the situation is grave and deteriorating is an honest appraisal of reality.

This much I will say: The real success in Iraq, if we can point to it, is the fact that our brave men and women in uniform have done such a remarkable job. They have faced extraordinary responsibilities and assignments. They came to Iraq, invaded it, deposed that dictator, found him in a hole in the ground and brought him to trial, and

gave the Iraqi people a chance for free elections and a chance to write their own Constitution. Those successes which did occur were the result of great determination by our troops in uniform and many brave Iraqis who stepped forward and risked their lives to move their nation forward.

But we all know the situation today. As of this morning, we have lost 3,057 American soldiers. We know that over 23,000 have returned from Iraq with injuries, almost 7,000 with serious injuries—amputations, blindness, serious burns, traumatic brain injury. Those are the realities of what we face.

We also know that the situation on the ground in Iraq is very difficult for most people to understand. When the Prime Minister of Iraq, Mr. Maliki, says to the President: We don't need additional troops, and the President says we are sending them anyway, when the generals in the field say that if America continues to send troops, the Iraqis won't accept the responsibility of defending their country and the administration says we are going to send troops anyway, I think that is evidence that this administration's policy is not connected to the reality of what is on the ground in Iraq. And certainly for the Vice President to characterize that sad and tragic situation in Iraq today as an enormous success is not in touch with the reality of what our soldiers face and our country faces.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. NELSON of Florida. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. LINCOLN). Without objection, it is so ordered.

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#### TRIBUTE TO SENATOR GEORGE A. SMATHERS

Mr. NELSON of Florida. Madam President, on Monday I have the great privilege of delivering the eulogy at the funeral for Senator George Smathers in whose office I had the privilege, as a college student, of interning. As I greet each of our interns in our Senate offices as they rotate, I always tell them the story of being an intern, how it had a profound influence on my life because that summer, interning for Senator Smathers, I met his son Bruce. Bruce and I then became college roommates. After law school and the military, Bruce introduced me to my wife, and I returned the favor and introduced Bruce to his wife. And his son, little Bruce, is my godson. So over the years, I have had the privilege of having my life intersecting with the Smathers family, so much so that when I came to the Senate, I requested that I have the desk of George Smathers.

It is with that background that, indeed, it is a great honor for me that the family has asked me to deliver the eulogy. It will be a great privilege for me, next Monday, to recall the great life and times of this great American and great Floridian. I will just mention a couple of things in his career. I will elaborate at greater length and will introduce that eulogy into the RECORD of the Senate after I have given it.

I wish to mention that was a Senate which had giants with whom all of us in my generation grew up—Symington of Missouri and Johnson of Texas and Dirksen of Illinois and Mansfield of Montana and, from my State, Smathers and Holland.

Johnson really relied on Smathers—so much so that when there was a vacancy as the assistant majority leader, he asked Smathers to fill in temporarily. And when Senator Johnson, the majority leader, ended up having his heart attack and was out of work for 7 months, George Smathers stood in as the acting majority leader. Upon Senator Johnson's return, he asked Senator Smathers to be his permanent assistant majority leader. LBJ was not someone who was accustomed to having someone tell him no, but his friend from Florida told him that he should not do it.

I will just mention one other fact. George Smathers, as a young Congressman, met Fidel Castro in 1948. Fidel Castro told him that he was going to take over Cuba. That was 11 years before Castro ousted the hated dictator Batista. Smathers was always leery of Fidel Castro, and he often warned people, before Castro took over and, in fact, after Castro was in. When so many in the world thought he got rid of the hated dictator Batista, Smathers said: Watch out, he is going to consolidate power and he is going to become a problem. He was prophetic. That is exactly what happened.

That was the kind of leadership we had. It is the passing of an era. America has lost one of her great leaders, and Florida has lost one of its great sons. It is my privilege to bring these remarks to the Senate.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. SANDERS). Without objection, it is so ordered.

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#### IRAQ WAR RESOLUTIONS

Mr. NELSON of Florida. Mr. President, for a week now we have had this speculation, the rumors, and then finally the deliberations in front of the Senate Foreign Relations Committee of a resolution disapproving the President's increase of the forces by 21,000 in

Iraq. A resolution was passed out on a vote of something like 12 to 9 yesterday. It was bipartisan in the passing, but it was basically a partisan vote. Save for one member of the minority on the Senate Foreign Relations Committee, all of the minority voted against the resolution. But almost to a person, all of the members of the Senate Foreign Relations Committee, both sides of the aisle, had expressed their dissatisfaction, individually in their statements in front of the committee, with the President's intention to increase the number of troops, which is already underway, as we know, as we have been reading the commentary in the press.

So we have that resolution. Then we have a resolution introduced by Senator WARNER. This Senator from Florida looks at these two resolutions, and they are almost identical. So this Senator is one of several Senators who has cosponsored both resolutions. This Senator is one of several Senators who has been trying to bring the two together to be folded into one, since it basically, in substance, is the same thing in both of them. Yet for one reason or another, that has not been accomplished.

Therefore, next week, we expect both of those resolutions to come in front of the Senate. At this moment, it looks as if it will be the Senate Foreign Relations Committee product that will then be amendable and I suppose with a substitute amendment. Then we go through all the amendatory process. Now, that may be the way the Senate will work its will, but it is not necessarily the way it could be done the easiest, if we could have great minds come together in a bipartisan way on two resolutions that virtually say the same thing.

I bring this up simply to say we get so wound around the axle and so worked up over the particular number of troops when, in fact, looking at the underlying conditions in the Middle East and in Iraq, where there is so much at stake for our country: The oil and gas in that region, the east-west trade routes that go through the area, all of the international capital investment that is in that region of the world, and all of the capital that is produced that flows out of that part of the world—all of that instability in the region, brought about as a result of instability in Iraq, is going to have a major global impact.

The former commander, the former combatant commander of the U.S. Central Command, General Tony Zinni, a now retired 4-star Marine general who served as the head of Central Command back under the Clinton administration, has written extensively on this, and he points out that there is a complexity we have unleashed by going into Iraq that is not only the Sunni-Shiite conflict but also the Arab-Persian conflict. General Zinni, in his upfront, blunt-talking way says:

There are three options in Iraq: Fix it, contain it, or leave it.