

that political campaigns in 2002 and 2004 involved ads that I think we all would find over the line as far as the political discourse in a contested election should not detract from or dilute our condemnation of this particular ad.

You know, there is an unfortunate trend in our society today by people refusing to take personal responsibility for their conduct by saying: Well, we ought to condemn everybody, as if we should not condemn those individuals and those organizations which have clearly crossed the line in this case by saying: Well, we have to condemn everybody.

Well, I think this is the place to start, by condemning this ad, this irresponsible ad run in the New York Times at a discount by that organization, by that business entity, in favor of MoveOn.org, for the kind of ad I would hope we would unanimously condemn. Rather than relitigating political campaigns in the past, my hope is we would vote for this amendment and vote against the Boxer amendment.

Mr. INHOFE. Mr. President, will the Senator yield for a question?

I ask the Senator from Texas, I was down here yesterday spending quite a bit of time on this particular issue. I was not aware the Senator from California was going to come in with her amendment. I assume the first vote we have is going to be on the Boxer amendment; is that correct?

The PRESIDING OFFICER. The Senator from Oklahoma is correct.

Mr. INHOFE. Well, let me just suggest to you, I think if the defining moment—if you really agreed with what MoveOn.org did and what they said and how they demeaned one of the finest officers in the history of this country—the guy has a Ph.D. from Princeton; he is not just a normal person. The guy was unanimously agreed to and supported by the group here to go and do this work and take over the war in Iraq. This is the right guy for the right time. Huge successes are taking place.

I listened with some interest this morning to the House Foreign Relations subcommittee proceedings yesterday, and the very people who were complaining that General Petraeus consulted with the White House to come up with his information are now saying he should have consulted with White House and did not do it. You can't have it both ways.

I would just say this: The vote we are about to take is not a vote on an amendment by Senator BOXER; it is a vote as to whether you agree with MoveOn.org coming in and saying the things they have articulated about one of our top military leaders. That is what the vote is all about.

I urge everyone to oppose the Boxer amendment.

The PRESIDING OFFICER. The Senator from Texas has 15 seconds remaining.

Mr. CORNYN. Mr. President, when General Petraeus was confirmed, the majority leader called him a great

man. My colleague from California referred to him as an amazing man, saying: Of course I listen to General Petraeus.

The Senator from Delaware said: I do not know anyone better than Petraeus. This is the thanks he gets after 9 months of service in Iraq.

The PRESIDING OFFICER. All time has expired.

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

The PRESIDING OFFICER. 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) and the Senator from Washington (Ms. CANTWELL) are necessarily absent.

Mr. LOTT. The following Senator is necessarily absent: the Senator from Colorado (Mr. ALLARD).

The PRESIDING OFFICER (Mr. TESTER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 47, as follows:

[Rollcall Vote No. 343 Leg.]

YEAS—50

Akaka	Harkin	Nelson (FL)
Baucus	Inouye	Nelson (NE)
Bayh	Johnson	Obama
Bingaman	Kennedy	Pryor
Boxer	Kerry	Reed
Brown	Klobuchar	Reid
Byrd	Kohl	Rockefeller
Cardin	Landrieu	Salazar
Carper	Lautenberg	Sanders
Casey	Leahy	Schumer
Clinton	Levin	Specter
Conrad	Lieberman	Stabenow
Dodd	Lincoln	Tester
Dorgan	McCaskill	Webb
Durbin	Menendez	Whitehouse
Feinstein	Mikulski	Wyden
Hagel	Murrary	

NAYS—47

Alexander	DeMint	Martinez
Barrasso	Dole	McCain
Bennett	Domenici	McConnell
Bond	Ensign	Murkowski
Brownback	Enzi	Roberts
Bunning	Feingold	Sessions
Burr	Graham	Shelby
Chambliss	Grassley	Smith
Coburn	Gregg	Snowe
Cochran	Hatch	Stevens
Coleman	Hutchison	Sununu
Collins	Inhofe	Thune
Corker	Isakson	Vitter
Cornyn	Kyl	Voinovich
Craig	Lott	Warner
Crapo	Lugar	

NOT VOTING—3

Allard	Biden	Cantwell
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The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 47. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is withdrawn.

#### CHANGE OF VOTE

Mr. STEVENS. Mr. President, on rollcall No. 343, I voted “yea.” I intended to vote “nay.” Therefore, I ask unanimous consent that I be permitted to change my vote. This will not affect the outcome of the vote.

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

(The foregoing tally has been changed to reflect the above order.)

AMENDMENT NO. 2934

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior a vote in relation the amendment No. 2934, offered by the Senator from Texas.

The Republican leader is recognized.

Mr. McCONNELL. Mr. President, I would like to proceed for a few minutes on my leader time.

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

Mr. McCONNELL. Mr. President, it has been more than a week since the junior Senator from Texas offered an amendment condemning an ad by MoveOn.org that appeared last Monday in the New York Times.

The ad was, by any standard—by any standard—abhorrent. It accused a four-star general, who has the trust and respect of 160,000 men and women in Iraq, of betraying that mission and those troops, of lying to them and to us.

Who would have ever expected anybody would go after a general in the field at a time of war, launch a smear campaign against a man we have entrusted with our mission in Iraq?

Any group that does this sort of thing ought to be condemned.

Let's take sides: General Petraeus or MoveOn.org. Which one are we going to believe? Which one are we going to condemn? That is the choice.

MoveOn says he is a traitor. If we believe that, we should condemn him. If we do not believe that, then we ought to be condemning them, not him.

Now, here is what we know about this group. I will bet you a lot of our Democratic colleagues do not know everything MoveOn is for. I think you probably know they try to come to your aid from time to time, but I bet you do not know everything they advocate.

In the days after the terrorist attacks of September 11, it urged—MoveOn.org urged—a pacifist response to al-Qaida.

They rejected the idea that governments should be held responsible for terrorists such as al-Qaida who operate within their borders.

This is the group that called defeating the PATRIOT Act “a success story,” the group that ran an ad on its Web site equating the President to Adolf Hitler, the group that thinks organizations such as the U.N. will rid the world of al-Qaida.

That is MoveOn.org. This is what we are dealing with. I cannot believe those are the views of a vast majority of my friends and colleagues on the other side of the aisle.

Now, what do we know about General Petraeus? Commander of the Multi-National Force-Iraq; been in Iraq for about 4 years; literally wrote the U.S. counterinsurgency manual; commanded the 101st Airborne Division

during the first year of Operation Iraqi Freedom; Assistant Chief of Staff for Operations of the NATO Stabilization Force and Deputy Commander of the U.S. Joint Interagency Counter-Terrorism Task Force in Bosnia; Assistant Division Commander for Operations of the 82nd Airborne Division at Fort Bragg; West Point; aide to the Chief of Staff of the Army; battalion, brigade, and division operations officer; Assistant to the Supreme Allied Commander-Europe; Distinguished Service Medal; Defense Superior Service Medal; Legion of Merit; Bronze Medal for Valor; NATO Meritorious Service Medal; one of America's 25 Best Leaders, according to US News & World Report; and a four-star general of the Army.

That is what we know about General Petraeus.

Here is what our friends on the other side of the aisle said about General Petraeus when they confirmed him back in January.

The junior Senator from California called him "an amazing man."

The chairman of the Foreign Relations Committee, the senior Senator from Delaware, said: "I don't know anybody better than Petraeus."

The senior Senator from Massachusetts said he is "an outstanding military officer, and our soldiers really deserve the best, and I think they're getting it with your service," referring to General Petraeus.

The chairman of the Armed Services Committee, the senior Senator from Michigan, said: "General Petraeus is widely recognized for the depth and breadth of his education, training, and operational experience."

They praised him up and down in January, confirmed him unanimously, funded his mission, and sent him the troops.

So now is the time to be heard. Is it right to call General Petraeus a traitor or not? That is what this vote is about. Is it right to call General Petraeus a traitor or not?

This group, MoveOn.org, is crowing all over the papers. They say they have my colleagues on the other side of the aisle on a leash. They brag about it. Their executive director has said, referring to the party on the other side of the aisle, they are "Our party." MoveOn.org says: "we bought it, we own it, and we're going to take it back." That is MoveOn.org saying that about our friends on the other side of the aisle.

They claim to be in constant contact with people on the other side of the aisle. I do not believe this group is telling all these great Senators on the other side of the aisle what to do. I do not believe that. This is an opportunity to demonstrate it.

So this amendment gives our colleagues a chance to distance themselves from these despicable tactics, distance themselves from the notion that some group literally has them on a leash, akin to a puppet on a string.

It is time to take a stand—not to dredge up political battles of the past but to condemn this ad.

What about this ad should not be condemned? Is there anything about this ad that should not be condemned?

I urge my colleagues to stand with General Petraeus and against this ad.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The majority leader is recognized.

MR. REID. Mr. President, the only thing my friend left off regarding General Petraeus, he also has a Ph.D. from Princeton. He is a man we all have great regard for. I think no one disputes that General Petraeus is a good soldier. He follows orders, and that is what soldiers are supposed to do, even a general. This general follows the orders of the Commander in Chief, and that is the way it should be.

This is not the Petraeus war. It is the Bush war. I would say my friend from Kentucky, my dear friend, my counterpart, is talking about an organization that has more than 3 million members. I do not know what any one of them may have said at any given time. I certainly cannot support everything they say, that is for sure.

But understand, the amendment that was offered by my friend, Senator BOXER, is very clear. It says the September 10, 2007, advertisement in the New York Times "was an unwarranted personal attack on General Petraeus." That is what it says. We just voted on that. I cannot imagine why some of my colleagues on the other side voted against this. That is what it says. One reason, maybe it brought up some things from the past, the recent past, such as yesterday.

For a party that endorsed longer troop time in Iraq for our soldiers; that is, our people who are serving us so valiantly in Iraq cannot stay home for the same amount of time they go over there—that is what this party voted against. They voted in favor of second and third and fourth tours of duty for these young men and women.

We condemn all attacks on our valiant soldiers. That is what the amendment we voted on said. I read what it says about the ad. We don't support that ad. We clearly voted accordingly.

But we also said we should remember—as I hope we remember the vote yesterday endorsing longer tours for our soldiers—I hope we also remember what happened to Max Cleland, a man who lost three limbs. Every day of his life, including today, he wakes up and spends 2 hours getting dressed. He dresses himself. He does his exercise, running on a mattress, with his stumps. He was decorated for heroism. But he wasn't patriotic enough to serve in the Senate, according to people who are in this Chamber. They ran ads against Max Cleland. JOHN KERRY: Two Silver Stars, two Purple Hearts. Did I hear my friends complaining about these vicious ads against JOHN KERRY when he was running for President? Not a single murmur. Some were cheering on the Swift Boat demons.

So as we say in this resolution, we do not support any unwarranted attack on

General Petraeus or any other of our military members. But what we want to do here is talk about the war—the war. The policy is bad. We will soon be starting the sixth year of this war, costing this country right now about three-quarters of a trillion dollars, and we are fighting for pennies for children's health, pennies for doing things about the environment, and education. The President is complaining because what we want to do in our appropriations bills is \$21 billion over this magic number he came up with, \$21 billion in an approximately \$1 trillion bill, ultimately how much it will be for taking care of things the Government wants. But we are going to have in a few days another supplemental appropriations bill for Iraq approaching about two hundred billion more dollars.

The American people are fed up with this. No one over here endorses the ad that was in that newspaper. None of us do. But we want to talk about the war. They want to talk about an ad in a newspaper. None of us in any way criticized General Petraeus. He is a soldier. He is following a policy set by the Commander in Chief. But that doesn't take away from the problems the American people feel are as a result of this war: death, injury to men and women. So I hope—we are on the Defense authorization bill—we can proceed on the Defense authorization bill, complete this legislation, have civil debate on Iraq policy, and we hope to do that. I say respectfully to my friends, focus on the policy of this war, not on an ad we had nothing to do with.

The PRESIDING OFFICER. Who yields time?

MR. REID. If we have time left, I yield it back, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

MRS. BOXER. Mr. President, could I ask what the parliamentary situation is? I thought Senator CORNYN was going to have an amendment and I was going to have an amendment this morning. Is that accurate?

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 2934 offered by the Senator from Texas, Mr. CORNYN.

Is there a sufficient second?

At the moment, there is not a sufficient second.

MR. MCCONNELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The Senator from Texas is recognized.

MR. CORNYN. Mr. President, this amendment is about the difference between a uniformed leader of our U.S. military, GEN David Petraeus, the difference between him and a political candidate. Surely our colleagues—all of us in the Chamber understand, having run for office ourselves, that there

are things said in political campaigns which many of us regret. But our focus should not be distracted from this character assassination against a great American patriot. I can't believe any Member of this Senate would vote against this amendment which condemns this character assassination and by their vote against this amendment would say it is OK.

I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Mr. President, JOHN KERRY and Max Cleland are great heroes. My colleagues on the other side voted not to condemn the attacks against them, even though the Senator from Arizona did so, and I have the chart of what he said.

This is about politics, let's face it. Since when are we the ad police who go after organizations by name and wave around their name? What are we going to do next when there is a health care debate? Are we going to condemn one organization on one side and one on the other, or are we going to do it on choice and hold up some very tough ads that we see running all over this country? I would hope not.

This is the United States of America. We condemn all attacks against our men and women serving honorably in the military, not just one organization. We condemn all the attacks. I hope our colleagues will vote "no." Otherwise, we are starting a terrible precedent around here we will regret.

I yield back the remainder of my time.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to amendment No. 2934. The yeas and nays are ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Washington (Ms. CANTWELL) and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 72, nays 25, as follows:

[Rollcall Vote No. 344 Leg.]

YEAS—72

Alexander	Corker	Johnson
Allard	Cornyn	Klobuchar
Barrasso	Craig	Kohl
Baucus	Crapo	Kyl
Bayh	DeMint	Landrieu
Bennett	Dole	Leahy
Bond	Domenici	Lieberman
Brownback	Dorgan	Lincoln
Bunning	Ensign	Lott
Burr	Enzi	Lugar
Cardin	Feinstein	Martinez
Carper	Graham	McCain
Casey	Grassley	McCaskill
Chambliss	Gregg	McConnell
Coburn	Hagel	Mikulski
Cochran	Hatch	Murkowski
Coleman	Hutchison	Nelson (FL)
Collins	Inhofe	Nelson (NE)
Conrad	Isakson	Pryor

Roberts	Snowe	Thune
Salazar	Specter	Vitter
Sessions	Stevens	Voinovich
Shelby	Sununu	Warner
Smith	Tester	Webb

NAYS—25

Akaka	Harkin	Reid
Bingaman	Inouye	Rockefeller
Boxer	Kennedy	Sanders
Brown	Kerry	Schumer
Byrd	Lautenberg	Stabenow
Clinton	Levin	Whitehouse
Dodd	Menendez	Wyden
Durbin	Murray	
Feingold	Reed	

NOT VOTING—3

Biden	Cantwell	Obama
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The PRESIDING OFFICER. On this vote, the yeas are 72, the nays are 25. Under the previous order, requiring 60 votes for the adoption of the amendment, amendment No. 2934 is agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

Mr. MCCAIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEVIN. Mr. President, I ask unanimous consent that when the Senate considers Feingold amendment No. 2924, which I understand will now be the matter before the Senate, there will be 2 hours of debate, with the time divided as follows: 90 minutes under the control of Senator FEINGOLD or his designee, 30 minutes under the control of Senator MCCAIN or his designee; that no amendment be in order to the amendment prior to the vote; that upon the—Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. LEVIN. Mr. President, it is our understanding—and Senator MCCAIN and I have discussed this—that Senator FEINGOLD will be recognized to offer amendment No. 2924.

I ask unanimous consent that there be 2 hours of debate, with the time divided as follows: 90 minutes under the control of Senator FEINGOLD or his designee, 30 minutes under the control of Senator MCCAIN or his designee; that no amendment be in order to the amendment prior to the vote; that upon the use or yielding back of time, without further intervening action or debate, the Senate proceed to vote in relation to the amendment, and that if the amendment doesn't receive 60 votes, it be withdrawn.

The PRESIDING OFFICER. Is there objection?

Mr. MCCAIN. Mr. President, reserving the right to object, and I will not object, I thank the distinguished chairman, Senator LEVIN. I want to mention this: Is it the chairman's understanding that after that, we would probably go to the Levin-Reed amendment and have a time agreement fol-

lowing that? Is it also the chairman's understanding that any Iraq-related amendment would probably be a 60-vote requirement? Finally, is it also the understanding of the chairman that at 3 p.m. today we would expect all amendments to be filed on this bill?

Mr. LEVIN. If the Senator will yield.

Mr. MCCAIN. I do not object.

Mr. LEVIN. It is our hope to work out an arrangement so we can proceed next to the Levin-Reed amendment. If that is the situation, we would hope to work out a time agreement as well on that amendment. There are two other matters that we may want to try to dispose of—at least one other matter—prior to the Levin-Reed amendment. It is our hope as well, as the Senator from Arizona expects, that amendments that are Iraq related include the 60-vote requirement.

Mr. MCCAIN. Also, if I could be recognized briefly.

The PRESIDING OFFICER. Without objection, the unanimous consent agreement is agreed to.

Mr. MCCAIN. Mr. President, I remind my colleagues—and I again thank the chairman, Senator LEVIN. I think we have had an excellent degree of accommodation, with occasional differences of opinion. But I appreciate his leadership. I remind my colleagues this is the 12th day of debate on this bill. The total time of debate has been 69 hours. We still have not gotten to the body of the legislation. That is 12 days, 69 hours.

I know this is called a "deliberative" body, but we are now reaching the limits of that description. So I hope all of our colleagues will work with us to dispose—hopefully today—of the Iraq-related amendments, and then we can close out the filing of amendments on the bill itself and, hopefully, have some kind of agreement to dispose of this legislation.

Again, as we have pointed out several times, on this legislation is the Wounded Warrior legislation, for our veterans, a pay raise, and so many other important aspects of the legislation. We don't want us, for the first time in more than 46 years, not to pass this important bill.

I yield the floor.

Mr. LEVIN. Mr. President, let me also add one comment to Senators. We have already, on this side, hotlined a unanimous consent agreement that no amendment would be in order to this bill, unless it is filed by 4 p.m. this afternoon—no first-degree amendment would be in order. We don't know what the response is. We hope all of the Democrats will agree to that. We believe that a similar unanimous consent request has been hotlined on the Republican side, but the ranking member would know that.

We hope that works, for the reason the Senator gave, which is that this bill is extremely important. We have been on it a long time. We are going to need a number of days, obviously, to resolve the hundreds of amendments

that are still filed and have not been resolved. We are working to clear amendments, and we need the cooperation of everybody.

Mr. McCAIN. Mr. President, one final comment. I am not sure I will need all the time on this side for this amendment. We have debated this amendment before, and I alert my colleagues that perhaps we can vote earlier than the 2-hour time that is involved.

I yield the floor.

The PRESIDING OFFICER (Mrs. McCASKILL). The Senator from Wisconsin.

Mr. FEINGOLD. Madam President, what is the pending business?

The PRESIDING OFFICER. Amendment No. 2064.

Mr. FEINGOLD. Amendment No. 2064?

The PRESIDING OFFICER. Correct.

Mr. FEINGOLD. Madam President, I ask unanimous consent that amendment be set aside.

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

AMENDMENT NO. 2924 TO AMENDMENT NO. 2011

Mr. FEINGOLD. Madam President, I now call up amendment No. 2924.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Wisconsin [Mr. FEINGOLD], for himself, Mr. REID, Mr. LEAHY, Mrs. BOXER, Mr. WHITEHOUSE, Mr. HARKIN, Mr. SANDERS, and Mr. SCHUMER, proposes an amendment numbered 2924 to amendment No. 2011.

Mr. FEINGOLD. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To safely redeploy United States troops from Iraq)

At the end of subtitle C of title XV, add the following:

**SEC. 1535. SAFE REDEPLOYMENT OF UNITED STATES TROOPS FROM IRAQ.**

(a) TRANSITION OF MISSION.—The President shall promptly transition the mission of the United States Armed Forces in Iraq to the limited and temporary purposes set forth in subsection (d).

(b) COMMENCEMENT OF SAFE, PHASED REDEPLOYMENT FROM IRAQ.—The President shall commence the safe, phased redeployment of members of the United States Armed Forces from Iraq who are not essential to the limited and temporary purposes set forth in subsection (d). Such redeployment shall begin not later than 90 days after the date of the enactment of this Act, and shall be carried out in a manner that protects the safety and security of United States troops.

(c) USE OF FUNDS.—No funds appropriated or otherwise made available under any provision of law may be obligated or expended to continue the deployment in Iraq of members of the United States Armed Forces after June 30, 2008.

(d) EXCEPTION FOR LIMITED AND TEMPORARY PURPOSES.—The prohibition under subsection (c) shall not apply to the obligation or expenditure of funds for the following limited and temporary purposes:

(1) To conduct targeted operations, limited in duration and scope, against members of al

Qaeda and affiliated international terrorist organizations.

(2) To provide security for United States Government personnel and infrastructure.

(3) To provide training to members of the Iraqi Security Forces who have not been involved in sectarian violence or in attacks upon the United States Armed Forces, provided that such training does not involve members of the United States Armed Forces taking part in combat operations or being embedded with Iraqi forces.

(4) To provide training, equipment, or other materiel to members of the United States Armed Forces to ensure, maintain, or improve their safety and security.

Mr. FEINGOLD. Madam President, last week, as the administration was trying to convince us to stay the latest course in Iraq, it made very little mention of the fact that in every month this year, January through August, substantially more U.S. troops have died in Iraq than in the corresponding month in 2006.

It also had little to say about the British survey released last week which found that nearly one in two Baghdad households has lost at least one member to war-related violence and that 22 percent of surveyed households across the nation have endured at least one death. Based on the number of households in Iraq, this could mean that upwards of 1 million civilian deaths have occurred as a result of the war in Iraq.

Despite these facts, this administration assures us that violence is decreasing and that the security situation in Iraq is getting better. They tell us success is within reach and that we are closer to attaining our objectives, even though those objectives keep changing—most recently from supporting a strong central government to a more bottom-up and local approach. Just give us more time, they say, just as they said in 2004 and in 2005 and in 2006. The slogan may be different. We have had “Mission Accomplished” and “Stay the Course” and “The New Way Forward” and now “Return on Success.” But each time, we are told we are on the right road until, that is, we reach another dead end and then a new slogan is invented to justify our open-ended presence in Iraq. As the administration blunders from one mistake to another, brave American troops are being injured and killed in Iraq, our military is being overstretched, countless billions of dollars are being spent, the American people are growing more and more frustrated and outraged, and our national security, quite frankly, is being undermined.

Our top national security priority should be going after al-Qaida and its affiliates. They are waging a global campaign from north Africa to Southeast Asia. We cannot afford to continue to focus so much of our resources on one single country without a legitimate strategy for dealing with the threats posed by al-Qaida’s global reach.

Instead of seeing the big picture, instead of placing Iraq in the actual context of a comprehensive and global

campaign against a ruthless enemy, this administration persists in the tragic mistake it made over 4 years ago when it took this country to war in Iraq. That war has led to the deaths of more than 3,700 Americans and perhaps as many as 1 million Iraqi civilians, it has deepened instability throughout the Middle East, it has jeopardized our credibility, and it has clearly alienated our friends and allies.

This summer’s declassified National Intelligence Estimate confirms that al-Qaida remains the most serious threat to the United States. Indeed, key elements of that threat have been regenerated, have even been enhanced. While we have been distracted by the war in Iraq, al-Qaida has protected, rebuilt, and strengthened its safe haven in the border region between Pakistan and Afghanistan and has increased its collaboration with regional terrorist groups in other parts of the world. With its safe haven, al-Qaida is working to expand its network and, therefore, its ability to strike Western targets, including ones right here in the United States.

The administration has much to say about al-Qaida in Iraq. They will not tell you al-Qaida in Iraq is an al-Qaida affiliate which was spawned by this disastrous war, however, and they would rather not talk about al-Qaida’s safe haven in the Pakistan-Afghanistan region or even recognize the serious global threat that continues to exist and that has even been strengthened while our troops are dying in Iraq. That tells you all you need to know about the administration’s painfully narrow focus on Iraq.

The war in Iraq is not making us safer. It is making us more vulnerable. It is stretching our military to the breaking point and inflaming tensions and anti-American sentiment in an important and volatile part of the world. It is playing into the hands of our enemies, as even the State Department recognized when it said the war in Iraq is “used as a rallying cry for radicalization and extremist activity in neighboring countries.”

Of course, it would be easy to put all the blame on the administration, but I am afraid Congress is complicit too. Congress authorized the war. Congress has so far allowed it to continue despite strong efforts from the new Democratic leadership. Now, once again, it is up to us in Congress to reverse this President’s intractable policy, to listen to the American people, to save American lives, and to protect our Nation’s security by redeploying our troops from Iraq. We have the power and the responsibility to act, and we must act now.

I am not suggesting that we abandon the people of Iraq or that we ignore the political stalemate there and the rapidly unfolding humanitarian crisis which has displaced more than 4 million Iraqis from their homes. These critical issues require the attention and constructive engagement of U.S.

policymakers, key regional players, and the international community. But such turbulence cannot and will not be resolved by a massive military engagement. The administration's surge is another dead end. The surge was supposedly aimed at creating the space necessary for political compromise, but the Iraqi Government is no more reconciled than it was when the surge began, and American troops are dying in greater numbers—greater numbers—than last year or the year before.

That is why I am again offering an amendment, with the majority leader, HARRY REID, and Senators LEAHY, BOXER, WHITEHOUSE, HARKIN, SANDERS, SCHUMER, DODD, DURBIN, and MENENDEZ. Our amendment, which is similar to legislation we introduced earlier this year, would require the President to begin safely redeploying U.S. troops from Iraq within 90 days of enactment, and it would require the redeployment to be completed by June 30, 2008.

At that point, with our troops safely out of Iraq—and I repeat that—at that point, with our troops safely out of Iraq, funding for the war would be ended, with four narrow exceptions: providing security for U.S. Government personnel and infrastructure, training the Iraqi security forces, providing training and equipment to U.S. service men and women to ensure their safety and security, and conducting targeted operations limited in duration and scope against members of al-Qaida and other affiliated international terrorist organizations.

By enacting Feingold-Reid, we can finally focus on what should be our top national security priority—waging a global campaign against al-Qaida and its affiliates. Our amendment will allow targeted missions against al-Qaida in Iraq, but it will not allow the administration to maintain substantial numbers of U.S. troops in that country.

The amendment will also allow training of Iraqis who have taken steps to address serious concerns about the loyalties of the ISF. The Government Accountability Office has found that the ISF have been infiltrated by Shia militia, and General Jones's recent report indicated ISF are compromised by militia and sectarian alliances. In addition, there have been several reports of ISF attacks upon U.S. troops. That is why we do not allow training for Iraqis who have been involved in sectarian violence or attacks upon Americans.

We also prevent the “training” exception from being used as a loophole to keep tens of thousands of U.S. troops in Iraq. We do this by stipulating that U.S. troops providing training cannot be embedded or take part in combat operations with the ISF. Training should be training, not a ruse for keeping American troops on the front lines of the Iraqi civil war. Of course, U.S. troops can take part in combat operations specifically against al-Qaida and its affiliates.

Some of my colleagues will oppose this amendment. That is their right.

But I hope none of them will suggest that Feingold-Reid would hurt the troops by denying them equipment or support. Why do I hope they don't say that? Because there is no truth to the argument. None. This is an absolutely phony argument used time and again to try to get away from what this amendment actually does. Passing this legislation will result in our troops being safely redeployed by the deadline we set. At that point, with the troops safely out of Iraq, funding for the war would end, with the narrow exceptions I listed. That is what Congress did in 1993 when it voted overwhelmingly to bring our military mission in Somalia to an end by setting a deadline after which funding for that mission would end. And that is what Congress must do again to terminate the President's unending mission in Iraq.

In order to make clear our legislation will protect the troops, we have added language requiring that redeployment “shall be carried out in a manner that protects the safety and security of United States troops,” and we have specified that nothing in this amendment will prevent U.S. troops from receiving the training or equipment they need “to ensure, maintain, or improve their safety and security.” So I hope we will not be hearing any more phony arguments about troops on the battlefield somehow not getting the supplies they need.

Other amendments might set goals for redeployment or merely call for a change in mission, but those proposals do not go far enough. Nor is it sufficient to pass legislation that allows substantial numbers of U.S. troops to remain in Iraq indefinitely. As the President's Iraq policy continues unchecked, we need to invoke the power and the responsibility bestowed upon us by the Constitution and bring this to a close.

This war doesn't make sense. It is hurting our country, our military, and our credibility. It is time for this war to end. The American people know this, and they are looking to us to act. I hope we will not let them down again.

Madam President, I reserve the remainder of my time. I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I rise to oppose the amendment offered by my good friend from Wisconsin. I would prefer to be discussing other reform issues with him than this one, but this is an important amendment.

As usual, the Senator from Wisconsin makes a passionate and persuasive case. Unfortunately, the pending amendment would mandate a withdrawal of U.S. combat forces within 90 days of enactment and cut off funds for our troops in Iraq after June 30, 2008. One exception would be for a small force authorized only to carry out narrowly defined missions.

The Senate, once again, faces a simple choice: Do we build on the successes of our new strategy and give

General Petraeus and the troops under his command the time and support needed to carry out their mission or do we ignore the realities on the ground and legislate a premature end to our efforts in Iraq, accepting thereby all the terrible consequences that will ensue? That is the choice we must make, and though politics and popular opinion may be pushing us in one direction, we have a greater responsibility, in my view, a duty to make decisions with the security of this great and good Nation foremost in our minds.

We now have the benefit of the long-anticipated testimony delivered by General Petraeus and Ambassador Crocker, testimony that reported unambiguously that the new strategy is succeeding in Iraq. Understanding what we know now—that our military is making progress on the ground and that their commanders request from us the time and support necessary to succeed in Iraq—it is inconceivable that we in Congress would end this strategy just as it is beginning to show real results.

We see today that after nearly 4 years of mismanaged war, the situation on the ground in Iraq is showing demonstrable signs of progress. The final reinforcements needed to implement General Petraeus's new counterinsurgency plan have been in place for over 2 months, and our military, in cooperation with the Iraqi security forces, is making significant gains in a number of areas.

General Petraeus reported in detail on these gains during his testimony in both Houses and in countless interviews. The No. 2 U.S. commander in Iraq, GEN Ray Odierno, said today—Madam President, I ask unanimous consent to have printed in the RECORD an article today by AP concerning General Odierno's comments saying “that a seven-month old security operation has reduced violence by 50 percent in Baghdad but he acknowledged that civilians were still dying at too high a rate.”

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

U.S. COMMANDER: VIOLENCE DOWN IN BAGHDAD  
(By Katarina Kratovac)

The No. 2 U.S. commander in Iraq said Thursday that a seven-month-old security operation has reduced violence by 50 percent in Baghdad but he acknowledged that civilians were still dying at too high a rate.

The comments came as relations between the U.S. and Iraqi governments remained strained in the wake of Sunday's shooting involving Blackwater USA security guards, which Iraqi officials said left at least 11 people dead. Prime Minister Nouri al-Maliki suggested the U.S. Embassy find another company to protect its diplomats.

The Moyock, N.C.-based company has said its employees acted “lawfully and appropriately” in response to an armed attack against a State Department convoy.

But a survivor who said he was three cars away from the convoy denied the American guards were under fire, claiming they apparently started shooting to disperse more than

two dozen cars that were stuck in a traffic jam.

“It is not true when they say that they were attacked. We did not hear any gunshots before they started shooting,” lawyer Hassan Jabir said from his hospital bed.

On Thursday, Lt. Gen. Raymond Odierno told reporters that car bombs and suicide attacks in Baghdad have fallen to their lowest level in a year, and civilian casualties have dropped from a high of about 32 to 12 per day.

He also said violence in Baghdad had seen a 50 percent decrease, although he did not provide details about how the numbers were obtained and said that was short of the military’s objectives.

“What we do know is that there has been a decline in civilian casualties, but I would say again that it’s not at the level we want it to be,” Odierno said. “There are still way too many civilian casualties inside of Baghdad and Iraq.”

Al-Qaida in Iraq was “increasingly being pushed out of Baghdad, “seeking refuge outside” the capital and “even fleeing Iraq,” Odierno said.

Lt. Gen. Abboud Qanbar, the Iraqi military commander, said that before the troop buildup, one-third of Baghdad’s 507 districts were under insurgent control.

“Now, only five to six districts can be called hot areas,” he said. “Al-Qaida now is left only with booby-trapped cars and roadside bombs as their only weapon, which cannot be called quality operations, and they do not worry us.”

Qanbar also reported the release of 1,686 detainees from Iraqi jails.

Odierno said the U.S. military had separately released at least 50 detainees per day, or a total of at least 250, since beginning an amnesty program for inmates as a goodwill gesture linked to the Islamic holy month of Ramadan.

Meanwhile, a U.S. soldier died Wednesday in a non-combat incident in Anbar west of Baghdad, the military said, adding that the incident was under investigation.

After the shooting Sunday in the Mansour district of western Baghdad, Blackwater spokeswoman Anne E. Tyrrell said the employees acted “lawfully and appropriately” in response to an armed attack against a U.S. State Department convoy.

But Iraqi witnesses claim seeing Blackwater security guards fire at civilians randomly.

Speaking from his bed in the Yarmouk hospital four days after the incident, Jabir said he was one of the wounded when Blackwater’s security guards opened fire in Nisoor Square.

He said he was stuck in a traffic jam near Nisoor Square in western Baghdad when he saw the American convoy of armored vehicles and black SUVs parked about 20 yards away at an intersection, apparently following an explosion.

Jabir said the Americans began yelling to disperse the vehicles, then opened fire as the cars were trying to turn around.

“Some people, including women and children, left their cars and began crawling on the street to avoid being shot but many of them were killed. I saw a 10-year-old boy jumping in fear from one of the minibuses and he was shot in his head. His mother jumped after him and was also killed,” Jabir said, adding that his car flipped over in the chaos.

The incident has angered Iraqis, uniting them in blaming U.S. forces for the violence in their country and backing the government’s announcement to ban Blackwater from Iraq.

U.S. and Iraqi officials announced they would form a joint committee to try to reconcile widely differing versions of the inci-

dent. Conflicting accounts were circulating among Iraqi officials themselves.

Land travel by U.S. diplomats and other civilian officials outside the fortified Green Zone was suspended following the Iraqi government order that Blackwater stop working.

The U.S.-based company is the main provider of bodyguards and armed escorts for American government civilian employees in Iraq and banning it from Iraq would hamper and make movement of U.S. diplomats and others difficult.

Al-Maliki, who disputed Blackwater’s version of what happened, spoke out sharply against the company Wednesday, saying the government would not tolerate the killing of its citizens “in cold blood.”

He also said the shootings had generated such “widespread anger and hatred” that it would be “in everyone’s interest if the embassy used another company while the company is suspended.”

Eager to contain the crisis, the State Department said Wednesday a joint U.S.-Iraqi commission will be formed.

The size and composition of the commission have yet to be determined but its members are charged with assessing the results of both U.S. and Iraqi investigations of Sunday’s incident, reaching a common conclusion about what happened and recommending possible changes to the way in which the embassy and its contractors handle security, the State Department said.

Mr. McCAIN. He said that the violence, as I said, has been reduced by some 50 percent, that car bombs and suicide attacks in Baghdad have fallen to their lowest levels in a year, and that civilian casualties have dropped from a high of 32 per day to 12 per day.

His comments were echoed by LTG Abboud Qanbar, the Iraqi commander, who said that before the surge began, one-third of Baghdad’s 507 districts were under insurgents’ control. Today, he said, only five to six districts can be called hot areas.

I want to be clear to my friend from Wisconsin and my colleagues, none of this is to argue that Baghdad or other regions have suddenly become safe or that violence has come down to acceptable levels. As General Odierno pointed out, violence is still too high and there are many unsafe areas. Nevertheless, such positive developments illustrate General Petraeus’s contention last week that American and Iraqi forces have achieved substantial progress under their new strategy.

The road in Iraq remains, as it always has been, long and hard. The Maliki government remains paralyzed and unwilling to function as it must, and other difficulties abound. No one can guarantee success or be certain about its prospects. We can be sure, however, that should the Congress succeed in terminating the new strategy by legislating an abrupt withdrawal and a transition to a new, less effective, and more dangerous course—should we do that, then we will fail for certain.

I wish to remind all of my colleagues of a statement made by the President of Iran approximately 1 week ago. Every American should hear this statement. Iranian President Mahmoud Ahmadinejad declared yesterday that

U.S. political influence in Iraq was “collapsing rapidly,” and said Tehran was ready to help fill any power vacuum. He stated at a news conference in Tehran, referring to U.S. troops in Iraq:

The political power of the occupiers is collapsing rapidly. Soon, we will see a huge power vacuum in the region. Of course, we are prepared to fill the gap, with the help of neighbors and regional friends like Saudi Arabia, and with the help of the Iraqi Nation.

That is what this is about. That is what this is about. Let us make no mistake about the cost of such an American failure in Iraq. In his testimony before the Armed Services Committee last week, General Petraeus referred to an August Defense Intelligence Agency report that stated:

A rapid withdrawal would result in the further release of strong centrifugal forces in Iraq and produce a number of dangerous results, including a high risk of disintegration of the Iraqi Security Forces; a rapid deterioration of local security initiatives; al-Qaida-Iraq regaining lost ground and freedom of maneuver; a marked increase in violence and further ethno-sectarian displacement and refugee flows; and exacerbation of already challenging regional dynamics, especially with respect to Iran.

These are the likely consequences of a precipitous withdrawal, and I hope the supporters of such a move will tell us how they intend to address the chaos and catastrophe that would surely follow such a course of action. Should this amendment become law, and U.S. troops begin withdrawing, do they believe Iraq would become more or less stable? That the Iraqi people become more or less safe? That genocide becomes a more remote possibility or even likelier? That al-Qaida will find it easier to gather, plan, and carry out attacks from Iraqi soil, or that our withdrawal will somehow make this less likely?

No matter where my colleagues came down in 2002 about the centrality of Iraq to the war on terror, there can simply be no debate that our efforts in Iraq today are critical to the wider struggle against violent Islamic extremism. Earlier this month, GEN Jim Jones, who was widely quoted by opponents of this new strategy, testified before the Armed Services Committee and outlined what he believes to be the consequences of such a course.

A precipitous departure which results in a failed state in Iraq, will have a significant boost in the numbers of extremists, jihadists in the world, who will believe they will have toppled the major power on earth and that all else is possible. And I think it will not only make us less safe; it will make our friends and allies less safe. And the struggle will continue. It will simply be done in different and in other areas.

I don’t see how General Jones could have made himself more clear and succinct, and yet I continue to hear selective quotes from his commissioned reports and his testimony that somehow would lead people to believe he would support such a proposal as being made today by my friend from Wisconsin.

Should we leave Iraq before there is a basic level of stability, we invite chaos, genocide, terrorist safe havens, and regional war. We invite further Iranian influence at a time when Iranian operatives are already moving weapons, training fighters, providing resources, and helping plan operations to kill American soldiers and damage our efforts to bring stability to Iraq. If our notions of national security have any meaning, they cannot include permitting the establishment of an Iranian-dominated Middle East that is roiled by wider regional war and riddled with terrorist safe havens.

The supporters of this amendment respond they do not by any means intend to cede the battlefield to al-Qaida. On the contrary, their legislation would allow U.S. forces, presumably holed up in forward operating bases, to carry out “targeted operations, limited in duration and scope, against members of al-Qaida and other international terrorist organizations.” But such a provision draws a false distinction between terrorism and sectarian violence. Let us think about the implications of ordering American soldiers to target “terrorists” but not those who foment sectarian violence. Was the attack on the Golden Mosque in Samarra a terrorist operation or the expression of sectarian violence? When the Madhi army attacks government police stations, are they acting as terrorists or as a militia? When AQI attacks a Shia village along the Diyala River, is that terrorism or sectarian violence? What about when an American soldier comes across some unknown assailant burying an IED in the road? Must he check for an al-Qaida identity card before responding?

The obvious answer is such acts very often constitute terrorism in Iraq and sectarian violence in Iraq. The two are deeply intertwined. To try to make an artificial distinction between terrorism and sectarian violence is to fundamentally misunderstand al-Qaida’s strategy, which is to incite sectarian violence. It is interesting that some supporters of this amendment embrace the recent GAO report, which said it could not distinguish between sectarian violence and other forms of violence because that would require determining an intent—an impossible task. Yet these same supporters would have our troops in the field attempt to do just that. Our military commanders say trying to artificially separate counterterrorism from counterinsurgency will not succeed, and that moving in with search-and-destroy missions to kill and capture terrorists only to immediately cede the territory to the enemy is the failed strategy of the past 4 years. We should not and must not return to such a disastrous course.

The strategy General Petraeus has put into place—a traditional counterinsurgency strategy that emphasizes protecting the population, which gets our troops out of the bases and into the areas they are trying to protect, and

which supplies sufficient force levels to carry out the mission—is the correct one. It has become clear by now we cannot set a date for withdrawal without setting a date for surrender.

This fight is about Iraq, but not about Iraq alone. It is greater than that and more important still about whether America still has the political courage to fight for victory or whether we will settle for defeat, with all the terrible things that accompany it. We cannot walk away gracefully from defeat in this war. Consider one final statement from the August National Intelligence Estimate. It reads:

We assess that changing the mission of the Coalition forces from a primarily counterinsurgency and stabilization role to a primary combat support role for Iraqi forces and counterterrorist operations to prevent AQI from establishing a safe haven would erode any security gains achieved thus far.

Should we pass this amendment, we would erode the security gains our brave men and women have fought so hard to achieve and embark on the road of surrender. For the sake of American interests, our national values, the future of Iraq, and the stability of the Middle East, we must not send our country down this disastrous course. All of us want our troops to come home, and to come home as soon as possible. But we should want our soldiers to return to us with honor, the honor of victory that is due all of those who have paid with the ultimate sacrifice. We have many responsibilities to the people who elected us, but one responsibility outweighs all the others, and that is to protect this great and good Nation from all enemies foreign and domestic. I urge my colleagues to vote “no” on the Feingold amendment.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Madam President, I surely agree with the Senator from Arizona. I also wish we were out here working on something else, perhaps one of our political reform bills. We had started working on our campaign finance reform bill long before 9/11, and we are still working on those issues together. It is certainly tragic for this country that, instead, we are mired in a situation in Iraq that takes us away not only from our national security issues but also our domestic issues that need attention.

But I thank my colleague from Arizona. He argues on the merits. He doesn’t hide behind the resume of a general or talk about or use some other person as a human shield. He talks about the merits of the issue. He and I have had a chance, thanks to his invitation on two occasions, to visit Iraq and look at what was happening. Frankly, we just come to different conclusions. In fact, we couldn’t be more far apart on this issue. Nonetheless, I respect the way he argues and the way we discuss this, and I thank him for it.

In a moment, I will turn to one of my colleagues to speak, but I want to

briefly respond to a couple of the issues that were brought up by the Senator from Arizona. The Senator from Arizona and I agree absolutely on something: We fear failure in the fight against terrorism. We want to defeat those who attacked us on 9/11.

For me, the fight is a global fight, which we have been distracted from due to Iraq. So what I am concerned about is that a continued effort in Iraq could lead to the ultimate failure in the fight against those who attacked us on 9/11. It could lead to a surrender, a true surrender against those who declared war on our country on September 11, 2001. So that is the failure I fear. That is the failure I want to make sure doesn’t happen, because we have to protect the American people.

The Senator from Arizona points out the very difficult problem of Iran, which is related to but also separate from the question of al-Qaida.

He says: What happens if we leave Iraq?

Let me tell you something. What we are doing in Iraq right now is the best deal Iran ever had. We take all the hits, we lose the people, we pay for everything, and their influence in Iraq increases every day. And they do not have to worry about a restive Sunni population in their country because they are not moving into Iraq directly. But if we left, they would have to think twice about their own stability, if they tried to mess around in Iraq directly.

So, almost unbelievably, our strategy in Iraq plays into both the hands of al-Qaida and Iran. It is the most foolish move we could make in the fight against those who attacked us on 9/11 and against those who are being very threatening to us at this point in the name of the Iranian leader. It is the wrong strategy in both regards.

The Senator from Arizona asks: How are we going to get other countries engaged if we leave Iraq? It is the reverse. None of these bordering countries are going to get serious. None of them are going to become engaged if they think we are going to just stay there—for a couple of reasons. One is, Why should they? We are there putting up with all the violence and difficulties and taking all the losses. They don’t have to spend anything.

The Senator from Arizona and I heard the Kuwaitis talk about this in Kuwait, saying: Well, you know, you went in there; now you deal with it. If we are not in there, not only Iran and Syria, Jordan and others have a definite interest in Iraq not being chaotic. That is when they start to perform.

The other problem is, How can these Islamic countries help stabilize Iraq now when in their countries our involvement in Iraq is perceived as an occupation of an Islamic country? So our very strategy stymies the potential for stability being assisted by the other countries in the region.

Those are just a couple of responses on the merits to some of the points

made by the Senator from Arizona. I firmly believe our strategy is hurting our country desperately in terms of our national security, and that is why I and others offer the amendment.

At this point, I would like to yield 10 minutes to one of the strongest advocates for this policy of trying to terminate this involvement, the Senator from Connecticut.

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from Connecticut.

Mr. DODD. Mr. President, let me say to both my colleague from Wisconsin and my colleague from Arizona, I was the floor manager of the McCain-Feingold campaign finance reform legislation. I feel as though, in a sense here, I am assuming the role again as the manager between the McCain and Feingold camps on this question. They were two people who joined forces together on a critical issue before our country, and I was honored and pleased to manage the legislation which was named for them.

We find ourselves here again on a different subject matter and assuming different roles. I am not managing the issue, but I would be remiss if I didn't also express my deep respect for my colleague, the Senator from Wisconsin, for his leadership and my affection and respect for my colleague from Arizona, with whom I have worked on a number of issues over the years.

I rise in support of the Feingold-Reid amendment. I believe it is a very important amendment. This may be the critical vote, candidly, on whether we are going to persist over the coming months, until January 2009, in a policy that has failed—or whether we can actually make a difference here, and change the direction of this policy, and give our Nation a sense of new hope, new optimism, and give those who have served so valiantly an opportunity to come home or to engage in an area where their leadership is needed. This is the moment. This may be the one opportunity we have between now and 2009 to make a difference on this issue. This is no small proposal; this is a serious one.

For those who would like to wish it were a little bit this way or that way, that is no reason to be against it. Senator FEINGOLD, once again, has offered us an opportunity here to make a difference in this policy. This may be the one real opportunity we get to do that. My hope is that in the next hour and a half, those who are listening to this debate, thinking about this, will understand the moment before us, and take advantage of this opportunity, and make a decision that could affect the future of our country in this century.

Out of 2 full days General Petraeus spent testifying before Congress, I think the most telling exchange took only four lines. There were hearings that went on in the House of Representatives. We had hearings in the Foreign Relations Committee and hearings in the Armed Services Com-

mittee. There were very good questions raised by members of both parties, but I commend my colleague from Virginia, Senator JOHN WARNER, the former chairman of the Armed Services Committee, the ranking member today, for his simple question. We have often seen this happen in history. It is one simple sentence, one simple question—not the complicated, multiphrase question, which gets into all the nuances and details of an issue—that will shed the most light on where we stand.

Senator MCCAIN said something a minute ago with which I totally agree, and Senator FEINGOLD reiterated it. The primary purpose, the fundamental issue before this body, before every Member here and certainly before the President of the United States, is the issue of the safety and security of our country. That is our paramount responsibility above all else—to keep our country safe and secure. So the four-line question that was raised to General Petraeus in his testimony on September 11 was the most important question, in many ways, that was asked of him.

Senator Warner: Do you feel that [the Iraq war] is making America safer?

General Petraeus: I believe that this is indeed the best course of action to achieve our objectives in Iraq.

Senator Warner: Does it make America safer?

General Petraeus: I don't know, actually.

"I don't know, actually." It could be the epitaph of this war. And to the families of the 3,791 men and women who lost their lives in Iraq, it must be cold comfort indeed that the commanding general has not even convinced himself that this war serves our security. But in another sense, General Petraeus gave precisely the right answer. He has no opinion because it is his job to have none.

His job is to execute a mission—work that he has done with great fortitude and intellect. But the job of deciding whether the mission serves our interests—deciding what our interests are, deciding what the mission itself will be—that is a task for the general's superiors—that is, the President of the United States, this body and the other, and the American people, who are our superiors.

This amendment is our best attempt—maybe the only attempt—to give voice to their shared conclusion: that our current course has failed to make Iraq safer, has failed to make America safer, and so must change dramatically. The amendment would accomplish two critical things.

One: Redeploy combat forces from Iraq.

Two: Focus those forces remaining on counterterrorism, training Iraqi forces, and force protection for U.S. personnel and infrastructure.

I will not rehearse for you the administration's ever-shifting justifications and stalling and stonewalling that have brought us, with a battered military and an equally battered reputa-

tion, to this sad point. It is enough to say that they have been given every chance. For months and months, they denied that there was a civil war in Iraq. Then, when denial became impossible, and when the bipartisan Iraq Study Group report gave them a unique chance to change course, they scrapped the report and gambled on a surge.

Then we were told that, despite the administration's catastrophic policy failures, we should take their word for it that we couldn't judge this new tactic's success until American forces had "surged" to their maximum levels. And that would take up 6 months.

Once the surge was at full force, we were told yet again that the time wasn't right, that we had to withhold judgment again and wait until General Petraeus's report. And last week, General Petraeus came before Congress and told us—to wait some more.

For what?

Early this month, Comptroller General David Walker testified that "the primary point of the surge was to improve security . . . in order to provide political breathing room" for the Iraqi Government.

Seven hundred American service men and women sacrificed their lives for that breathing room, and nearly 4,400 took wounds for it. What has the Iraqi Government done with it? It failed to meet its own political benchmarks, failed to enact oil legislation, sustained a mass resignation of Sunni politicians, leaving more than half of its cabinet seats vacant, and enjoyed a month-long vacation.

At the height of the surge, a BBC poll reported that 60 percent of Iraqis—and 93 percent of Sunnis—think it is justified to kill American troops. It is no surprise that Walker concluded that "as of this point in time, [the surge] has not achieved its desired outcome."

That is what the surge has gotten us. What has it gotten Iraqis? At the very best, a reduction in violence to still-catastrophic early-2006 levels. And even so, the statistics we saw last week were extremely subject—as are all statistics—to the biases of those compiling and categorizing them. According to the Washington Post, "Intelligence analysts . . . are puzzled over how the military designated attacks as combat, sectarian, or criminal"—difficult categorizations that, I might add, make all the difference to selling the surge as success, or recognizing it as a failure.

Comptroller General Walker added that "there are several different sources in the administration on violence, and those sources do not agree." One intelligence official put it succinctly: "Depending on which numbers you pick, you get a different outcome." In that context, it is significant that the military cannot track, and does not track, Shiite-on-Shiite and Sunni-on-Sunni violence. And in Baghdad alone, according to the Iraqi Red Crescent, "almost a million people . . .

have fled their homes in search of security, shelter, water, electricity, functioning schools or jobs to support their families."

And those are the results with the surge—a surge that, given the exhausted state of our military, cannot physically be sustained. The administration's supporters need to explain to us: Without the surge, what could possibly happen, that has not taken place already, to bring political reconciliation to Iraq?

What more could possibly happen to quell the violence between and among Iraq's Sunnis and Shiites? What new development could possibly change the face of this war? We all know the honest answers to those questions.

And so the choice we have today is not, as some would have it, between victory and defeat. That has never been the issue. We can choose indefinite war for invisible gains; or we can choose to cut our losses here and recognize that there is a better opportunity with a different course of action. I can't remember a more painful choice in all my years in this body. But to govern is to make just such painful choices, without fear or flinching. And I believe the American people are far ahead of us on this issue—they've made their choice. We must make ours as their Representatives.

This amendment seeks to put that choice into action and to stop Iraq's downward spiral. First, it sets firm and enforceable timelines for the phased redeployment of combat troops out of Iraq.

The redeployed forces would be comprised of a majority of the deployed Army Brigade Combat Teams and the Marine Expeditionary Force currently in theater. Some may claim that such a redeployment is logically impossible within the timeframes laid out in the amendment. But I would remind them that in the ramp-up to the first gulf war, the Department of Defense coordinated the movement of over 500,000 troops, and 10 million tons of cargo and fuel in the same timeframe that this amendment grants to redeploy a force one-fifth the size.

In January of 1991—1 month alone—the Transportation Command moved 132,000 troops and 910,000 tons of equipment. So it is clear that we have the wherewithal to end this war, if Congress could find the will. At the same time, we cannot simply wish the conflict away. We do have enemies in Iraq, enemies equally committed to killing Americans and sowing sectarian violence. That is why this amendment carves out exceptions to the general redeployment.

Using the name of al-Qaida is a means to frighten Americans into buying a far broader agenda of continuous occupation. It's no coincidence that, in President Bush's televised remarks on Iraq last week, the word "al-Qaida" crossed his lips some 12 times in a speech roughly 15 minutes long.

The amendment makes three non-combat exceptions: first, conducting

counterterrorism operations; second, training and Iraqi forces; and third, protecting U.S. personnel and infrastructure.

It is beyond clear that continuing our course in Iraq harms America in the broader fight against terrorism. In an article in the Financial Times, Gideon Rachman summarized the key ways the war in Iraq has actually strengthened terrorism: by diverting resources from fighting al-Qaida in Afghanistan; by turning Iraq into a failed state and terrorist-incubator; by delivering al-Qaida a potent recruiting tool; and by harming America's standing with its traditional allies, whose cooperation is necessary to foil terrorists. All four reasons are clearly being enhanced because of our continued military presence in Iraq.

On the other side of the coin, tightly focusing our Iraq mission actually aids our security in the long run.

That certainly is the case when you consider the quote from a recent IPS article on CENTCOM's commander, ADM William Fallon—General Petraeus's superior, I might add. Admiral Fallon "believed the United States should be withdrawing troops from Iraq urgently, largely because he saw greater dangers elsewhere in the region." With al-Qaida reconstituting itself on the Pakistan-Afghan border, I could not agree more.

With redeployment complete, I want our military to begin to regather its strength. After a one-time redeployment cost estimated by the Congressional Budget Office at \$7 billion, which is about equal to this war's cost every month, our Armed Forces will have the resources needed to prepare for future challenges.

Those resources are sorely needed. Long, arduous deployments are not only testing the morale of our troops and families, they are taxing critical stocks of aircraft, vehicles, and other equipment. Two-thirds of the U.S. Army—two-thirds of the U.S. Army—is unable to report for combat duty.

According to the National Guard Bureau Chief, LTG Steven Blum, "88 percent"—his words, not mine—"88 percent of the Army National Guard forces that are back here in the United States are very poorly equipped today."

That shortage affects National Guard units in every State, and every one of our colleagues knows it. It is the picture of a military that has been ground into the dirt, unit by unit, machine by machine, soldier by soldier.

Do the President's supporters think this can go on forever? Will they come to this floor and claim we are invulnerable? If General Petraeus does not know, actually, whether this war is making us safer, let's ask another question: Is this war endangering our security?

Our military's top generals and admirals know the answer to that question. They have submitted to Congress a list of critical priorities that President

Bush's budget ignores. As we squander billions of dollars every week in Iraq, they are calling out for help to meet our military's needs to repair the damage this administration has caused.

Our top generals and admirals know better than anyone how deeply our military is hurting. We must meet these obligations to our war-fighters because it is, in the end, our obligation to keep safe the people we represent.

As I said at the outset, the question from Senator JOHN WARNER—the simple, one-line question asked of General Petraeus—was the single most important question asked during 2 days of hearings: Are we safer? The answer, tragically, is no. What a disaster if this war of choice ultimately left us unready and unarmed to fight a war we did not choose.

Clear data, long experience, and common sense tell us all how to answer the question that General Petraeus could not. I do not blame him for staying silent. It is his duty, in that moment, to be agnostic. I understand that. But it is our duty not to be agnostic. We do not have that luxury as Members of the Senate charged with the responsibility of deciding whether this conflict goes on.

We cannot remain silent. We cannot beg off the answer to that question: Are we safer? Are we more secure? We know what the answer is. Now we bear the responsibility to this generation and to history to answer the question. It is our duty to choose, a duty to choose at this moment, even when there is heartache in either hand. I choose to draw the line here because I cannot stand to lose one more life in the name of misplaced hope and blind faith.

I call on our colleagues, both Democrats and Republicans, not to lose this moment. This will be the only moment, I suspect, before January of 2009 to answer this question. How many more lives will be irreparably damaged and lost because we failed to answer the question posed by our colleague from Wisconsin, which I am proud to join him in asking today. Let us bring this tragic chapter in our history to a close and offer new hope to this country, and the Iraqis, and that desperate region.

I yield the floor.

The PRESIDING OFFICER (Mrs. LINCOLN). The Senator from Wisconsin.

Mr. FEINGOLD. Madam President, I thank the Senator from Connecticut for his very strong statement in support of our amendment, and even more for his extremely passionate and consistent support all year.

I yield 10 minutes to another cosponsor of the amendment, the assistant majority leader, Senator DURBIN.

Mr. DURBIN. Madam President, will the Chair please advise me when I have 2 minutes remaining?

Madam President, this room we work in, this Chamber where the Senate meets, is a Chamber that has seen a lot of history in its time. There have been moments of great pride, and, unfortunately, moments I am sure where the

opposite has occurred in the history of this great Chamber.

It has been my honor to represent the wonderful State of Illinois for 10 years as a Senator. Fewer than 2,000 Americans have ever had this chance to serve as a Senator. But the men and women who have been given the opportunity are also given a responsibility far beyond the responsibility of any individual citizen.

Votes come and go. If you put me on the spot and say: Tell me all your votes from 2 weeks ago, I would be hard pressed to remember. But there are some votes you can never forget. Whether as a Member of the House of Representatives or a Member of the Senate, I have found the votes that gnaw into my conscience and keep me awake at night are votes related to war because when you vote on war, you know that at the end of the day, if you move forward, people will die. It may be the enemy, but it is likely to also include many of your own and innocent people.

So in October of 2002, just weeks before reelection, we gathered in this Chamber late at night, with the President who insisted that we vote to give him authority to go to war in Iraq. It was not that long after we had given him the authority to go after those responsible for 9/11, our current war in Afghanistan against the Taliban and al-Qaeda.

But sadly before that vote, the American people were misled; misled by the President, the Vice President, the Cabinet, and the leaders of our Nation about the war in Iraq. The information given us about that war was wrong. We were told that Saddam Hussein was a threat to the United States of America. That was not true. He was a bloody tyrant, ruthless with his own people. He would certainly not win the approval of anyone in this Chamber for what he had done to his nation, but he was not a threat to us.

We were told about weapons of mass destruction that beat the drums of war and had our people anxious to respond quickly to protect us. People in the White House were talking about mushroom-shaped clouds and chemical weapons and biological weapons and stockpiles and aerial photographs to prove that they all existed. It turned out none of that was true.

The most grievous sin in a democracy is to mislead the American people into a war, and that is what occurred. We were misled into a war that night with a vote in this Chamber. On that evening there were 23 of us who voted against that war. There were a variety of reasons, but most of us believed the President had not made a solid case for the war, for the invasion of Iraq, and that he had not thought through what might occur if we made that invasion.

I can recall one of my colleagues saying: It is far easier to get into a war than it is to get out. In the fifth year of this war, that certainly has been proven true.

I voted against the war that evening, 1 of 22 Democrats, less than a majority of our own, with 1 Republican. Of all the votes that I have ever cast in the House and Senate, it is the one of which I am the proudest. I have never looked back with any doubt about that vote, not one time.

Look what has happened since. Almost 3,800 of our best and brightest sons and daughters of Illinois and every State in the Union have died in Iraq. Thousands have been injured, some gravely injured. I visit their hospital rooms, I meet with their families, I watch as they struggle to make life out of a broken body, trying to regain the spirit to look forward instead of backward. It is a bitter struggle.

Today, Senator FEINGOLD of Wisconsin gives us a clear choice. Will we continue this war or will we bring it to a close? Will we change our mission and start to bring our troops home or will we allow this war to continue?

I sincerely hope my colleagues on both sides of the aisle will look carefully at his amendment. He has worked long and hard on it.

He makes it clear that we are not going to pick up and leave tomorrow. We are going to redeploy in an orderly fashion. We are going to make certain our war against al-Qaeda can still be waged within Iraq and wherever they raise their ugly heads. He is also going to make sure that we protect our own and make certain that we provide training assistance, limited, but training assistance to the Iraqis so they can stand up and defend their own country.

So many of our colleagues have come to the floor and said: Do not change a thing. Stick with the strategy. Well, I have been there three times now. I was just there a few weeks ago. It is a grim, sad, horrific situation in Iraq. And there is no way to sugarcoat it. No report from any general or any ambassador can change the reality of what is happening on the ground there.

To be given body armor when you go into Iraq, and a helmet, and be told: You better wear this wherever you go, tells me this is not a safe country. In the fifth year of this war, the safest area in Baghdad, in the Green Zone, they tell you: Put the body armor and helmet down at the end of the bed because when the sirens go off you have 4 to 6 seconds to put it on.

See, we cannot have rocket attacks into what we call the safest area of Baghdad. There are parts of that city where they would not even consider sending a Congressman or a Senator, just too dangerous, in the fifth year of this war with 160,000 or 170,000 of the best soldiers in the world.

This administration is in complete denial about what is occurring in Iraq. They are in complete denial about what the American people feel about this war. And they are in complete denial about the utter failure of the Iraqi Government to lead its own people forward.

The Iraqis need to make some fundamental decisions before we can cele-

brate democracy in Iraq. And the first question they have to resolve is, are they Iraqis first or are they members of a religious sect first? I do not think that question has been resolved. It certainly has not been resolved in parts of the Muslim world for 14 centuries, and sadly the crucible of this battle now is Iraq.

Our soldiers, our men and women in uniform, have been tossed into this bloody, deadly sectarian fight that continues by the day. The Iraqi Government finds excuse after excuse not to produce the most basic elements of governance, and as they plunder and blunder away, our soldiers die in the streets of their cities.

I have had it. Someone said to me earlier: Well, are the American people putting a lot of pressure on you about this war?

I said in response: The American people could not put more pressure on me about this war than I already feel. I feel for every one of those soldiers I sat down with for lunch in that country. I feel for all of them I see shipping out from my State and all across America. I feel for every wife and husband back home, trying to keep these kids together during a lengthy deployment.

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mr. DURBIN. I feel it is time for a change. I cannot in good conscience continue to give this President a blank check for this war because I know what he is going to do with that money. He is going to continue this failed policy with no end in sight. We are going to continue to lose 100 or more soldiers every single month until he can back out of the exit of this Presidency on January 20, 2009.

I am sorry, but I can no longer be party to financing what I consider to be the worst foreign policy mistake in our history. I will support Senator FEINGOLD. I will provide the funds for the orderly redeployment of our troops to make sure that the terrorists are fought where they should be fought and to do what we can to help the Iraqis. But in the fifth year of this war, it is time to change.

Now, I listen on the floor of the Senate while many of my colleagues want to change the subject. They want to talk about ads and newspapers about General Petraeus. Well, let me tell you something. I respect General Petraeus. But we have more important things to do than debate ads in newspapers. And instead of looking for ways to change the subject, we need to join together in a bipartisan fashion to change the war. That is why we are here. That is what we will be judged by. And the question is whether we will stand up now that we have a choice and a vote. Will we march in blind allegiance to a President who has brought us to this sad, tragic moment in our history or will we in the Senate have the courage, on a bipartisan basis, to stand up for people across America, for our soldiers and their families who need a change in

policy, need a change in direction, and need to be brought home?

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. I yield 3 minutes to the cosponsor of the Feingold-Reid amendment, the Senator from New York, Mr. SCHUMER.

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from New York.

Mr. SCHUMER. Mr. President, I rise today to discuss the situation in Iraq and the continuing efforts of this administration and my colleagues on the other side of the aisle to paint a rosy picture, when the situation in Iraq suggests otherwise.

First, I thank Senator CARL LEVIN for the good work that he and the committee have done on drafting the Defense authorization bill. Next, I would like to take a few minutes to discuss Senator FEINGOLD's amendment.

I am a cosponsor of the Feingold amendment because I believe it is imperative that we change the mission in Iraq to reflect the ugly reality on the ground.

We are worse off today in Iraq than we were 6 months ago. The position of America, democracy and stability continue to erode. If there was ever a need for a change of course in Iraq, it is now.

Despite the fact that 70 percent of Iraqis believe that the surge has worsened the overall security and political situation of their country, it remains terribly clear that President Bush and my colleagues on the other side of the aisle are equally determined to maintain our present, failing course in Iraq.

Months ago, the violence in Iraq devolved into a civil war between the Shiites and the Sunnis, and U.S. troops are still stuck in the middle. Our troops have no business policing a civil war.

And the fundamentals in Iraq stay the same: there is no central government and the Shiites, the Sunnis and the Kurds dislike one another far more than they like or want any central government. This dooms the administration's policy in Iraq to failure.

That is why I am here in support of the Feingold amendment. This amendment will ensure that most our troops will be safely redeployed from Iraq by next summer, and those that remain will undertake a mission that reflects the reality in Iraq.

U.S. troops will conduct limited counterterrorism missions, and they will train Iraqi security forces that support the U.S. mission. We will not train Iraqis that have attacked U.S. troops.

This amendment will make sure that U.S. troops are no longer policing a civil war between the Sunnis and the Shiites. It will let the Maliki Government know that U.S. troops will not, nor cannot, remain in Iraq indefinitely. Only that understanding will make the Maliki Government move forward in the difficult process of political reconciliation that Iraq needs.

The Democratic Congress will continue to fight this administration's failing policy, and help chart a new way forward in Iraq. This amendment is the first step in that direction, and I strongly urge all my colleagues to support it.

I salute my colleague from Wisconsin for his undaunted leadership. He is way ahead of his time on this issue. I am a cosponsor of the Feingold amendment because I believe it is imperative we change the mission in Iraq to reflect the ugly reality on the ground. We are worse off today in Iraq than we were 6 months ago. Our troops are doing an excellent job—make no mistake about it—but if the whole purpose was to strengthen the Government, by every standard the Government is weaker. Despite the fact that 70 percent of Iraqis believe the surge has worsened the overall security and political situation of their country, it remains terribly clear that President Bush and my colleagues on the other side of the aisle are equally determined to maintain our present failing course in Iraq. To change that course does not require weak medicine. It requires strong medicine. That is what the Feingold amendment is.

Months ago, the violence in Iraq devolved into a civil war between the Shiites and Sunnis, and U.S. troops are stuck in the middle. Our troops have no business policing a civil war, and we should not continue to do that with our troops, with our dollars, and with the heart and soul of this Nation. We must change course, and we must do what it takes to change course.

That is why I support the Feingold amendment. It will ensure that most of our troops will be safely redeployed from Iraq by next summer, and those who remain will undertake a mission that reflects the reality in Iraq. This amendment will make sure U.S. troops are no longer policing a civil war between Sunnis and Shiites. It will let the Maliki Government know U.S. troops will not remain in Iraq indefinitely. Only that understanding will make the Iraqi Government move forward.

The Democratic Congress will continue to fight this administration's failing policy until we change it. One of the best tools we have to do that is the amendment offered by the Senator from Wisconsin.

I yield the floor.

Mr. FEINGOLD. Mr. President, I thank the Senator from New York for his support and his very strong, effective statement about how important it is that we move forward on this amendment.

I now yield to another of our excellent cosponsors and supporters throughout this process, the Senator from New Jersey, 10 minutes.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I thank the distinguished Senator from Wisconsin for his leadership on this

issue. As someone who voted against this war from its outset, I rise in strong support of the Feingold-Reid amendment. The last time we gathered to vote on a change of course in Iraq was July 18, approximately 2 months ago. Since that day, the Iraqi Parliament, with its country in the grips of a civil war, with much work to do to achieve political reconciliation, took a month-long vacation. Since that day, four bombs were set off in concert in northern Iraq, leaving more than 500 dead, the deadliest coordinated attack since the beginning of the war. Since that day, despite a much ballyhooed cease-fire in Al Anbar, Sheik Abu Risha, our main ally in the province, was murdered, a mere 10 days after he shook hands with President Bush. Since that day in July when we last had a chance to change course, another 160 sons and daughters of America have lost their lives in Iraq. Another 160 flag-draped caskets flown to Dover, another 160 renditions of "Taps" played at tear-soaked funerals, another 160 American families who will have an empty seat at the table come Thanksgiving.

So here we are again. The calendar changes but the challenges do not. Yet again we meet on the Senate floor to consider another proposal to responsibly and safely transition our mission in Iraq and bring our troops home, out of another country's civil war. Yet again, as we have heard many times before through the course of this failed war policy, the President and his loyalists in this Chamber are using that tired refrain: The plan is working. It needs more time. We cannot leave.

Now, as then, these words ring hollow. The administration that brought us the search for weapons of mass destruction, the "cakewalk," and "last throes" is now pitching "a return on success." But this President lost his credibility on Iraq about the time he stood on an aircraft carrier underneath a banner reading "mission accomplished," almost 4½ long years ago. The administration may be shopping a new catch phrase, but we are not buying anything they are selling anymore. The President, armed with questionable statistics, presented us an open-ended, no-exit plan for the sons and daughters of America who continue to fight and die in Iraq. As a matter of fact, he said it will be up to the next President, in 2009 and beyond.

The reality is that "a return on success" is "staying the course" by another name. We have tried this road. We have gone down it for 4½ years, with no turn of the wheel. Going down this road has diverted attention from Osama bin Laden, who is back in business and roaming free in a safe zone along the Afghanistan-Pakistan border. It has fomented terrorism, creating a training ground in Iraq and allowing al-Qaida to regroup to its strongest level since September 11, according to intelligence estimates. It has stretched our military thin, wearing down troops serving extended

tours, depleting our Reserves and National Guard, and compromising national security with a diminished preparedness to tackle other international threats. It has cost us dearly in national treasure and, most importantly, precious lives.

Going down this road has not brought stability to Iraq nor made us any safer at home. It is clear we are being driven down a dead-end street by an administration without a roadmap for a lasting peace. Now they expect the American people to buy the no-exit occupation they are selling, the deployment of more than 130,000 American troops for as far in the future as the eye can see. No end in sight?

Today we are living with the consequences of the administration's failed policy. Over 3,700 troops have been killed in Iraq since the beginning of the war, including 97 servicemembers with ties to the State of New Jersey. We have now spent over \$450 billion on the war in Iraq, with a burn rate of \$10 billion a month. Frankly, I never believed the administration's estimate that the so-called surge would only cost \$5.6 billion, and these new numbers only prove once again we have been misled.

Despite the meager improvements in the Anbar Province cited in General Petraeus's report last week, the situation in Iraq continues to grow worse. Sectarian violence surrounding Baghdad has surged this past week in connection with the holy month of Ramadan. At least 22 people have been killed in a series of bombings and shootings in Diyala and Kirkuk. Moreover, GEN William Caldwell has reported there is evidence Sunni extremist groups in Iraq have been receiving funds from Iran. In terms of reconstruction, oil production in Iraq is still lower than it was before the war 4½ years ago, and Baghdad is getting approximately 7 hours of electricity a day, significantly less than before the war.

How can we be expected to support a war plan about which every independent report portrays a situation of chaos far away from stability or political reconciliation? In fact, according to the latest report card on Iraqi progress, the President's war policy is still flunking. Even if the debatable metrics used to compile the report are solid, half of the benchmarks have not even seen a minimal amount of progress. Now that it is clear the benchmarks are perhaps impossible to achieve with our current strategy, we see a concerted effort to play them down in terms of their importance.

In General Petraeus's testimony, it was evident. The original goals of the escalation, to give the Iraqi Government and political factions breathing room to achieve reconciliation, have not been met. The benchmarks are now an afterthought and success is being measured in different and less stringent terms. It is a recurring pattern that no longer fools anyone: Make a bold proclamation, fail to meet expec-

tations, fail to meet legally established benchmarks brought in by the Iraqi Government as well as our own, passed in law by the Congress, signed by the President, change the discussion. Moving the goalposts may appease some in this Chamber, but it does not help us achieve a lasting peace that is ultimately more important.

When all else fails, the President and his supporters often respond to rightful criticism of their disastrous war plan with a question meant to change the subject: What are your ideas? What they fail to realize is a majority of Congress and an overwhelming majority of the American public have long been unified behind a course of action that we believe gives us the best chance for success and security, both in Iraq and at home. That is the purpose of this amendment. A responsible transition of our mission and withdrawal of our troops from Iraq on one hand gives a sense of urgency to the Iraqi Government and security forces that is currently absent. Until they actually believe we will not be there forever, they will not take control of their own country. At the same time, bringing our troops home allows our overburdened military to regroup. It allows us to have the capability to respond to other threats in the world that might arise. It allows the replenishment of our National Guard which is currently stretched so thin that response to disasters in the homeland has been affected. Yesterday it was announced that half the Army National Guard in my State of New Jersey—that is 6,200 soldiers—will be deployed as soon as next year, almost 2 years before the deployment was originally scheduled. That will leave our National Guard at half strength in a State at serious risk for a terrorist attack. That is 6,200 soldiers taken away from their loved ones to be tossed into another country's civil war.

Most important about our plan and this amendment, it allows American families who have been separated and stressed by an ill-conceived war to be made whole again. The alternative is an endless occupation in Iraq with more American blood spilled and no light at the end of the tunnel.

Throughout this war many have drawn the obvious parallels between this failed war policy and another quagmire 40 years ago. The comparison in some respects is valid and important. It is said those who do not learn the lessons of history are doomed to repeat it. Because I fear history is being repeated, I wish to draw upon the words of Robert Kennedy, who served in this Chamber and delivered this statement about the Vietnam War in March of 1968:

We are entitled to ask—we are required to ask—how many more men, how many more lives, how much more destruction will be asked, to provide the military victory that is always just around the corner, to pour into this bottomless pit of our dreams?

But this question the Administration does not and cannot answer, it has no answer. It

has no answer—none but the ever-expanding use of military force and the lives of our brave soldiers in a conflict where military force has failed to solve anything in the past.

Our past teaches us our current struggle and our current predicament are best solved by a new course. Future generations will judge this war policy and the choice to continue it indefinitely harshly. They will still be paying the price. We have another opportunity today to write an end to this sad chapter, to turn the page and recommit to strengthening the military and targeting Osama bin Laden. We have the opportunity to change history for the better.

I urge my colleagues to begin that change today and vote for a new course in Iraq by supporting the Feingold amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I thank the Senator from New Jersey for his sponsorship of our amendment and for his powerful statement on its behalf, recognizing the reality of what is happening in Iraq and our need to change course.

How much time do we have remaining on our side?

The PRESIDING OFFICER. The Senator has 32 minutes.

Mr. FEINGOLD. Mr. President, I reserve the remainder of my time and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. GRAHAM. Mr. President, I ask unanimous consent to be recognized for 5 minutes to speak in opposition to the Feingold amendment.

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

Mr. GRAHAM. Mr. President, as to the author of the amendment, no one should ever question his motivation, his patriotism. He has been a firm believer that we should be out of Iraq as soon as possible. Senator FEINGOLD believes our continued presence in Iraq is creating more terrorism in terms of solving the problem; it is creating the problem in a larger sense. I personally disagree.

The reason al-Qaida went to Iraq is not because we were in Iraq. They went to Iraq because of what the Iraqi people are trying to do. We are all over the world. They have not followed us to every country we have been in. They have decided to make Iraq a central battlefield in their war against moderation because they fear a successful outcome among the Iraqis. The biggest fear of an al-Qaida member is that a group of Muslims will get together and be tolerant of each others' differences when it comes to religion, and elevate

the role of a woman so she can have a say about her children. That is why al-Qaida is in Iraq.

The military surge has produced results beyond my expectation. The old strategy clearly was going nowhere. After about my third visit to Iraq, after the fall of Baghdad, I had lost faith in the old strategy and those who were proposing it was working. This new general has come up with a new idea. This is not more of the same with more people. You are getting out behind walls. You are getting out into the community. We are living with the Iraqi Army and police force—very good gains in terms of operational capabilities of the Iraqi Army. We are going to have to start all over with the police.

But the surge has allowed a real diminishment of the al-Qaida footprint in Anbar Province. Anytime Sunni Arabs turn on al-Qaida anywhere in the world, that is good news. So the surge has provided us a level of security not known before. It has been al-Qaida's worst nightmare. There is still a long way to go.

Senator FEINGOLD's amendment would basically bring the surge to a halt. It would withdraw troops at a very rapid pace. We would be out of Iraq by June of next year. My big fear is, instead of reinforcing reconciliation, it would freeze every effort to reconcile and people would start making political decisions based on what happens to their country when there is no security.

The American mistake of the ages was letting Iraq get out of control, not having enough troops. We paid heavily for that mistake. Now we have it turned around. Militarily, politically they are not where they need to be in terms of the Iraqis. But the best way, I believe, to get political reconciliation to happen in Baghdad is to make sure those who are trying to reconcile their country—families—are not killed. So the better the security you can provide, the more likely the reconciliation.

One thing is for sure: more troops have helped embolden the Iraqi people in terms of extremists. They are taking on extremists after the surge better than they had ever done before the surge. I think this confidence given to the Iraqi people by a surge of military support has paid dividends.

We need political, economic, and military support to continue, not just because of Iraq but because of our own national interest. If I thought it were only about who ran Iraq, I would be willing to leave. It is not about who controls Iraq. It is about whether we can create a stable, functioning government in Iraq that would contain Iran and deny al-Qaida a safe haven. If it were only about sectarian differences and a power struggle for Iraq, it would be a totally different dynamic.

To me, Iran is ready to fill a vacuum. If we have a failed state, that is a military, political, and economic problem far worse than the ones we are dealing

with now. A failed state is a state that breaks apart, people stop trying to work with each other, and regional players come in and take sides.

A dysfunctional government is what we have in Iraq, probably what we have here. A dysfunctional government has hope of getting better because people keep trying. So the way to have a government go from a dysfunctional status to a secure, stable status is to provide security. I want this dysfunctional government to act sooner rather than later, just as you do, I say to the Presiding Officer. The best way to make that happen is to ensure that the politicians involved understand we have a commitment to their cause that will embolden them.

The Feingold amendment, no matter how well intentioned, will reenergize an enemy on the mat and make it harder to reconcile Iraq. That is why I urge a "no" vote.

I yield back.

The PRESIDING OFFICER. Who yields time?

The Senator from Maine.

Ms. COLLINS. Mr. President, I ask unanimous consent that I be permitted to speak as in morning business for up to 5 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

The PRESIDING OFFICER. Who yields time?

Mr. McCAIN. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time in the quorum call be equally divided.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. FEINGOLD. Mr. President, I yield 5 minutes to the Senator from Michigan, Ms. STABENOW.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I first thank my friend and colleague from Wisconsin for his foresight and his leadership on this very critical issue, the most critical issue facing our country.

I rise today to support the Feingold amendment, as I have in the past. The American people want us to stop this direction we are going in and to, in fact, bring our military home so they can be effectively refocused, to redeploy to address the real threats that are facing America.

We all heard during the Armed Services hearing the distinguished Senator from Virginia, Mr. WARNER, ask what I think is the most important question to General Petraeus. After General

Petraeus had laid out the strategy and what was happening on the surge, Senator WARNER asked him: General, are we safer? Is America safer? He then first began to answer that question by talking about the fact that he was proceeding on the mission that had been given to him.

Then he was asked again, and I believe it was the third time he was asked by the Senator. He was asked: Is America safer? The general said: I don't know.

Three-quarters of a trillion dollars spent, lives lost—thousands of lives, hundreds of thousands of Iraqis and innocent civilians—and the answer is: I don't know. I think the American people do know.

I think the American people understand that when we are directing our forces—our brave men and women, the best trained, the most highly recognized and effective troops in the world—when we are placing them in the middle of a civil war in Iraq, and then we turn on our television sets and we see the man who has the organization that attacked us and killed over 3,000 Americans on American soil speaking to us through a video, commenting on American politics and what is happening here in the Senate, they are appalled. People understand we should be addressing ourselves to the people who attacked us and the real threats we have. We know where they are, at least close to where they are. We know the region, and we need to redeploy our troops to address the threats that have, in fact, been serious for America—not the middle of a civil war, but the people who attacked us, and those now who have joined them in their cause.

My husband is a veteran of the Air Force and the Air National Guard; 14 years. He reminds me all the time that our men and women in uniform are doing their duty to complete the mission that is laid out for them in a democratic society by their civilian leaders, by their President, by their Congress. They look to us, they are counting on us to make sure it is the right one, to give them what they need, but to also give them a strategy that makes sense. They are counting on us to ask tough questions, to probe. They are there putting their lives on the line every single day. Their families are at home sacrificing every single day, and they are counting on us to get this right.

As one of the people who voted no on going into this war in Iraq, I now join with colleagues in saying: Enough is enough. This has to change. There are real threats. We need to refocus and redeploy in the name of safety for Americans. But we need to make sure we are ending this civil war participation we have put our soldiers into. The Feingold amendment does this. It brings our troops home and refocuses them, redeploy them, as we should, in a way that will truly focus on the ways to keep us safe for the future, so that

when the next general is testifying before the Armed Services Committee and that general is asked: Is America safer, we can join together and say yes.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. FEINGOLD. Mr. President, I am very grateful to the Senator from Michigan for her support and for her statement as well.

At this point, I want to turn to the majority leader. I am delighted that he has joined me on this amendment and has been such a strong leader over the many months since the election in trying to end this war in Iraq. I thank him for his courage and his leadership, and I yield him 10 minutes.

Mr. REID. Mr. President, I, too, appreciate the work of the junior Senator from Michigan on this legislation. She is truly a great Senator and does so much to help her State and our great country.

I don't seek any attention. I get some on occasion, but I don't seek it. But, today, I want everyone to understand. On this amendment, I want this amendment to be known as the Feingold-Reid amendment. I proudly add my name, as I have from the very beginning, to this amendment. This is the future. We must proceed, and we will, at some time with this legislation.

Yesterday, the Senate voted, once again, on legislation with real teeth that would protect our troops and prevent the President from irresponsibly overburdening these troops. It was a good amendment. It simply said: If you are in country for 15 months in a war in Iraq or Afghanistan, then come home and spend at least 15 months. The old rule used to be you would be home twice that long, three times that long, but now, no, we have our troops going back on fourth tours of duty within a couple of years. This has led to all kinds of problems in our States.

Look at the people who have been killed and injured during their second tour of duty or their third tour of duty. I can't get out of my mind, and I never will, Anthony Schober from Las Vegas—no, he was from northern Nevada—I am sorry. He knew he wasn't going to come back from his fourth tour of duty. He told everybody. He told his family. He said: I have been too lucky. I have had explosions next to me. I have survived them all. I have seen my buddies killed. I am not going to come back. And he didn't. He was killed. That is what the Webb amendment was all about.

The vote yesterday wasn't a vote of symbolism; it was a binding national policy. Yet, again, the Republican minority filibustered the Webb amendment. The reason I say "filibustered the Webb amendment" is because a majority in the House and the Senate support a change in direction of the war in Iraq. A majority in the House and a majority in the Senate have voted time and time again to change direction, to bring our troops home.

The rules in the Senate are such as they are, and I live by them, and I love this institution. The fact is, the Republicans have stopped us from enacting policies supported by a majority in the Senate and in the House and, by far, the American people by filibustering the Webb amendment, the amendment about which I just spoke.

We don't have to take my word for this. Headlines from newspapers from around the country—from the Wall Street Journal: "Republicans Block Troop Measure." From the Associated Press: "GOP Opposes Bill Regulating Combat Tours." From Reuters: "Senate Republicans Block Iraq Bill." Headline after headline all across this country—"Senate Republicans Block Iraq Bill."

I understand the Senate is a deliberative body that was created to prevent haste and promote consensus. But what we are seeing here on this issue, the issue of the war in Iraq, is a far cry from deliberation. It is obstructionism, strictly outright obstructionism. That is what we saw yesterday, and except for a courageous few, that is what we continue to see from the Republican Senate. They represent a small minority of the American people.

Countless Republicans have said the right thing. Countless Senators who are Republicans say the right things when they go home. They say: We must support our troops, we must protect our national security, and we must change course in Iraq. But here, these same Republican Senators, when they come back to Washington, have consistently voted the wrong way. They have voted to put their arms around the Bush war and to make it also their war. Back home, they assert their independence, but in Washington, they walk in lockstep with the President and continue to support his failed war.

General Petraeus, whom we have talked about all morning, has said the war cannot be won militarily. That is what he said. Can we work together? Of course we can. We have proven that. Not on this, not on the Iraq war, but we have worked together this year on bipartisan issues. We have made progress. We hope to have next week the SCHIP health care for children. We have done stem cell research on a bipartisan basis. We passed an energy bill with 62 votes; student financial aid—the largest probably since the GI bill of rights; minimum wage; mental health parity. We have done a lot of good things working together. The issue dealing with Iraq has been one side against the other.

I very much appreciate the Presiding Officer. The Presiding Officer has worked his heart out trying to come up with something that would change the course of the war in Iraq, and I admire and appreciate his having done this. He is continuing to do it. As we speak, he has people working to try to come up with something, a bipartisan consensus that would change the course of the war in Iraq.

I have reached out to my colleagues on the other side of the aisle time and time again. With the exception of about five or six courageous Senate Republicans, these efforts have been rebuffed. That is their right. I understand that. There is nothing the Democratic majority can do to force the Republican colleagues to vote the responsible way. When I talk about the Democratic majority, remember, it is a slim majority—51 to 49. With Senator JOHNSON ill until a week or so ago, it was 50 to 49. But so long as young Americans continue to fight and die and be wounded in another nation's civil war with no end in sight, we are going to keep fighting to responsibly bring them home, rebuild our military, and return our focus to fighting the real war on terror against Osama bin Laden and his al-Qaida network.

By the way, we hear today he has another video coming. I don't know if he will be gray-bearded this time or black-bearded, but he has another video coming, and it is on its way within a matter of a few days.

The President and his Republican supporters here in the Senate say we should just continue the current policy; things are going OK, so couldn't we just let things keep going on as they are, and hopefully—I guess they think things will turn out OK. But tell that to the 20,000 Iraqis who flee their country every month, left homeless and hopeless. Tell that to the families of innocent civilians, 1.2 million of them who have been killed in this war. Tell that to the 2 million Iraqi refugees who are in Jordan and Syria and anyplace they can find. Tell that to the families of 3,800 dead American troops, that things are going OK. Tell the families of the countless thousands who have been grievously wounded in this war that it is OK, we just need a little more patience and a little more time. Tell our troops who have served us so bravely, so bravely without proper equipment on occasion or rest, that now is not the time to change course of the war.

Today, we have another chance to forge a responsible and binding path out of Iraq. The amendment before us is the best path for the United States and for the people of Iraq. Should we care about the people of Iraq? Of course we should. The worst foreign policy blunder in the history of this country was the invasion of Iraq. Am I glad we are rid of Saddam Hussein? Of course I am. What we have done to that country I have outlined in some detail here this afternoon. This amendment changes our fundamental mission away from policing the civil war, reduces our large combat footprint, and focuses on those missions which are in the national security interests of our country. It uses Congress's powers, its constitutional powers to limit funding after June 1 of next year—that is well into the sixth year of the war—to counterterrorism, force protection, and targeted training of Iraqi forces.

This amendment recognizes we have interests in Iraq, but it does not facilitate the open-ended role of U.S. forces in a civil war. I urge my colleagues to support this responsible legislation. It is one more chance for the Senate to chart a new way forward in Iraq.

President John Kennedy:

A man does what he must—in spite of personal consequences, in spite of obstacles and dangers and pressures—and that is the basis of all morality.

If we send this amendment to the President, those who voted for it can return home, look their constituents in the eyes, and tell them they had the courage to finally do what is right for our troops and for our country.

Let me close by saying this: As my good friend knows, the comanager of this bill, we came to the Congress on the same day of the same year 25 years ago. I respect the senior Senator from Arizona because he doesn't hide what he stands for. I admire him. He stands for what he thinks is the right thing to do. I disagree with him, but what I am criticizing is not my friend from Arizona. I am reaching out to my friends across the aisle who say one thing at home, issue press releases one way, and then come here and vote another way.

So it is time we do the right thing. I believe it is the right thing. Look what has happened to our country since this invasion took place. We are mired in civil war in Israel with Palestinians fighting each other, we have a near civil war in Lebanon, and we have this terrible situation in Iraq. We have Iran thumbing their nose at us, and our standing in the world community has gone down, down, down.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). Who yields time?

Mr. FEINGOLD. Mr. President, I yield 5 minutes to the distinguished Senator from Ohio.

Mr. BROWN. Mr. President, I thank Senator FEINGOLD and echo the words of the Democratic leader, the majority leader, HARRY REID, and his comments about this war and about the future of our country and what we need to do. I rise in support of the Feingold amendment.

General Petraeus confirmed that our troops, operating under horrific conditions, are displaying the courage and the skill that define this whole engagement. Our troops have been courageous. Our troops have been skillful. Our troops have been effective. Our troops have been selfless. Our troops have done everything we have asked them to.

But the civilians at the Pentagon and the politicians at the White House have bungled this war. The administration is selling one war and fighting another. They are selling a war where they are saying with a little more patience, we can truly say "mission accomplished," as if we didn't hear that last year and the year before and the year before that. The President's fighting of the war is one step forward, two steps back, and one that will require perhaps a decade-long engagement.

More than anything, Americans deserve the truth. We are losing men and women, without a clear idea of whether or when we can bring our troops home. We are refraining from redeploying troops based on possibilities—possibilities that are no worse than the realities we are facing now.

Especially and mostly, we have lost our focus. We have lost our focus on Afghanistan, on rooting out al-Qaida, finding Osama bin Laden, and protecting our borders. Instead, we spend \$2.5 billion a week on a war—\$2.5 billion a week on a war that even General Petraeus, by not answering Senator WARNER's question, acknowledges this war is making us no safer. So we spend \$2.5 billion a week and the war is not making us safer and we are not doing what we should be in Afghanistan, what we should be doing in rooting out al-Qaida, what we should be doing in finding Osama bin Laden, and what we should be doing in protecting our borders.

Instead, we are mired in a civil war, with no end in sight. As long as the Iraqis, as Senator FEINGOLD said, and so many of us who have wanted to have a plan to redeploy our troops out of Iraq for 2 or 3 years now—as long as our commitment looks open-ended, as long as there is no end in sight to this civil war, there is no incentive for the Iraqis to do what they need to do; there is no incentive for a political settlement, where Sunnis and Shia and Kurds work together on a political settlement with a political compromise, and there is no incentive for the Iraqis because they think we are always going to be there in this open-ended commitment to the civil war. There is no incentive for them to do what they need to do to build a military security and police security force until the Iraqis know that, yes, there is an end date. We need to pass the Feingold amendment and the message will be that U.S. troops are going to redeploy out of Iraq, so it is now incumbent upon the Iraqis to do what they need to do through political compromise and through building their military and police security forces, and then Iraq can move forward. As long as we stay mired in a civil war and they think it is an open-ended commitment, we will continue to see this lack of progress.

Military victories we can win, and have, and our soldiers and marines have waged and won those battles. But until we have a political victory, a compromise, a settlement, and the Iraqis build up their own security forces, the war goes on and on. It is time to bring our troops home in the safest and most orderly way we can, as Iraq accomplishes other urgent goals, such as border security, and we address the issues in Afghanistan and with al-Qaida.

I support the Feingold amendment. It makes sense that we finally change course in Iraq and do the right thing for the Iraqi people and for our country.

Mr. LEAHY. Mr. President, I strongly support the Feingold amendment, of which I am a cosponsor. This is the strongest amendment for changing course in Iraq among the proposals that we will consider this week. It is the only proposal that addresses the President's failed Iraq policy head on, and that would begin the much needed redeployment of our forces within 90 days.

The invasion of Iraq, and the catastrophe it has caused for the Iraqi people, for Iraq's neighbors, and for the United States, must end. It has been a failure—a failure in terms of our strategic interests, a failure in making us safer, a failure in terms of the President's naive goal of imposing a new Iraqi Government by force.

Our troops have stepped up time and time again, many of them sacrificing their lives, and many more suffering severe injuries. Their performance has been superb. Despite what the President and some who defend his policies say, our troops are not the issue. The issues are the glaring shortfalls, and the appalling incompetence, of the President's strategy.

The "surge" has not brought the Iraqi factions any closer to political reconciliation, which after all is the ultimate goal of the surge strategy. In fact, the divisions among the Iraqi people—already deep because of the brutal manipulations of the Saddam Hussein regime—seem to be worsening. The White House seems to have no idea how to call things off and get our troops out from the middle of Iraq's civil war.

The cold hard truth is that the President has presented the American people with no real option, just more of the same. If the President is going to ignore our true national interests by prolonging this conflict, if the Commander-in-Chief of our Armed Forces is not going to take responsibility, then Congress, as representatives of the people, must be the catalyst to chart a new course.

The Iraqi Government is only getting more dependent on a continued American presence. It is the consensus view of our intelligence community, as reflected in the latest National Intelligence Assessment, that there is no prospect that in the next year the Iraqis will come together and reach a political settlement.

Even the new White House report, buttressed in part by the nonpartisan and professional General Accountability Office, shows that Iraq is getting a failing grade in its ability to meet key military and political metrics on its path toward reconciliation and stability.

The administration cites the positive developments in Anbar Province as justification for continuing this perpetual deployment of American forces. There has been progress there, much of it pre-dating the so-called "surge." Hundreds of members of the Vermont National Guard know how bad the situation was in Anbar less than a year and a half

ago, when these soldiers helped make up Task Force Saber in Ramadi. They were in the worst place in Iraq at the worst time. Since then the situation has clearly improved, and our troops and their commanders deserve credit and our thanks for that tough and dangerous work.

But the new-found calm is based on a set of agreements between Sunni tribes and American forces, not with the Iraqi Government. The Iraqi Government sees newly organized and perhaps newly armed groups of Sunnis as a threat to its power, and it is doubtful that will change any time soon.

In the meantime, the situation elsewhere continues to implode.

Passage of the Feingold amendment would force the Iraqis—and neighboring nations with a stake in Iraq's future—to recognize that the open-ended deployment of U.S. forces is ending. The drawdown of our forces, coupled with a strong U.S.-led diplomatic initiative, might bring about the political reconciliation that no amount of additional military force can bring about.

It might also cause Iraq's warring ethnic factions to go their own way, splitting the country into separate states. But that is where they are currently headed anyway. The administration's policies and incompetence have brought us to the point where there are no good options. But either of these scenarios is better than the future offered by the President. His war is costing us horrific casualties and enormous sums that could be better spent repairing our frayed international reputation and strengthening our security at home.

I urge my colleagues to take the only responsible step and pass this amendment that will finally bring our troops home.

**Mrs. BOXER.** Mr. President, I rise in support of the Feingold-Reid amendment.

This amendment would remove our troops from the middle of a civil war and give them three achievable missions. First, to conduct targeted operations against al-Qaida and affiliated terrorist organizations; second, to train and equip Iraqi security forces that have not been involved in sectarian fighting or attacks against our forces; and third, to provide security for U.S. personnel and infrastructure. For all other U.S. forces not essential to these three missions, the amendment calls for their safe redeployment beginning in 3 months and to be completed by June 30, 2008.

On May 16, the Senate failed to end a filibuster on the Feingold amendment by a vote of 29-67. Since that time, 389 Americans have been killed in Iraq. In fact this has been the deadliest summer for U.S. forces since the war began.

Our troops have done everything asked of them. They achieved every mission they have been given. When they were given a clear task, it was ac-

complished. Our military forces defeated the Iraqi army, hunted for nonexistent stockpiles of weapons of mass destruction, captured Saddam Hussein and his sons, provided security for three elections, and trained 350,000 Iraqi police and army.

But there are some missions that are beyond the capacity of our military. Our military cannot give the Iraqi people the political will to achieve a national reconciliation among Sunni, Shia and Kurds. And, our military cannot convince Iraq's neighbors to play a positive role in ending the violence in Iraq.

The Iraqi people do not want us in Iraq and 70 percent of them believe that the surge has made the security situation worse.

Passage of the Feingold-Reid amendment will allow us to renew our focus on al-Qaida.

I voted to go to war against al-Qaida. I strongly supported the decision to use military force in Afghanistan to oust the Taliban government. But then this administration made one of the biggest strategic blunders in the history of this nation. It took its eye off of al-Qaida and became obsessed with Iraq, a country that had no links to al-Qaida.

The cochairs of the 9/11 Commission, Tom Kean and Lee Hamilton, recently wrote, "no conflict drains more time, attention, blood, treasure and support from our worldwide counterterrorism efforts than the war in Iraq. It has become a powerful recruiting and training tool for al-Qaida."

It is finally time to change the mission in Iraq and redeploy our troops out of the middle of this civil war.

And so, Mr. President, I urge the adoption of the Feingold-Reid amendment.

**Mr. LEVIN.** Mr. President, I agree with much of the Feingold amendment, particularly as it relates to the desire to transition the mission of U.S. forces in Iraq and to commence the reduction of U.S. forces from Iraq. Indeed, I have long sought those actions in an attempt to put the Iraqi security forces in the lead and to bring pressure on the Iraqi Government to make the political compromises necessary for reconciliation among the three main Iraqi groups.

My concerns with the Feingold amendment are principally two. First of all, the mission to which U.S. forces would be limited after June 30, 2008, are too narrowly drawn and would not, in my view, allow our forces to carry out the missions that would be required. For example, I don't believe we should limit the duration and scope of targeted operations against al-Qaida as the amendment provides. I also don't believe we should preclude our forces from being embedded with Iraqi forces. I also believe the continuing mission of U.S. forces should include providing logistic support to the Iraqi security forces, which is prohibited by the Feingold amendment. In that regard, I would note that the Independent Com-

mission on the Security Forces of Iraq that was led by retired Marine general Jim Jones specifically pointed out the logistic shortfalls of the Iraqi security forces and that they would need to rely on Coalition support for this function.

My second chief concern is that restricting appropriations for our military sends the wrong message to our troops who are performing so heroically on the battlefield in Iraq. It would also pose extraordinarily difficult decisions for our field commanders. They could be faced, for instance, with determining whether a member of the Iraqi security forces has ever been involved in sectarian violence or in attacks against U.S. forces, because if they were they could not be trained by our forces under the terms of the amendment. Indeed, an incorrect determination could subject the commander to violations of our antideficiency laws which prohibit the expenditures of appropriated funds except to specified purposes.

It is concerns such as these which lead me to vote "no" on the Feingold amendment.

I yield the floor.

**The PRESIDING OFFICER.** The Senator from Wisconsin is recognized.

**Mr. FEINGOLD.** I thank the Senator from Ohio for his important statement. I am grateful to him. I suggest the absence of a quorum and ask unanimous consent that the time be equally divided between the two sides.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

**Mr. McCAIN.** Mr. President, we are about to have a vote. I again thank my friend from Wisconsin for the level of this debate. My only comment and conclusion is that I urge my colleagues to reject an amendment that basically returns the failed strategy we had for nearly 4 years. I keep hearing, as I did from the majority leader, it is time to change course, time to change course. Well, we did change course, thank God; that new course has been succeeding. Do we have a long, hard struggle ahead? Of course we do. After a few months of the new strategy—and I recognize the other challenges, such as the political one and the Maliki Government and the police. But I am convinced the new strategy can succeed and the consequences of failure, as outlined by people who were opponents for the war in Iraq initially—this course of action, going back to the old failed strategy would lead to chaos, destruction, deterioration, and an eventual return on the part of American military people with further service and sacrifice.

I again thank my friend from Wisconsin for his level of debate. I respect

very much his commitment to the security of this Nation.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. FEINGOLD. Mr. President, I, too, thank the Senator from Arizona for the quality of the debate and, in particular, on such a difficult and emotional issue. I thank all the leadership on our side for speaking on behalf of our amendment.

I appreciate, in particular, the Senator's last comment. He and I share one top priority, and that is the national security of the United States of America. We disagree on what role this Iraq situation plays. I think it weakens our country; he happens to think it will strengthen our country. But our goals are the same.

This amendment is a reflection of my belief and the majority leader's belief that the only way to truly respond to those who attacked us on 9/11 and stop them from continuing activities is to stop the hemorrhaging of our country regarding the Iraq intervention.

With that, I yield the remainder of my time.

Mr. McCAIN. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

Mr. FEINGOLD. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. 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 bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from Washington (Ms. CANTWELL) are necessarily absent.

I further announce that, if present and voting, the Senator from Washington (Ms. CANTWELL) would vote "yea."

The PRESIDING OFFICER (Ms. KLOBUCHAR). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 28, nays 70, as follows:

[Rollcall Vote No. 345 Leg.]

YEAS—28

Akaka	Harkin	Obama
Boxer	Inouye	Reid
Brown	Kennedy	Rockefeller
Byrd	Kerry	Sanders
Cardin	Klobuchar	Schumer
Clinton	Kohl	Stabenow
Dodd	Lautenberg	Whitehouse
Durbin	Leahy	Wyden
Feingold	Menendez	
Feinstein	Murray	

NAYS—70

Alexander	Carper	Crapo
Allard	Casey	DeMint
Barrasso	Chambliss	Dole
Baucus	Coburn	Domenici
Bayh	Cochran	Dorgan
Bennett	Coleman	Ensign
Bingaman	Collins	Enzi
Bond	Conrad	Graham
Brownback	Corker	Grassley
Bunning	Cornyn	Gregg
Burr	Craig	Hagel

Hatch	McCain	Smith
Hutchison	McCaskill	Snowe
Inhofe	McConnell	Specter
Isakson	Mikulski	Stevens
Johnson	Murkowski	Sununu
Kyl	Nelson (FL)	Tester
Landrieu	Nelson (NE)	Thune
Levin	Pryor	Vitter
Lieberman	Reed	Voinovich
Lincoln	Roberts	Warner
Lott	Salazar	Webb
Lugar	Sessions	
Martinez	Shelby	

NOT VOTING—2

Biden	Cantwell
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The PRESIDING OFFICER. Under the previous order, requiring 60 votes for the adoption of this amendment, the amendment is withdrawn.

Mr. REID. Madam President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Madam President, for the information of all Members, the two managers are trying to work out a consent agreement that we would move next to the Levin-Reed amendment, and we would debate that this afternoon and vote on that in the morning. We are having a difficult time trying to figure out what time to do it in the morning. Some want early, some want late, but it won't be earlier than 10:30. We will work that out in just a bit, as soon as the two managers have this under control.

After that, with the permission of the minority, after we finish the Levin-Reed amendment, we will move to the Biden amendment. The managers of the bill know what that amendment is about, and we will have further information later, but that at least outlines today and tomorrow.

The Republican leader and I are talking about how to work through Monday. There are different scenarios we are working on. One thing is for sure, we are going to do WRDA. We are going to move to that tomorrow, and we will complete that sometime Monday or Tuesday.

Mr. LEVIN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Madam President, there will be no more votes today.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. LEVIN. Madam President, I ask unanimous consent that when the Sen-

ate resumes consideration of H.R. 1585 tomorrow, Friday, September 21, that the time until 9:50 a.m. be equally divided and controlled between myself and Senator McCAIN or our designees; that the time from 9:50 to 10 a.m. be under the control of the two leaders or their designees, with the majority leader or his designee controlling the final 5 minutes; that at 10 a.m., without further intervening action or debate, the Senate proceed to vote in relation to the Levin amendment, with no amendment in order to the amendment prior to the vote; that the amendment be subject to a 60-vote threshold, and if it does not achieve that threshold, the amendment be withdrawn; that upon disposition of the Levin-Reed amendment, Senator BIDEN be recognized to offer his amendment; that whenever the Senate resumes consideration of the Biden amendment, there be 30 minutes of debate prior to a vote in relation to the amendment, with the time equally divided and controlled between Senators BIDEN and McCAIN, or their designees, with no amendment in order to the amendment prior to the vote.

The PRESIDING OFFICER. Is there objection?

Mr. McCAIN. Reserving the right to object, I will not object. I wish to make it clear, according to the discussions the chairman and I had, the next amendment that would be offered would be the Lieberman-Kyl amendment, and this—we are not exactly sure when that happens, because we are not sure at what point we return to the Biden amendment. It could be possible, if we are not prepared to resume debate on the Biden amendment, we could begin debate on the Kyl-Lieberman amendment. But, in any case, the Kyl-Lieberman amendment would be scheduled for consideration depending on how it fits in with the Biden amendment.

I hope I was not confusing in that comment.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. I ask the Senator to yield.

It is my understanding we are attempting to go back and forth when there are amendments on both sides, and that the floor manager, Senator McCAIN, would have the opportunity in any event to designate Senator KYL to offer an amendment.

I would agree that that then be the next amendment, if that is his intent, after the Biden amendment is either disposed of or is pending, and for reasons that are obvious needs to be set aside, because it is not ready for resolution, then we would go to the Kyl-Lieberman amendment.

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

The majority leader.

Mr. REID. Madam President, we were of the understanding that we had worked something out on WRDA, and hopefully that is the case, that we would not have to do the cloture vote

at noon on Monday, that we would have a vote on final passage of the bill at 5:30. But everyone should be aware that it appears someone on the minority side has objected to that. If that is the case, we are going to go ahead and have our noon vote. I thought we had worked that out and I hope we can. But in fairness, whoever is holding this up, let us know one way or the other, because Members need to know about what their schedule is going to be on Monday. We have people coming in from all over the country. Some people have to take all-night flights to get back for that 12 o'clock vote. Whoever is trying to make a decision on this, I wish they would do it as quickly as possible—today is Thursday—in fairness, so people can make their weekend plans. We should know if, in fact, we are going to have a vote at noon on Monday.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Madam President, parliamentary inquiry: Under the unanimous consent that is now in operation, it is my understanding the Levin-Reed amendment would be called up. Is that correct?

The PRESIDING OFFICER. That is correct.

AMENDMENT NO. 2898 TO AMENDMENT NO. 2011

Mr. LEVIN. I call up the Levin-Reed amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for himself and Mr. REED, proposes an amendment numbered 2898 to amendment No. 2011.

Mr. LEVIN. Madam President, I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide for a reduction and transition of United States forces in Iraq)

At the end of subtitle C of title XV, add the following:

**SEC. 1535. REDUCTION AND TRANSITION OF UNITED STATES FORCES IN IRAQ.**

(a) DEADLINE FOR COMMENCEMENT OF REDUCTION.—The Secretary of Defense shall commence the reduction of the number of United States forces in Iraq not later than 90 days after the date of the enactment of this Act.

(b) IMPLEMENTATION OF REDUCTION ALONG WITH A COMPREHENSIVE STRATEGY.—The reduction of forces required by this section shall be implemented along with a comprehensive diplomatic, political, and economic strategy that includes sustained engagement with Iraq's neighbors and the international community for the purpose of working collectively to bring stability to Iraq. As part of this effort, the President shall direct the United States Special Representative to the United Nations to use the voice, vote, and influence of the United States to seek the appointment of an international mediator in Iraq, under the auspices of the United Nations Security Council, who has the authority of the international community to engage political, religious, ethnic and tribal leaders in Iraq in an inclusive political process.

(c) LIMITED PRESENCE AFTER REDUCTION AND TRANSITION.—After the conclusion of the reduction and transition of United States forces to a limited presence as required by this section, the Secretary of Defense may deploy or maintain members of the Armed Forces in Iraq only for the following missions:

(1) Protecting United States and Coalition personnel and infrastructure.

(2) Training, equipping, and providing logistic support to the Iraqi Security Forces.

(3) Engaging in targeted counterterrorism operations against al Qaeda, al Qaeda affiliated groups, and other international terrorist organizations.

(d) COMPLETION OF TRANSITION.—The Secretary of Defense shall complete the transition of United States forces to a limited presence and missions as described in subsection (c) by not later than nine months after the date of the enactment of this Act.

Mr. LEVIN. Madam President, as I understand it, there is no time agreement on this, other than that we complete debate today on the Levin-Reed amendment, except for the time allocated tomorrow morning?

The PRESIDING OFFICER. The Senator is correct.

The Senator from Rhode Island is recognized.

Mr. REED. Madam President, I rise in support of the proposal my colleague Senator LEVIN has offered. I participated in this with him. This is a legislative proposal we have advanced in various forms for over a year. It seeks, quite simply, to initiate a withdrawal of our forces from Iraq. I think it is interesting to note that General Petraeus announced he too is recommending a withdrawal of forces, about 5,700 troops, before the end of this year, which essentially complies with at least a portion of our proposal dating back over a year.

But it goes further than that. It would require a transition to three discrete missions from the open-ended war-based mission that today our forces are pursuing.

The first mission would be counterterrorism, which is essential not only in Iraq but across the globe. That requires attention, energy, and persistence, and we would urge and support such a mission in Iraq; not just in Iraq, but, frankly, worldwide.

The second mission would be to continue to train Iraqi security forces and provide robust training, support for those forces, because we need to provide the Iraqis the ability to defend themselves and pursue opponents of the legitimate Government of Iraq. Third, and something that is essential every time we deploy our forces, is to protect our forces, to give commanders in Iraq the ability and the forces needed to ensure that American forces will be protected. Those three missions represent not only what is in the long-term interest of the United States but also within the capacity of the United States to effectively carry out not just in the next several weeks or months but for a period of time.

My perspective has always been that the President is much more com-

fortable with slogans than strategies. We have a new one now, "return on success." It follows a long line of slogans, ranging from "when they stand up, we will stand down," "mission accomplished," and many others. But what we need now at the national level, not at the circumscribed level of just Iraq, is a national strategy that in the long run will deal with the significant threats that face this country.

In the interim of our involvement with Iraq, starting several years ago, we have seen some remarkable developments which suggest very strongly that the strategy the President pursued is deeply flawed. We have seen the resurgence of al Qaeda. That is not the opinion of myself alone. It is the conclusion of the National Intelligence Estimate most recently released to the public. We are seeing a virtual—in fact, a real safe haven in Pakistan for bin Laden, Zawahiri, and others. And from that relative area of safety for them, unfortunately, they are able both to direct in a limited way actions across the globe and also to inspire other unrelated cells who are conducting these operations.

We just witnessed recently in Germany where, through good police and intelligence work, the capture of a cell comprising ethnic Germans who converted to Islam and Turks, who were contemplating a major terrorist attack against American facilities, not perhaps directly related to al Qaeda but certainly inspired. And there is evidence that suggests perhaps there was even some remote link. But they are there in Pakistan in a safe haven. It seems to me ironic that the President would talk about creating a safe haven in Iraq when, for all intents and purposes, we are at least acknowledging, recognizing, perhaps even not effectively acting against the safe haven in Pakistan.

Also, when it comes to the discussion of a safe haven for Sunni jihadists in Iraq, we have to recognize, too, that one of the benefits of the last several weeks in Iraq has been what is required and called the Sunni awakening. That has been an incidental result of our increased troop presence. It was not the purpose, but certainly it is a favorable development. That is simply the result of Sunni sheiks realizing that Sunni jihadists of al Qaeda are more a threat to them, to their families, and to their way of life than the new government in Baghdad or the presence of American forces. Through the able and effective and courageous work of American soldiers and marines, these sheiks have been enlisted to attack and are attacking al Qaeda elements. That is a positive sign and tends, in my view, to mitigate against those dire warnings that there will be an automatic and predictable reflexive creation of a safe haven for al Qaeda in Iraq.

In addition, there is a Shia government there that is committed to certainly disrupting and eliminating Sunni insurgents, particularly al Qaeda

insurgents. So we see, in terms of the strategic picture, a virtual or a real safe haven in Pakistan, arguably problems in Iraq, but certainly I think showing how our preoccupation in Iraq is taking our eye off a much more serious and potential threat.

The other very serious threat that faces us in the region and worldwide is the growth of Iran. That growth has been fueled by oil prices at \$80 a barrel. That makes their bottom line look a lot better and gives them a greater sense of confidence as they look out and pursue their plans.

Second, frankly, is our vulnerabilities in Iraq, the fact that the Iranians have strong influence in that country, the fact that the government in Baghdad, the Maliki government, has not just associations but long-time associations with Iranians. They are coreligionists. I am not trying to suggest that they are agents or clones, but there certainly is a rapport and understanding and an appreciation of the proximity of the Iranians and their potential impact in Iraq. That situation has given rise to a resurgence and a strategically more empowered Iran. So you have a strategy that the President has pursued that has not mitigated these major threats against the United States but actually has enhanced them. That might be the definition of a bad strategy.

So our involvement in Iraq has taken us away from critical threats. In that term alone, we have to begin to think seriously about our approach forward. The status quo has not worked. There is scant evidence it will in the next several months.

There is another issue we have to look at. That is not only in terms of the strategic threats, but it is our capacity. The real driving factor in the proposal that General Petraeus made is not what is happening on the ground in Iraq, it is the force structure. It is the number of Army and marines that we have to commit. If you talked to anyone months ago, they could have told you essentially what General Petraeus was going to say, which is by next spring, beginning in April and going through July, we would have to reduce by 30,000 our forces in Iraq; that the surge had an end point unrelated to what was happening on the ground, to the success or lack of success. Simply we could not sustain that large a combat force on the ground. That is essentially what General Petraeus confirmed in his testimony to the Congress when he returned from his mission in Baghdad.

So we are limited in what we can do. That is not a function of success, return on success, or anything else. In fact, I was always under the impression that in a military context, when you have success, you reinforce it. You don't talk about a return on success, you reinforce it. But, quite frankly, we do not have the resources available to reinforce. So we are being driven by the constraints of our military forces

more than what is happening on the ground. We have to respond to that.

It also drives the real question: In the next several months, after the surge is over and it has been announced it is over, what missions can we responsibly take on, what missions will support our national security, and what missions will be within the grasp of our manpower and personnel resources? Again, that underscores the need for change and underscores the need for adoption of limited missions as we propose in the Reed-Levin amendment.

When General Petraeus came before the committee, he made several points. First, he would recommend a redeployment of forces this year. That is something we have been arguing for and urging for over a year, many of us. Many accusations have been hurled at us that we were irresponsible and reckless. They are not being hurled at General Petraeus. But the reality is, he, too, recognizes that we have to begin to redeploy our forces. Second, he is talking about reducing the forces by 30,000. If you recall, the military premise of the surge was, if you inserted 30,000 additional troops focused on Baghdad, you would have now sufficient forces to conduct a different type of mission, population protection. You could disperse them in the localities. You could conduct more aggressive patrolling.

I think the announcement by General Petraeus that those troops are coming out begs the obvious question: How do you maintain that population protection mission without those 30,000 troops, and particularly without, as most people recognize, the ability of the Government of Iraq to replace our forces with reliable Iraqi security forces? In a sense, the progress we have seen—and there is progress on the ground; there is tactical momentum. No one should be surprised when we commit American forces to a mission that they obtain dramatic and immediate results. But the real question is, are those successes permanent or transitory? Are they reversible or irreversible?

My sense is that they are highly reversible, that as we depart, insurgents, opponents of the Government in Iraq, will move back in and try to exploit the absence. Without a sufficient and reliable Iraqi security force, that probably could be accomplished. So I think that just the numbers drive us to start thinking about missions that we can perform.

The other factor of General Petraeus's testimony is that he very clearly begged off from any suggestion of what do we do after next June or July. Frankly, we have to have a strategy, a plan that goes beyond the next 6 months. It is unsatisfactory that both, it seems, the President and, indeed, the commander on the ground will say simply they don't know. No one knows perfectly, but we have to have at least their sense of what their best guidance

is beyond that in terms of troop levels, in terms of some of the questions I have raised.

Going back, again, to this notion of troop levels, if you recall, the focal point of the surge was stabilizing Baghdad, a large city, stable population. But the operations since then necessarily have taken our forces well beyond Baghdad, and the areas in dispute in Iraq are well beyond Baghdad. So the simple calculation of military forces versus population has been thrown out the window in the sense of the appropriate level of forces versus the real population and the real area that we are trying to stabilize.

In this regard, we have to recognize what is happening in the south; that is, the British forces are, for all intents and purposes, withdrawing into base camps. Their presence has shrunk dramatically, roughly 5,000 troops. That area now is becoming an area that is extremely hospitable to Shia militia, to Iranian influences, and has a long-term potential to provide further instability in the country. Yet we don't have the forces to go down there. We are not attempting to go down there, and yet that poses a real challenge to the long-run security and safety and stability of the country.

I sense, for all these different reasons, that we do have to change our course. That is at the heart of the Levin-Reed amendment, to identify, first, clearly the direction of our forces, which is to begin a phased redeployment; second, to focus on missions that are within our capacity and will, to the best of our capacity, advance our interests in the region, not just in Iraq but in the whole region.

We all were waiting for the report of General Petraeus and Ambassador Crocker. There were other reports. General Jones and the General Accounting Office came forth almost simultaneously. We hoped these reports would provide both the President and the Congress with the information they needed to begin to change our direction in Iraq.

Unfortunately, it appears at this juncture, unless we are successful with this amendment, that change is not going to take place.

The GAO was the first to release their report, and it was sobering by anyone's standards. Of the 18 economic, security, and legislative benchmarks set by the Iraqis themselves last January, GAO found that 3 had been met, 4 had been partially met, and 11 had not been met.

I think it is important to emphasize—because now the benchmarks were being seen as, oh, just some interesting construct of the Congress unrelated to what was happening in Iraq, et cetera—but these were the points the Iraqis stressed as critical to their progress. They were the points that were deliberately embraced by the President of the United States.

In January, when he talked about the surge, part of that—a large part of it—

was to allow the Iraqis the political space, the time to achieve these benchmarks. What appears to have happened, having failed the test, the President decided the test was not worth giving, and he ignores the results. But those results, I think, speak volumes.

For example, the Iraqi Government still has not completed revisions to the constitution, or enacted legislation on de-baathification, oil revenue-sharing, provincial elections, amnesty, or military disarmament.

When Ambassador Crocker was here, he said: Well, we have not done it formally out there, but they informally are distributing the oil revenues. That goes, I think, to the point I have tried to suggest in other contexts. If it is informal, then it is highly reversible. If it is informal, it is transitory. Legislation is not as reversible and transitory. We do a lot of that around here, but at least you have to go back through the legislative process. But these informal arrangements may be just temporary and expedient, and probably are temporary and expedient. But the real work, the commitment the Government of Iraq made months ago to make these changes, has not been accomplished.

The Iraqi Government has not eliminated militia control of local security, eliminated political intervention in military operations, ensured even-handed enforcement of the law, increased Army units capable of independent operations or ensured that political authorities made no false accusations against security forces.

Again, we have been engaged for years in training Iraqi security forces. At the entry level of that training—to give the ability of a squad leader to read a map, to call indirect fire, to call a medevac—we have made progress. To give the skills for an individual infantryman to low-crawl, to clear a building, we have made progress. But it is at the critical levels where politics and security intersect that there has not been the adequate progress. That is the most decisive level. Until there is a force in Iraq that is not only technically capable but can operate with a certain degree of independence, then their ability is, I think, undermined. We are making progress in that direction.

The Levin-Reed amendment calls for the continued training to achieve not just technical proficiency but we hope some day a force that is professionally capable and deployed in a way where they can secure the country of Iraq—their country—without fear or favor with respect to political or sectarian allegiance.

Now, the Iraqi Government also pledged to spend \$10 billion of their own money on reconstruction. We have sent billions of American dollars over there for reconstruction. To date, only \$1.5 billion of Iraqi funds has been allocated to do that. I think it raises the question among many Americans: If we are spending all these billions of dol-

lars—and the President is going to send the supplemental up shortly asking for billions and billions of dollars more—why cannot the Iraqis spend at least their own money they have for their own people for their own needs? I think it is a question that the longer it goes unanswered, the more unsettling it is to the American public.

The GAO also noted:

It is unclear whether sectarian violence in Iraq has decreased—a key security benchmark—since it is difficult to measure the perpetrators intent and other measures of population security show differing trends.

The situation, which is understandable given the chaotic nature, given the conflicting motivations that are engulfing the country and producing violence—it is hard to say what is criminality, what is a politically motivated event, what is the mixture of the two—but these measures, I think from our perspective, whether they go up or down, probably do not suggest the atmosphere which most Iraqis endure, which is an atmosphere of violence, potential violence, of fear. It is an atmosphere that has caused 2 million people to be external refugees, 2 million people, roughly, to be internally displaced.

It also is reflected in polling conducted within Iraq about the sense of security and the sense of the future the Iraqi people have. These numbers have been declining. It was at a zenith, obviously, after the operations in March 2003. But since then there has been, I think, a significant and continued deterioration. Because this violence—to us it makes a difference that it is sectarian versus criminal—but to someone on the street, it is violence. Again, the progress in stabilizing the country that the Iraqi Government said they were committed to has not materially been changed throughout the country.

Now, General Petraeus and General Jones did report improvements in the Iraqi security forces, and they should be recognized. But the progress is uneven and slow. I suggested at the zenith, where it is most critical in terms of stability of the country, where it is commanders, not squad leaders, who are making decisions, that is the most difficult to achieve, and it is, so far, lagging based upon the reports we have heard.

Now, we recognize the last 2 years have been enormously challenging for the Government of Iraq and our participation there. We recognize, too, that both General Petraeus and Ambassador Crocker came with great experience, great professional acumen, and great patriotic service to the country, and gave us their best report.

There is another aspect of this debate which is as important as what is going on in Iraq, and that is what is going on in the United States. Frankly, the support for our operations has rapidly faded since the heady days of March 2003. Before the September reports by Ambassador Crocker and General Petraeus and the speech by the President, 64 percent of Americans polled by

CBS felt things were going badly in Iraq; after the reports and speech, 63 percent.

My point is, that is an important factor in the conduct of any national security policy: the support of the American people. In fact, the manual General Petraeus helped author at Fort Leavenworth, the counterinsurgency manual, makes that point specifically, that public support within the United States is a critical—critical—attribute for policy, particularly long-term policy in a counterinsurgency conflict.

We have seen, frankly, the American public being quite concerned, in fact disheartened, about what is happening in Iraq. I think that also calls—in addition to what is happening on the ground—for a change in our policy, for a change in the direction Senator LEVIN and I are suggesting.

It is very difficult and some would argue impossible for any administration to carry out a policy without the strong support of the United States, particularly a policy that does not seem to be matched by an equal commitment by those whom we are trying to help. I believe we do need a change of policy, not only because it is a more effective way to go forward, but it, I think, would represent to the American people a needed sense that we have heard them, we are moving forward, and we are moving forward in a way that can be sustained and be supported by the American people.

Everyone has to recognize the extraordinary contribution of our military forces. They are serving well, and they continue to serve well. But I think their effort has to be matched by a wiser policy on our part. That policy, I think, is necessary. I hope we can do that within the context of the amendment we propose.

There is another issue here, too, and that is not just public support but also the financial support. We are spending \$12 billion a month in Iraq, Afghanistan, et cetera. That price keeps going up. We understand the costs are not short term. There are hundreds of thousands of veterans coming out of the gulf who for the next 50 years will require support and assistance. This is not going to be something that when we look back 5 or 10 years, even when the fighting stops, we can ignore. We have a long-term commitment to these individuals and a long-term costly commitment. We have to measure our policy against our resources, not just the brave men and women who serve, but our ability to finance their operations and finance their long-term care as they come back.

This amendment, as I indicated previously, calls for a transition which I believe is long overdue, a transition to counterterrorism, a transition to training Iraqi security forces, and protection of our forces, coalition forces. I think the transition will help us in terms of what is happening on the ground, what is happening in the country, and what should be happening in the region.

Also, our amendment talks about a very aggressive diplomatic approach, something I think has been missing. We have to engage the regional community and the world community to help us. I think there might be an opportunity, indeed, when we talk about the context of training, to go forward to our allies in NATO and say: You could help us on this training mission. This is not a direct combat operation. This is something well within the capacity of your armies across the globe. This could put an international approach to our problems, which would be very helpful not only in terms of putting men and women on the ground to assist the Iraqi security forces, but indicating this is not America's problem alone, this is an issue that should be addressed by all the nations of the world.

Now, for 5 years our military forces have fought with valor, courage, and sacrifice. Their families have borne their absences. They have supported them remarkably and magnificently, and I think that has to be recognized. But we have to provide them a diplomatic support that has been lacking all these years.

Many of my colleagues have traveled to Iraq many times. I have. Since the beginning, there has not been an adequate complement through diplomats and AID personnel and agronomists, and all the specialists you need to provide the public nonkinetic—as military people describe it—aspects of counterinsurgency. Those forces have been lacking. There have been efforts recently to improve them, but they are still significantly lacking.

So for many years—all these years—we have had an Army and Marine Corps at war, supported—I should say not just supported but it has intimately involved all our services—but we have not had the full commitment of our national resources. We have not had a full commitment of our civilian agencies that is so necessary. Today, that, I think, is not being manifested enough. So for that reason, also, I think we have to recognize a change is necessary.

I hope we can change the policy. I think in the long term it will be beneficial to the United States. I hope we will allow ourselves to begin to focus more resources on threats that are, I think, much more severe: the virtual safe haven in Pakistan from where bin Laden sends tapes to us and al-Zawahiri sends tapes to us that inspire terrorist organizations in Europe that are approaching closer and closer to the United States—that was, I think, the whole premise for our global war on terrorism, to effectively prevent another attack on our homeland—the growing power of Iran, not only in terms of its influence in the region, its connection to other terrorist groups, but its aspirations to be a nuclear power, which we are finding very difficult to counter diplomatically.

I hope we can refocus our efforts in Iraq, and we can also refocus our ef-

orts to meet these other emerging and very dangerous threats.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. McCAIN. Madam President, I rise to oppose the amendment offered by the chairman and the Senator from Rhode Island that would mandate a withdrawal of U.S. forces from Iraq.

Again, we find ourselves on the floor of this Chamber debating an amendment that is nearly identical to one that failed 2 months ago. The pending amendment would mandate a withdrawal of U.S. combat forces within 90 days of enactment, leaving a smaller force authorized only to carry out narrowly defined missions. And the Senate faces, once again—faces again—a simple choice: whether to build on the successes of our new strategy and give General Petraeus and the troops under his command the time and support needed to carry out their mission or to ignore the realities on the ground and legislate a premature end to our efforts in Iraq, accepting thereby all the terrible consequences that will ensue.

Many Senators wished to postpone this choice, preferring to await the testimony of General Petraeus and Ambassador Crocker. Last week, these two career officers reported unambiguously that the new strategy is succeeding in Iraq. Knowing what we now know—that our military is making progress on the ground, and that their commanders request from us the time and support necessary to succeed in Iraq—a measure of courage is required, not the great courage exhibited by those brave men and women fighting on our behalf but a smaller measure, the courage necessary to put America's interests before every personal or political consideration.

It is important that as we proceed with consideration of this amendment, we spend a few moments reviewing the current state of affairs in Iraq. We see today that after nearly 4 years of mismanaged war, the situation on the ground in Iraq shows demonstrable signs of progress. The final reinforcements needed to implement General Petraeus's new counterinsurgency plan have been in place for over 2 months, and our military, in cooperation with the Iraqi security forces, is making significant gains in a number of areas.

General Petraeus reported in detail on these gains during his testimony in both Houses and in countless interviews. The No. 2 U.S. commander in Iraq, LT GEN Ray Odierno, said today the 7-month-old security operation has reduced violence in Baghdad by some 50 percent, car bombings and suicide attacks in Baghdad have fallen to their lowest level in a year, and civilian casualties have dropped from a high of 32 per day to 12 per day. His comments are echoed by LT GEN Abboud Qanbar, the Iraqi commander who said that before the surge began, one-third of Baghdad's 507 districts were under insurgent control. Today, he said: "Only

5 to 6 districts can be called hot areas." Anyone who has traveled recently to Anbar, Diyala or Baghdad can see the improvements that have taken place over the past months. With violence down, commerce has risen, and bottom-up efforts to forge counterterrorism alliances are bearing tangible fruit.

None of this is to argue that Baghdad or other regions have suddenly become safe or that violence has come down to acceptable levels. As General Odierno pointed out, violence is still too high and there are many unsafe areas. Nevertheless, such positive developments illustrate General Petraeus's contention last week that American and Iraqi forces have achieved substantial progress under their new strategy.

It is instructive to reflect on how far some areas have come. One year ago, in September of 2006—1 year ago, September 2006—The Washington Post ran a story titled: "Situation Called Dire in West Iraq; Anbar is Lost Politically, Marine Analyst Says." After an offensive by U.S. and Iraqi troops cleaned al-Qaida fighters out of Ramadi and other areas of western Anbar, the province's tribal sheiks, disgusted by the brutality and blatant disregard for human life exhibited by their aggressors, broke formally with the terrorists and joined the coalition side. As a result, Anbar, which last year stood as Iraq's most dangerous province, is now one of its safest.

By the way, many critics of the war say that change would have happened without the surge. That is patently false. The fact is, when the sheiks decided to come over to our side, a brave colonel named MacFarland immediately sent 4,000 marines to protect them, and General Petraeus has testified that if they hadn't had those troops, then we probably would not have seen Anbar in the condition that it is in today.

I asked General Petraeus, and he said the following:

The success in Anbar Province, correctly, is a political success—

By the way, something we all seek—

But it is a political success that has been enabled, very much, by our forces who have been enabled by having additional forces in Anbar Province.

Ambassador Crocker added:

Such scenes are also unfolding in parts of Diyala and Nineva, where Iraqis have immobilized with the help of Coalition and Iraqi security forces.

So as we all know, without military security, there is no political progress, and that political progress is only enabled by the substantial military presence that was provided by the surge.

As in Anbar and elsewhere, where local populations have turned on al-Qaida's brutal methods, there are reports of Shia extremists encountering a similar reception. Recent attacks by the Mahdi Army on worshipers in the holy city of Karbala prompted a public backlash that led Muqtada al-Sadr to

order a suspension of all military actions by his followers against Iraqi and coalition forces.

In Baghdad, the military, in cooperation with Iraqi security forces, continues to man joint security stations and deploy throughout the city in order to bring violence under control. These efforts have produced positive results. Sectarian violence has fallen since the beginning of the year. The total number of car bombings and suicide attacks declined, and the number of locals coming forward with intelligence tips has risen.

None of this is to suggest the road in Iraq remains anything but long and hard. Violence remains at unacceptable levels, the Maliki Government remains paralyzed and unwilling to function as it must, and other difficulties abound. No one can guarantee success or be certain about its prospects. We can be sure, however, that should the Congress succeed in terminating the strategy by legislating an abrupt withdrawal and a transition to a new, less effective and more dangerous course—should we do that, then we will fail for certain.

Let's make no mistakes about the costs of such an American failure in Iraq. Many of my colleagues would like to believe that should the amendment we are currently considering become law, it would mark the end of this long effort. They are wrong. Should the Congress force a precipitous withdrawal from Iraq, it would mark a new beginning, the start of a new, more dangerous effort to contain the forces unleashed by our disengagement. If we leave, we will be back in Iraq and elsewhere. That is not just my view but that of General Jones and others, in many more desperate fights to protect our security and add an even greater cost in American lives and treasure.

In testimony before the Armed Services Committee last week, General Petraeus referred to an August Defense Intelligence Agency report that stated:

A rapid withdrawal would result in the further release of strong centrifugal forces in Iraq and produce a number of dangerous results, including a high risk of disintegration of the Iraqi security forces, a rapid deterioration of local security initiatives, al-Qaida-Iraq regaining lost ground and freedom of maneuver, a marked increase in violence, and further ethno-sectarian displacement and refugee flows; an exacerbation of already challenging regional dynamics, especially with respect to Iran.

Those are the likely consequences of a precipitous withdrawal, and I hope the supporters of such a move will tell us how they intend to address the chaos and catastrophe that would surely follow such a course of action.

No matter where my colleagues came down in 2003 about the centrality of Iraq to the war on terror, there can simply be no debate that our efforts in Iraq today are critical to the wider struggle against violent Islamic extremism. Earlier this month, GEN Jim Jones testified before the Armed Services Committee on the effects of such a course.

The supporters of this amendment respond that they do not by any means intend to cede the battlefield to al-Qaida. On the contrary, their legislation would allow U.S. forces, presumably holed up in forward-operating bases, to carry out targeted counter-terrorism operations. But our own military commanders say this approach will not succeed and that moving in with search-and-destroy missions to kill and capture terrorists, only to immediately cede the territory to the enemy, is the failed Rumsfeld strategy of the past nearly 4 years. We should not and must not return to such a disastrous course.

It has become clear by now that we cannot set a date for withdrawal without setting a date for surrender. Should we leave Iraq before there is a basic level of stability, we invite chaos, genocide, terrorist safe havens, and regional war. We invite further Iranian influence at a time when Iranian operatives are already moving weapons, training fighters, providing resources, and helping plan operations to kill American soldiers and damage our efforts to bring stability to Iraq. If any of my colleagues remain unsure of Iran's intentions in the region, may I direct them to the recent remarks of the Iranian President who said:

The political power of the occupiers is collapsing rapidly. Soon, we will see a huge power vacuum in the region. Of course, we are prepared to fill the gap.

If our notions of national security have any meaning, they cannot include permitting the establishment of an Iranian-dominated Middle East that is roiled by a wider regional war and ridled with terrorist safe havens.

The hour is indeed late in Iraq. How we have arrived at this critical and desperate moment has been well chronicled, and history's judgment about the long catalog of mistakes in the prosecution of this war will be stern and unforgiving. But history will revere the honor and sacrifice of those Americans who, despite the mistakes and failures of both civilian and military leaders, shouldered a rifle and risked everything so the country they love so well might not suffer the many dangerous consequences of defeat.

That is what General Petraeus and the Americans he has the honor to command are trying to do—to fight smarter and better in a way that addresses and doesn't strengthen the tactics of the enemy and to give the Iraqis the security and opportunity to make the necessary political decisions to save their country from the abyss of genocide and a permanent and spreading war. Now is not the time for us to lose our resolve. We must remain steadfast in this new mission, for we do not fight only for the interests of Iraqis, we fight for ours as well.

In this moment of serious peril for America, we must all of us remember to whom and what we owe our first allegiance—to the security of the American people and the ideals upon which our Nation was founded.

This is the same amendment that was rejected 2 months ago. In the intervening 2 months, our opposition to this amendment has been validated by the progress on the ground of the military strategy which General Petraeus designed and our brave young Americans who are serving have implemented. So we are here 2 months later with tangible success on the ground and addressing the same amendment. The effect of this amendment would return us to the failed strategy of nearly 4 years ago. If there was any doubt the last time in anybody's mind about whether we should go back to that failed strategy of the past or we should continue with this successful strategy, I think the events of the last 2 months, since we rejected this amendment the last time, should convince the objective observers.

So I hope my colleagues will understand this debate and this amendment is very important, and it is very important to the security of the United States of America, the region. We must never forget that if we fail—if we fail—Americans will be called back sooner or later and called upon to make greater service and sacrifice.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Madam President, I ask unanimous consent that the Biden amendment identified in a previous consent agreement be subject to a 60-vote threshold, and that if the amendment does not receive 60 votes, it be withdrawn.

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

Mr. LEVIN. Madam President, there isn't any dispute about whether a stable and independent Iraq is in our national interest. Some of us disagreed with the way we went to war with Iraq 4½ years ago. We have disagreed, many of us, with many of the Bush administration's policies in Iraq since then, including ignoring the advice of senior military leaders such as General Shinseki in planning the invasion, failing to properly plan for the occupation and its aftermath, disbanding the Iraqi Army, banning low-level Baath Party members from post-Saddam Government employment, failing to pressure the Iraqi leaders to meet the benchmarks and the timetable they set for themselves and, most recently, increasing the U.S. military presence in Iraq with the so-called surge, when we should be reducing our military presence.

But the challenge facing us now, given where we are today, is what is the best way to promote a stable and independent Iraq. Is the course we are on succeeding? So while the opponents of changing course argue that those of us who want to change course don't see the importance of a stable and independent Iraq, they are exactly wrong. We see the importance of it, but we see the current policy is failing to move us in the direction of a stable and independent Iraq. It is the status quo—

staying the course—that jeopardizes the goal of a stable and independent Iraq. So while there is disagreement on whether the current course is leading to a stable and independent Iraq, there is agreement—broad consensus—on the desirability of that goal.

There has also been a consensus for some time that there is no military solution to the sectarian violence in Iraq, and that the key to ending the violence lies in bringing about a political settlement among the various factions in Iraq today. Even Prime Minister Maliki recognized that fact a few months ago. This is what he said:

The crisis is political, and the ones who can stop the cycle of blood letting of innocents are the Iraqi politicians.

That is the Prime Minister of Iraq pointing out that it is the failure of the Iraqi politicians that is resulting in the ongoing violence. President Bush said this last January. He said the purpose of the surge—the explicit purpose, the stated purpose of the surge—was to give Iraqi politicians “breathing space” to work out a political settlement.

It is also pretty much undisputed that the stated purpose of the surge—that explicitly stated purpose about giving the Iraqi politicians breathing space to work out their political settlement—has not been achieved. There are going to be arguments back and forth about how much military progress there has been on the ground, and there are statistics both ways. I accept General Petraeus’s assessment—and I have been there recently—that there has been some military progress on the ground. But the purpose of the surge, the goal of the surge was to provide breathing space to the Iraqi politicians; and the more the surge has succeeded, the less excuse there is for the Iraqi politicians not working out their political misunderstandings.

So it works exactly the opposite way from what the opponents of this amendment say. To the extent the surge has succeeded militarily, it makes it less understandable, less excusable, and less acceptable for the Iraqi politicians to continue to dawdle. By the way, the President has kind of shifted ground in terms of the purpose of the surge, anyway. Now the goal of the surge is to provide security and help Iraqi forces to maintain it. So having failed in its purpose, which was to give the Iraqi politicians room to work out their political misunderstandings, now we have a much more open-ended goal: to provide security and help the Iraqi forces to maintain it.

Madam President, General Petraeus agreed in his testimony last week that the purpose of the surge—to provide breathing space to work out a political settlement—has not been achieved. He was asked a direct question and he gave that answer. He acknowledged the political settlement has not been achieved and that that was the stated purpose of the surge.

There has been a lot of debate on whether the current situation on the ground in Iraq shows significant progress in terms of security—by the way, even though, as I said, this can be argued back and forth, there has been a public opinion poll taken in Iraq. The Iraqi people have been asked that question—not by supporters or opponents of the policy but by ABC News. Here is what the poll results were, and this is the Iraqi citizens being asked whether they feel more or less secure as a result of the surge. Here is the analysis by ABC News:

The surge broadly is seen to have done more harm than good, with 65 to 70 percent [of Iraqis] saying it’s worsened rather than improved security in surge areas, security in other areas, conditions for political dialog, the ability of the Iraqi government to do its work, the pace of reconstruction, and the pace of economic development.

The result of the surge—or more accurately, the lack of political results—underscores the reality that there is going to be no end to the violence until Iraqi national leaders work out their political differences. As the Independent Commission on the Security Forces of Iraq, under the leadership of retired Marine General Jim Jones, reported last week:

Political reconciliation is the key to ending sectarian violence in Iraq.

The Iraqi politicians surely haven’t done that. They have not kept the commitments they made to achieve political reconciliation by adopting legislation setting the dates for provincial elections, approving a hydrocarbon law, a debaathification law, and submitting constitutional amendments to a referendum.

I want to emphasize that the Iraqis’ commitments to work out their key differences and the timetable to do so were their commitments and their timetable. So when Prime Minister Maliki complains that outsiders are not going to dictate to the Iraqi Government, what he is trying to do is obscure the fact that his own government set the benchmarks and timetables for themselves.

Back in January, when President Bush proposed the surge, this is what he said about the benchmarks and the need for the Iraqis to meet them:

America will hold the Iraqi government to the benchmarks it has announced.

Last Thursday, we heard the same old song from the President. He said:

The [Iraqi] government has not met its own legislative benchmarks, and in my meeting with Iraq leaders, I have made it clear that they must.

Eight months after saying we are going to hold the Iraqi Government to the benchmarks, the President’s words ring hollow. We are not insisting the Iraqi leaders keep their commitments, and there have been absolutely no consequences for the Iraqi leaders’ failure to do so. James Baker, Lee Hamilton, and the rest of the Iraq Study Group recommended the following:

If the Iraqi government does not make substantial progress toward the achievement of

milestones on national reconciliation, security, and governance, the United States should reduce its political, military, or economic support for the Iraqi government.

Now, those were the words of the Iraq Study Group. That is exactly what is needed: consequences—clear, direct, and understandable consequences. But the only response to the Iraqi politicians’ continued dawdling has been the repeated calls by the President for patience.

I make reference to a letter from the Secretary of State, Condoleezza Rice, dated January 30, 2007. The question had been raised whether the timelines that were set by the Iraqi Government were in fact their timelines or ours. This is what Secretary Rice said about the timelines:

... Iraq’s Policy Committee on National Security agreed upon a set of political, security, and economic benchmarks and an associated timeline in September 2006. These were reaffirmed by the Presidency Council on October 16, 2006, and referenced by the Iraq Study Group; the relevant document (enclosed) was posted at that time on the President of Iraq’s website.

Madam President, we have been told by the—at least the public has been told by, I believe, the Prime Minister of Iraq that they are not going to accept America’s timeline, that we are not going to impose a timeline on Iraq. What Secretary Rice’s letter to me confirmed very precisely is that the Presidency Council of Iraq on October 16, 2006, adopted, reaffirmed—in her words, “Iraq’s Policy Committee on National Security agreed upon a set of ... timelines.”

The dates are here. Here is the timeline.

September 2006: To form a review committee and to agree on a political timetable.

October 2006: Approve a hydrocarbon law and approve a provincial election law.

November 2006: Approve a debaathification law and approve provincial council authorities law.

December 2006: Approve amnesty, militias, and other armed formations law.

January 2007: Constitutional Review Committee completes its work.

February 2007: Form independent commissions in accordance with the constitution.

March 2007: Constitutional amendments referendum.

I ask unanimous consent that the letter from Secretary Rice to me dated January 30, 2007, be printed in the RECORD at this point, which makes the very clear statement that, No. 1, the timelines I have referred to attached to her letter are the Iraqi Government’s timelines, and they formally adopted those.

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

THE SECRETARY OF STATE,  
Washington.

Hon. CARL LEVIN,  
Chairman, Committee on Armed Services,  
U.S. Senate.

DEAR MR. CHAIRMAN: Thank you for your recent letters regarding the way forward in

Iraq and the role of benchmarks for political issues Iraq must solve. The President has also asked that I reply on his behalf to your December 12, 2006, letter to him concerning the importance of announcing a deadline for beginning a phased redeployment from Iraq.

I share your view that the Iraqi Government must meet the goal it has set for itself—establishing a democratic, unified, and secure Iraq. We believe the Iraqi Government understands very well the consequences of failing to make the tough decisions necessary to allow all Iraqis to live in peace and security. President Bush has been clear with Prime Minister Maliki on this score, as have I and other senior officials in discussions with our counterparts. We expect the Prime Minister to follow through on his pledges to the President that he would take difficult decisions.

In his January 10 address, the President stated that after careful consideration he had decided that announcing a phased withdrawal of our combat forces at this time would open the door to a collapse of the Iraqi Government and the country being torn apart. The New Way Forward in Iraq that the President announced on January 10 is designed to help the Government of Iraq to succeed. This strategy has the strong support of General Petraeus and his commanders, and we must give the strategy time to succeed.

On your point about a political solution being critical to long-term success, I also agree. However, with violence in the capital at the levels we have seen since the Samarra attack on February 22, 2006, extremists and terrorists have been able to hold the political process hostage. The President's strategy is designed to dampen the present level of violence in Baghdad and ensure that Iraq's political center has the security and stability it needs to negotiate lasting political accommodations through Iraq's new democratic institutions.

At the same time, the President has made clear to the Prime Minister and other Iraqi leaders that America's commitment is not open-ended. It is essential that the Government of Iraq—with our help, but its lead—set out measurable, achievable goals and objectives on each of three critical, strategic tracks: political, security, and economic. In this regard, Iraq's Policy Committee on National Security agreed upon a set of political, security, and economic benchmarks and an associated timeline in September 2006. These were reaffirmed by the Presidency Council on October 16, 2006, and referenced by the Iraq Study Group; the relevant document (enclosed) was posted at that time on the President of Iraq's website.

Beyond that, as the President said, Prime Minister Maliki made a number of additional commitments including: Non-interference in operations of the Iraqi Security Forces; Prosecution of all who violate the law, regardless of sect or religion; Deployment of three additional Iraqi army brigades to Baghdad; and Use of \$10 billion for reconstruction.

We will continually assess Iraq's progress in meeting these commitments as well as other initiatives critical to Iraq's development.

Sincerely,

CONDOLEEZZA RICE.

UNOFFICIAL TRANSLATION

NATIONAL POLITICAL TIMELINE

September 2006: Form Constitutional Review Committee; Approve law on procedures to form regions; Agree on political timetable; Approve the law for Independent High Electoral Commission (IHEC); and Approve the Investment Law.

October 2006: Approve provincial elections law and set date for provincial elections; and Approve a hydrocarbon law.

November 2006: Approve de-Ba'athification law; Approve provincial council authorities law; and Approve a flag, emblem and national anthem law.

December 2006: Approve Coalition Provisional Authority Order 91 concerning armed forces and militias; Council of Representatives to address amnesty, militias and other armed formations; and Approve amnesty, militias and other armed formations law.

January 2007: Constitutional Review Committee completes its work.

February 2007: Form independent commissions in accordance with the Constitution.

March 2007: Constitutional amendments referendum (if required).

Mr. LEVIN. Madam President, I ask unanimous consent that another letter that I will read a part of be printed in the RECORD at this point.

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

THE SECRETARY OF STATE,  
Washington, DC, June 13, 2007.

Hon. CARL LEVIN,  
Chairman, Committee on Armed Services,  
U.S. Senate.

DEAR MR. CHAIRMAN: Thank you for your letter inquiring about the benchmarks that the Government of Iraq set for itself last fall.

As you mentioned, I sent to you a letter in January in which I noted that Iraq's Political Committee on National Security agreed upon a set of benchmarks and an associated timeline, which were reaffirmed by the Iraqi Presidency Council in October 2006.

We have confirmed with Iraqi President Talabani's Chief of Staff that the benchmarks were formally approved last fall by the Iraqi Political Committee on National Security. This committee includes the Presidency Council—the President and the two Vice Presidents—as well as the leaders of all the major political blocs in Iraq. The Iraqi Presidency Council then posted the benchmarks on its website for several months.

Thank you for your interest in this issue. Please feel free to contact us on this or any matter of concern to you.

Sincerely,

CONDOLEEZZA RICE.

Mr. LEVIN. This is a June 13, 2007, letter to me from Secretary Rice. The setting for this—before I read this paragraph—is that Iraq said they never adopted those timelines, they never adopted those benchmarks. They contested what Secretary Rice said to me in the letter I am making part of the RECORD, dated January 30. I asked Secretary Rice about that. I said the Iraqis are saying you are wrong, that they didn't adopt the benchmarks. They say you are wrong, Secretary Rice. What do you have to say about that? She wrote me back:

Thank you for your letter inquiring about the benchmarks that the Government of Iraq set for itself last fall.

I emphasize the words “set for itself last fall.”

Addressing me, she wrote:

As you mentioned, I sent to you a letter in January in which I noted that Iraq's Political Committee on National Security agreed upon a set of benchmarks and an associated timeline, which were reaffirmed by the Iraqi Presidency Council in October 2006.

She continued:

We have confirmed with Iraqi President Talabani's Chief of Staff that the benchmarks were formally approved last fall by the Iraqi Political Committee on National Security. This committee includes the Presidency Council—the President and two Vice Presidents—as well as the leaders of all major political blocs in Iraq. The Iraqi Presidency Council then posted the benchmarks on its website for several months.

I have already made this part of the RECORD.

I ask unanimous consent that my letter to the Secretary, which precipitated this response on June 13 also be printed in the RECORD.

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

U.S. SENATE,  
COMMITTEE ON ARMED SERVICES,  
Washington, DC, May 9, 2007.

Hon. CONDOLEEZZA RICE,  
Secretary of State,  
Washington, DC.

DEAR MADAM SECRETARY: I am writing in connection with your letter of January 20, 2007 in which you advised me regarding a set of benchmarks that the Government of Iraq has set for itself.

You wrote that “Iraq's Policy Committee on National Security agreed upon a set of political, security, and economic benchmarks and an associated timeline in September 2006. These were reaffirmed by the Presidency Council on October 16, 2006, and referenced by the Iraq Study Group; the relevant document (enclosed) was posted at that time on the President of Iraq's website.”

Yesterday, I met with Mowaffak al-Rubaie, Prime Minister Maliki's national security adviser. During the course of our meeting, Dr. Rubaie stated that the Presidency Council never reaffirmed the benchmarks. He was adamant on this point even after I showed him the statement in your letter.

This is an important point as the Presidency Council, whose three members, President Jalal Talabani (Kurd), Deputy President 'Adil 'Abd al-Mahdi (Shia Muslim) and Deputy President Tariq al-Hashimi (Sunni Muslim), are elected by the Council of Representatives and represent the three major ethnic groups of the country.

Earlier today, State Department Spokesman Sean McCormack stated “These are the benchmarks that they've laid out for themselves. We didn't come up with them. They came up with them. And they need to be seen in the eyes of the Iraqi people as delivering for the Iraqi people.”

It seems to me that it would make a difference if the benchmarks and associated timeline were only approved by an advisory group as compared to the Presidency Council.

Accordingly, please confirm that the benchmarks and associated timeline, which you attached to your January 30, 2007 letter, were reaffirmed by the Presidency Council after being agreed upon by the Policy Committee on National Security, as stated in your letter.

Thank you for your assistance.

Sincerely,

CARL LEVIN,  
Chairman.

Mr. LEVIN. Success in Iraq—creating a stable, independent Iraq—depends on Iraqi leaders finally seeing the end of the open-ended U.S. commitment. The Iraq Study Group correctly pointed out almost a year ago that “An open-ended

commitment of American forces would not provide the Iraqi government the incentive it needs to take the political actions that give Iraq the best chance of quelling sectarian violence.” “absence of such an incentive, the Iraqi government might continue to delay taking those actions.

The President’s current strategy is nothing less than stagnant because it is open-ended. It lacks the key ingredient of an action-forcing mechanism aimed at getting the Iraqi leaders to resolve their political differences. What is that mechanism? What is the mechanism that will finally force the Iraqi leaders to get on with the job of negotiating their political differences? It is action on our part, not just rhetoric, that clearly demonstrates to the Iraqi Government that our open-ended commitment to the American troops in the middle of their civil war is over, and that while we will provide support to their army, we have decided, as did the British, to transfer principal responsibility for security to Iraqi forces.

It is not good enough to do what the President did a few days ago and say we are going to take another look next March. That maintains the open-ended commitment. That does not have a timetable for the reduction of our troops to the levels which are necessary to carry on the missions which are identified.

The Jones Commission reported that “The Iraqi armed forces . . . are increasingly effective and are capable of assuming greater responsibility for the internal security of Iraq.” The Commission went on to say that a number of Iraqi Army battalions that are capable of taking the lead are not in the lead. That was a fact acknowledged by General Petraeus in our hearings about a week ago.

The Commission did one other thing: The Jones Commission also recommended—and these are the keywords—“the size of our national footprint in Iraq be reconsidered” and that “significant reductions . . . appear to be possible and prudent.” Those are the words of General Jones and his Commission that significant reductions in our presence appear to be prudent. This is a group of retired generals and police officers.

I asked General Petraeus about whether there are these units of the Iraqi Army that are capable of assuming greater responsibility, as General Jones’s Commission said, but they have not done so. General Petraeus acknowledged that there were such Iraqi units. I asked him how many, and he said he would supply that number for the record.

The Jones Commission emphasized that “there is a fine line between assistance and dependence.” When I was in Iraq last month, I asked a young American soldier who is on his third deployment to Iraq what his ideas were about transferring greater responsibility to the Iraqis. His answer was:

The Iraqi soldiers will let U.S. soldiers do the job that they’re supposed to be doing for

ever, and we need to let them do it on their own.

I could not agree more.

In addition to getting our troops out of the middle of their civil war, success also depends on a transition of missions. According to the Iraq Study Group:

By the first quarter of 2008, subject to unexpected developments in the security situation on the ground, all combat brigades not necessary for force protection could be out of Iraq.

That Commission proposed that a far smaller U.S. military presence would remain only for limited missions to include force protection, counterterrorism, and training the Iraqi security forces. I believe it is essential that transition to the limited missions be announced now as a way of ending this open-ended commitment which the Iraqi political leaders have taken to be such a security blanket and have taken them off the hook from doing something that only they can do—work out the political differences that divide them which, in the words of their own Prime Minister, the failure to do has resulted in the continuation of violence.

Everybody seems to agree that there is no military solution, and yet when it comes to telling the Iraqi political leaders that the open-ended commitment is over, we are not only going to begin to reduce our troops, but we are going to transition their mission and complete that transition in a reasonable period of time, not precipitous but in a reasonable period of time, and our amendment provides 9 months after enactment of this law, it is the only way—the only way—that this open-ended commitment can finally be brought to an end. So we not only have to transition to the limited missions and announce it now, we have to adopt a timetable for the completion of that transition.

Those are the key provisions of the amendment before us. It is the key to ending the open-endedness, and it is long overdue. Presenting Iraq’s political leaders with a timetable to begin withdrawing our forces and transitioning those that remain from mainly combat to mainly support roles is the only hope that Iraqi leaders will realize their future is in their hands, not in the hands of our brave men and women who proudly wear the uniform of our country.

Taking this step will also recognize another fact of life: that the stress on our forces—especially the wear and tear on the Army and Marines—must be reduced. We cannot continue to deploy our forces at the current level without seriously weakening our ability to respond to other challenges that might confront us.

So how can Congress bring about a change of course in Iraq when President Bush delays and delays and delays making any change? A clear majority of the Senate indicated support for Levin-Reed last July when we voted 53

to 46 to cut off the filibuster of the Republican leadership against the Levin-Reed amendment. Madam President, 53 to 46 was the vote.

The Levin-Reed amendment required the Secretary of Defense to begin a reduction in the number of U.S. forces in Iraq not later than 120 days after the date of enactment. It would have also required a transition to a limited presence only to carry out the missions of protecting U.S. and coalition personnel and infrastructure, training, equipping, and providing logistics support—and those are important words—to the Iraqi security forces and engaging in targeted counterterrorism operations against al-Qaida, al-Qaida affiliated groups, and other international terrorist organizations. The transition to the limited presence in mission would have had to have been completed by April 30, 2008. This reduction would have been implemented along with a comprehensive diplomatic, political, and economic strategy that includes sustained engagement with Iraq’s neighbors and the international community.

The continued inability of the Iraqi Government to make any progress toward a political settlement and the refusal of the Bush administration to change course reinforces the need for the Levin-Reed amendment. So that amendment is now before us. It is essentially the same as the amendment we voted on last July. The changes in the timetable are slight to accommodate the fact that we are voting at a later time, essentially. We would require the reduction to begin no later than 90 days after the date of enactment and to be completed within 9 months of the date of enactment in order to adjust the timetable to be both clear and to respond to the fact that we will be voting on this months later than the last vote in July.

The challenge before us is to get to the 60 votes. Sixty votes is the goal that I guess almost all our Iraq legislation has to meet because of the filibuster that took place the last time we offered Levin-Reed and because the threat of that filibuster exists again.

The reality is that we are going to continue to plug away to get to those 60 votes. We hope we can get them on this version of Levin-Reed. It is a version which finally, if we can get to the 60 votes and defeat this filibuster, will change course in Iraq. The majority of us in this Senate have voted to change course in Iraq, in effect, when there were 53 of us who voted to end the filibuster last July.

The majority of the American people clearly want a change of course in Iraq. They do not want a precipitous withdrawal. They understand we are going to need some troops there for force protection and for training of the Iraqi Army and for providing logistics to the Iraqi Army and for some targeted counterterrorism efforts against al-Qaida, their affiliates, and other terrorist groups. The American people understand. They want something that is

planned in terms of reduction of our forces, and they want a timetable. What they want more than anything else is to get the Iraqi leaders to end their dawdling so our troops can come home.

Everybody wants a stable, independent Iraq. The course we are on now, the course of status quo, an open-ended course, the course of, "well, we will figure out next July whether we want to go further, whether we want to go below the presurge level," that stagnant course is exactly the wrong signal to the Iraqi leaders.

The course the President is on keeps that open-ended commitment of American forces. It does not do what we must do, and because the President will not do it, Congress must do it, which is to tell the Iraqis that the future of their country is in their hands and we will continue to be helpful.

We have given them an opportunity they have not seized, and 4½ years later, almost 4,000 American troops have been killed, 7 times that many wounded, \$600 billion now spent, \$10 billion more every month. It has to come to an end. We want to bring it to a successful end. We cannot do it militarily. Every military leader says there is no military solution. There is only a political solution, and only the Iraqi political leaders can achieve it.

That is what this amendment will help to bring about, that final statement to the Iraqi leaders: We cannot save you from yourselves.

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

The PRESIDING OFFICER (Mr. WHITEHOUSE.) The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENTS NOS. 2875, 2865, 2867, 2868, 2871, 2866, 2869, 2293, 2285, 2880, 2892, 2278, 2119, 2123, 2921, 2233, AS MODIFIED, 2299, 2300, 2864, 2262, 2939, 2940, 2893, AND 2941 TO AMENDMENT NO. 2011, EN BLOC

Mr. LEVIN. Mr. President, I send a series of 24 amendments to the desk which have been cleared on both sides. I ask unanimous consent that the Senate consider those amendments en bloc; that the amendments be agreed to; that the motions to reconsider be laid upon the table; and that any statements relating to any of these individual amendments be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. GRAHAM. No objection.

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

The amendments were agreed to, as follows:

AMENDMENT NO. 2875

(Purpose: To provide certain limitations to the issuance of security clearances)

Strike section 1064 and insert the following:

**SEC. 1064. SECURITY CLEARANCES; LIMITATIONS.**

(a) IN GENERAL.—Title III of the Intelligence Reform and Terrorism Prevention

Act of 2004 (50 U.S.C. 435b) is amended by adding at the end the following new section:

**“SEC. 3002. SECURITY CLEARANCES; LIMITATIONS.**

“(a) DEFINITIONS.—In this section:

“(1) CONTROLLED SUBSTANCE.—The term ‘controlled substance’ has the meaning given that term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

“(2) COVERED PERSON.—The term ‘covered person’ means—

“(A) an officer or employee of a Federal agency;

“(B) a member of the Army, Navy, Air Force, or Marine Corps who is on active duty or is in an active status; and

“(C) an officer or employee of a contractor of a Federal agency.

“(3) RESTRICTED DATA.—The term ‘Restricted Data’ has the meaning given that term in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014).

“(4) SPECIAL ACCESS PROGRAM.—The term ‘special access program’ has the meaning given that term in section 4.1 of Executive Order 12958 (60 Fed. Reg. 19825).

“(b) PROHIBITION.—After January 1, 2008, the head of a Federal agency may not grant or renew a security clearance for a covered person who is—

“(1) an unlawful user of, or is addicted to, a controlled substance; or

“(2) mentally incompetent, as determined by an adjudicating authority, based on an evaluation by a duly qualified mental health professional employed by, or acceptable to and approved by, the United States government and in accordance with the adjudicative guidelines required by subsection (d).

“(c) DISQUALIFICATION.—

“(1) IN GENERAL.—After January 1, 2008, absent an express written waiver granted in accordance with paragraph (2), the head of a Federal agency may not grant or renew a security clearance described in paragraph (3) for a covered person who has been—

“(A) convicted in any court of the United States of a crime, was sentenced to imprisonment for a term exceeding 1 year, and was incarcerated as a result of that sentence for not less than 1 year; or

“(B) discharged or dismissed from the Armed Forces under dishonorable conditions.

“(2) WAIVER AUTHORITY.—In a meritorious case, an exception to the disqualification in this subsection may be authorized if there are mitigating factors. Any such waiver may be authorized only in accordance with standards and procedures prescribed by, or under the authority of, an Executive Order or other guidance issued by the President.

“(3) COVERED SECURITY CLEARANCES.—This subsection applies to security clearances that provide for access to—

“(A) special access programs;

“(B) Restricted Data; or

“(C) any other information commonly referred to as ‘sensitive compartmented information’.

“(4) ANNUAL REPORT.—

“(A) REQUIREMENT FOR REPORT.—Not later than February 1 of each year, the head of a Federal agency shall submit a report to the appropriate committees of Congress if such agency employs or employed a person for whom a waiver was granted in accordance with paragraph (2) during the preceding year. Such annual report shall not reveal the identity of such person, but shall include for each waiver issued the disqualifying factor under paragraph (1) and the reasons for the waiver of the disqualifying factor.

“(B) DEFINITIONS.—In this paragraph:

“(i) APPROPRIATE COMMITTEES OF CONGRESS.—The term ‘appropriate committees of Congress’ means, with respect to a report submitted under subparagraph (A) by the head of a Federal agency—

“(I) the congressional intelligence committees;

“(II) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(III) the Committee on Oversight and Government Reform of the House of Representatives; and

“(IV) each Committee of the Senate or the House of Representatives with oversight authority over such Federal agency.

“(ii) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ‘congressional intelligence committees’ has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 401a).

“(d) ADJUDICATIVE GUIDELINES.—

“(1) REQUIREMENT TO ESTABLISH.—The President shall establish adjudicative guidelines for determining eligibility for access to classified information.

“(2) REQUIREMENTS RELATED TO MENTAL HEALTH.—The guidelines required by paragraph (1) shall—

“(A) include procedures and standards under which a covered person is determined to be mentally incompetent and provide a means to appeal such a determination; and

“(B) require that no negative inference concerning the standards in the guidelines may be raised solely on the basis of seeking mental health counseling.”.

“(b) CONFORMING AMENDMENTS.—

(1) REPEAL.—Section 986 of title 10, United States Code, is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 49 of such title is amended by striking the item relating to section 986.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on January 1, 2008.

AMENDMENT NO. 2865

(Purpose: To authorize the Secretary of Defense to expand the persons eligible for continued health benefits coverage)

At the end of title VII, add the following:

**SEC. 703. AUTHORITY FOR EXPANSION OF PERSONS ELIGIBLE FOR CONTINUED HEALTH BENEFITS COVERAGE.**

(a) AUTHORITY TO SPECIFY ADDITIONAL ELIGIBLE PERSONS.—Subsection (b) of section 1078a of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4) Any other person specified in regulations prescribed by the Secretary of Defense for purposes of this paragraph who loses entitlement to health care services under this chapter or section 1145 of this title, subject to such terms and conditions as the Secretary shall prescribe in the regulations.”.

(b) ELECTION OF COVERAGE.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

“(4) In the case of a person described in subsection (b)(4), by such date as the Secretary shall prescribe in the regulations required for purposes of that subsection.”.

(c) PERIOD OF COVERAGE.—Subsection (g)(1) of such section is amended—

(1) in subparagraph (B), by striking “and” at the end;

(2) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(D) in the case of a person described in subsection (b)(4), the date that is 36 months after the date on which the person loses entitlement to health care services as described in that subsection.”.

AMENDMENT NO. 2867

(Purpose: To repeal the authority for payment of a uniform allowance to civilian employees of the Department of Defense)

At the end of title XI, add the following:

**SEC. 1107. REPEAL OF AUTHORITY FOR PAYMENT OF UNIFORM ALLOWANCE TO CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE.**

(a) REPEAL.—Section 1593 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 81 of such title is amended by striking the item relating to section 1593.

## AMENDMENT NO. 2868

(Purpose: To provide for a continuation of eligibility for TRICARE Standard coverage for certain members of the Selected Reserve)

At the end of title VII, add the following:

**SEC. 703. CONTINUATION OF ELIGIBILITY FOR TRICARE STANDARD COVERAGE FOR CERTAIN MEMBERS OF THE SELECTED RESERVE.**

(a) IN GENERAL.—Section 706(f) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2282; 10 U.S.C. 1076d note) is amended—

(1) by striking “Enrollments” and inserting “(1) Except as provided in paragraph (2), enrollments”; and

(2) by adding at the end the following new paragraph:

“(2) The enrollment of a member in TRICARE Standard that is in effect on the day before health care under TRICARE Standard is provided pursuant to the effective date in subsection (g) shall not be terminated by operation of the exclusion of eligibility under subsection (a)(2) of such section 1076d, as so amended, for the duration of the eligibility of the member under TRICARE Standard as in effect on October 16, 2006.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2007.

## AMENDMENT NO. 2871

(Purpose: To provide flexibility in paying annuities to certain Federal retirees who return to work)

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. FLEXIBILITY IN PAYING ANNUITIES TO CERTAIN FEDERAL RETIREES WHO RETURN TO WORK.**

(a) IN GENERAL.—Section 9902(j) of title 5, United States Code, is amended to read as follows:

## (j) PROVISIONS RELATING TO REEMPLOYMENT.—

“(1) Except as provided under paragraph (2), if an annuitant receiving an annuity from the Civil Service Retirement and Disability Fund becomes employed in a position within the Department of Defense, his annuity shall continue. An annuitant so reemployed shall not be considered an employee for purposes of chapter 83 or 84.

“(2)(A) An annuitant receiving an annuity from the Civil Service Retirement and Disability Fund who becomes employed in a position within the Department of Defense following retirement under section 8336(d)(1) or 8414(b)(1)(A) shall be subject to section 8344 or 8468.

“(B) The Secretary of Defense may, under procedures and criteria prescribed under subparagraph (C), waive the application of the provisions of section 8344 or 8468 on a case-by-case or group basis, for employment of an annuitant referred to in subparagraph (A) in a position in the Department of Defense.

“(C) The Secretary shall prescribe procedures for the exercise of any authority under this paragraph, including criteria for any exercise of authority and procedures for a delegation of authority.

“(D) An employee as to whom a waiver under this paragraph is in effect shall not be considered an employee for purposes of subchapter III of chapter 83 or chapter 84.

“(3)(A) An annuitant retired under section 8336(d)(1) or 8414(b)(1)(A) receiving an annuity from the Civil Service Retirement and Disability Fund, who is employed in a position within the Department of Defense after the date of enactment of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136), may elect to begin coverage under paragraph (2) of this subsection.

“(B) An election for coverage under this paragraph shall be filed not later than the later of 90 days after the date the Department of Defense—

“(i) prescribes regulations to carry out this subsection; or

“(ii) takes reasonable actions to notify employees who may file an election.

“(C) If an employee files an election under this paragraph, coverage shall be effective beginning on the date of the filing of the election.

“(D) Paragraph (1) shall apply to an individual who is eligible to file an election under subparagraph (A) of this paragraph and does not file a timely election under subparagraph (B) of this paragraph.”.

(b) REGULATIONS.—Not later than 60 days after the date of enactment of this Act, the Secretary of Defense shall prescribe regulations to carry out the amendment made by this section.

## AMENDMENT NO. 2866

(Purpose: To authorize demonstration projects on the provision of services to military dependent children with autism)

At the end of subtitle H of title V, add the following:

**SEC. 594. DEMONSTRATION PROJECTS ON THE PROVISION OF SERVICES TO MILITARY DEPENDENT CHILDREN WITH AUTISM.**

## (a) DEMONSTRATION PROJECTS AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Defense may conduct one or more demonstration projects to evaluate improved approaches to the provision of education and treatment services to military dependent children with autism.

(2) PURPOSE.—The purpose of any demonstration project carried out under this section shall be to evaluate strategies for integrated treatment and case manager services that include early intervention and diagnosis, medical care, parent involvement, special education services, intensive behavioral intervention, and language, communications, and other interventions considered appropriate by the Secretary.

(b) REVIEW OF BEST PRACTICES.—In carrying out demonstration projects under this section, the Secretary of Defense shall, in coordination with the Secretary of Education, conduct a review of best practices in the United States in the provision of education and treatment services for children with autism, including an assessment of Federal and State education and treatment services for children with autism in each State, with an emphasis on locations where members of the Armed Forces who qualify for enrollment in the Exceptional Family Member Program of the Department of Defense are assigned.

## (c) ELEMENTS.—

(1) ENROLLMENT IN EXCEPTIONAL FAMILY MEMBER PROGRAM.—Military dependent children may participate in a demonstration project under this section only if their military sponsor is enrolled in the Exceptional Family Member Program of the Department of Defense.

(2) CASE MANAGERS.—Each demonstration project shall include the assignment of both medical and special education services case managers which shall be required under the Exceptional Family Member Program pursuant to the policy established by the Secretary of Defense.

(3) INDIVIDUALIZED SERVICES PLAN.—Each demonstration project shall provide for the voluntary development for military dependent children with autism participating in such demonstration project of individualized autism services plans for use by Department of Defense medical and special education services case managers, caregivers, and families to ensure continuity of services throughout the active military service of their military sponsor.

(4) SUPERVISORY LEVEL PROVIDERS.—The Secretary of Defense may utilize for purposes of the demonstration projects personnel who are professionals with a level (as determined by the Secretary) of post-secondary education that is appropriate for the provision of safe and effective services for autism and who are from an accredited educational facility in the mental health, human development, social work, or education field to act as supervisory level providers of behavioral intervention services for autism. In so acting, such personnel may be authorized—

(A) to develop and monitor intensive behavior intervention plans for military dependent children with autism who are participating in the demonstration projects; and

(B) to provide appropriate training in the provision of approved services to such children.

(5) SERVICES UNDER CORPORATE SERVICES PROVIDER MODEL.—(A) In carrying out the demonstration projects, the Secretary may utilize a corporate services provider model.

(B) Employees of a provider under a model referred to in subparagraph (A) shall include personnel who implement special educational and behavioral intervention plans for military dependent children with autism that are developed, reviewed, and maintained by supervisory level providers approved by the Secretary.

(C) In authorizing such a model, the Secretary shall establish—

(i) minimum education, training, and experience criteria required to be met by employees who provide services to military dependent children with autism;

(ii) requirements for supervisory personnel and supervision, including requirements for supervisor credentials and for the frequency and intensity of supervision; and

(iii) such other requirements as the Secretary considers appropriate to ensure safety and the protection of the children who receive services from such employees under the demonstration projects.

(6) CONSTRUCTION WITH OTHER SERVICES.—Services provided to military dependent children with autism under the demonstration projects under this section shall be in addition to any other publicly-funded special education services available in a location in which their military sponsor resides.

## (d) PERIOD.—

(1) COMMENCEMENT.—If the Secretary determines to conduct demonstration projects under this section, the Secretary shall commence any such demonstration projects not later than 180 days after the date of the enactment of this Act.

(2) MINIMUM PERIOD.—Any demonstration projects conducted under this section shall be conducted for not less than two years.

## (e) EVALUATION.—

(1) IN GENERAL.—The Secretary shall conduct an evaluation of each demonstration project conducted under this section.

(2) ELEMENTS.—The evaluation of a demonstration project under this subsection shall include the following:

(A) An assessment of the extent to which the activities under the demonstration project contributed to positive outcomes for military dependent children with autism and their families.

(B) An assessment of the extent to which the activities under the demonstration project led to improvements in services and continuity of care for children with autism.

(C) An assessment of the extent to which the activities under the demonstration project improved military family readiness and enhanced military retention.

(f) REPORTS.—Not later than 30 months after the commencement of any demonstration project authorized by this section, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on such demonstration project. The report on a demonstration project shall include a description of such project, the results of the evaluation under subsection (e) with respect to such project, and a description of plans for the further provision of services for military dependent children with autism under such project.

## AMENDMENT NO. 2869

(Purpose: To authorize increases in compensation for the faculty and staff of the Uniformed Services University of the Health Sciences)

At the end of title XI, add the following:

**SEC. 1107. AUTHORIZATION FOR INCREASED COMPENSATION FOR FACULTY AND STAFF OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.**

Section 2113(f) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “so as” and inserting “after consideration of the compensation necessary”; and

(B) by striking “within the vicinity of the District of Columbia” and inserting “identified by the Secretary for purposes of this paragraph”; and

(2) in paragraph (4)—

(A) by striking “section 5373” and inserting “sections 5307 and 5373”; and

(B) by adding at the end the following new sentence: “In no case may the total amount of compensation paid under paragraph (1) in any year exceed the total amount of annual compensation (excluding expenses) specified in section 102 of title 3.”

## AMENDMENT NO. 2293

(Purpose: To authorize the transfer to the Government of Iraq of three C-130E tactical airlift aircraft)

At the end of subtitle D of title I, add the following:

**SEC. 143. TRANSFER TO GOVERNMENT OF IRAQ OF THREE C-130E TACTICAL AIRLIFT AIRCRAFT.**

The Secretary of the Air Force may transfer not more than three C-130E tactical airlift aircraft, allowed to be retired under the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364), to the Government of Iraq.

## AMENDMENT NO. 2285

(Purpose: To require recurring reports on the readiness of the National Guard for domestic emergencies)

At the end of subtitle D of title III, add the following:

**SEC. 358. REPORTS ON NATIONAL GUARD READINESS FOR DOMESTIC EMERGENCIES.**

(a) ANNUAL REPORTS ON EQUIPMENT.—Section 10541(b) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

“(9) An assessment of the extent to which the National Guard possesses the equipment required to respond to domestic emergencies, including large scale, multi-State disasters and terrorist attacks.

“(10) An assessment of the shortfalls, if any, in National Guard equipment through-

out the United States, and an assessment of the effect of such shortfalls on the capacity of the National Guard to respond to domestic emergencies.

“(11) Strategies and investment priorities for equipment for the National Guard to ensure that the National Guard possesses the equipment required to respond in a timely and effective way to domestic emergencies.”.

(b) INCLUSION OF NATIONAL GUARD READINESS IN QUARTERLY PERSONNEL AND UNIT READINESS REPORT.—Section 482 of such title is amended—

(1) in subsection (a), by striking “and (e)” and inserting “(e), and (f)”;

(2) by redesignating subsection (f) as subsection (g);

(3) by inserting after subsection (e) the following new subsection (f):

“(f) READINESS OF NATIONAL GUARD TO PERFORM CIVIL SUPPORT MISSIONS.—(1) Each report shall also include an assessment of the readiness of the National Guard to perform tasks required to support the National Response Plan for support to civil authorities.

“(2) Any information in a report under this subsection that is relevant to the National Guard of a particular State shall also be made available to the Governor of that State.”.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply with respect to reports submitted after the date of the enactment of this Act.

(d) REPORT ON IMPLEMENTATION.—

(1) IN GENERAL.—As part of the budget justification materials submitted to Congress in support of the budget of the President for fiscal year 2009 (as submitted under section 1105 of title 31, United States Code), the Secretary of Defense shall submit to the congressional defense committees a report on actions taken by the Secretary to achieve the implementation of the amendments made by this section.

(2) ELEMENTS.—The report under paragraph (1) shall include a description of the mechanisms to be utilized by the Secretary for assessing the personnel, equipment, and training readiness of the National Guard, including the standards and measures that will be applied and mechanisms for sharing information on such matters with the Governors of the States.

## AMENDMENT NO. 2880

(Purpose: To require a report on the High-Altitude Aviation Training Site, Colorado)

At the end of subtitle E of title III, add the following:

**SEC. 358. REPORT ON HIGH-ALTITUDE AVIATION TRAINING SITE, COLORADO.**

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report on the High-Altitude Aviation Training Site at Gypsum, Colorado.

(b) CONTENT.—The report required under subsection (a) shall include—

(1) a summary of costs for each of the previous 5 years associated with transporting aircraft to and from the High-Altitude Aviation Training Site for training purposes; and

(2) an analysis of potential cost savings and operational benefits, if any, of permanently stationing no less than 4 UH-60, 2 CH-47, and 2 LUH-72 aircraft at the High-Altitude Aviation Training Site.

## AMENDMENT NO. 2892

(Purpose: To require information regarding asymmetric capabilities in the annual report on the military power of the People’s Republic of China)

At the end of subtitle C of title XII, add the following:

**SEC. 1234. INCLUSION OF INFORMATION ON ASYMMETRIC CAPABILITIES IN ANNUAL REPORT ON MILITARY POWER OF THE PEOPLE’S REPUBLIC OF CHINA.**

Section 1202(b) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65; 10 U.S.C. 113 note) is amended by adding at the end the following new paragraph:

“(9) Developments in asymmetric capabilities, including cyberwarfare, including—

“(A) detailed analyses of the countries targeted;

“(B) the specific vulnerabilities targeted in these countries;

“(C) the tactical and strategic effects sought by developing threats to such targets; and

“(D) an appendix detailing specific examples of tests and development of these asymmetric capabilities.”.

## AMENDMENT NO. 2278

(Purpose: To authorize a land exchange in Detroit, Michigan)

At the end of subtitle E of title XXVIII, add the following:

**SEC. 2854. LAND EXCHANGE, DETROIT, MICHIGAN.**

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of General Services.

(2) CITY.—The term “City” means the city of Detroit, Michigan.

(3) CITY LAND.—The term “City land” means the approximately 0.741 acres of real property, including any improvement thereon, as depicted on the exchange maps, that is commonly identified as 110 Mount Elliott Street, Detroit, Michigan.

(4) COMMANDANT.—The term “Commandant” means the Commandant of the United States Coast Guard.

(5) EDC.—The term “EDC” means the Economic Development Corporation of the City of Detroit.

(6) EXCHANGE MAPS.—The term “exchange maps” means the maps entitled “Atwater Street Land Exchange Maps” prepared pursuant to subsection (h).

(7) FEDERAL LAND.—The term “Federal land” means approximately 1.26 acres of real property, including any improvements thereon, as depicted on the exchange maps, that is commonly identified as 2660 Atwater Street, Detroit, Michigan, and under the administrative control of the United States Coast Guard.

(8) SECTOR DETROIT.—The term “Sector Detroit” means Coast Guard Sector Detroit of the Ninth Coast Guard District.

(b) CONVEYANCE AUTHORIZED.—The Commandant of the Coast Guard, in coordination with the Administrator, may convey to the EDC all right, title, and interest in and to the Federal land.

(c) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the conveyance under subsection (b)—

(A) the City shall convey to the United States all right, title, and interest in and to the City land; and

(B) the EDC shall construct a facility and parking lot acceptable to the Commandant of the Coast Guard.

(2) EQUALIZATION PAYMENT OPTION.—

(A) IN GENERAL.—The Commandant of the Coast Guard may, upon the agreement of the City and the EDC, waive the requirement to construct a facility and parking lot under paragraph (1)(B) and accept in lieu thereof an equalization payment from the City equal to the difference between the value, as determined by the Administrator at the time of transfer, of the Federal land and the City land.

(B) AVAILABILITY OF FUNDS.—Any amounts received pursuant to subparagraph (A) shall be available without further appropriation and shall remain available until expended to construct, expand, or improve facilities related to Sector Detroit's aids to navigation or vessel maintenance.

(d) CONDITIONS OF EXCHANGE.—

(1) COVENANTS.—All conditions placed within the deeds of title shall be construed as covenants running with the land.

(2) AUTHORITY TO ACCEPT QUITCLAIM DEED.—The Commandant may accept a quitclaim deed for the City land and may convey the Federal land by quitclaim deed.

(3) ENVIRONMENTAL REMEDIATION.—Prior to the time of the exchange, the Coast Guard and the City shall remediate any and all contaminants existing on their respective properties to levels required by applicable state and Federal law.

(e) AUTHORITY TO ENTER INTO LICENSE OR LEASE.—The Commandant may enter into a license or lease agreement with the Detroit Riverfront Conservancy for the use of a portion of the Federal land for the Detroit Riverfront Walk. Such license or lease shall be at no cost to the City and upon such other terms that are acceptable to the Commandant, and shall terminate upon the exchange authorized by this section, or the date specified in subsection (h), whichever occurs earlier.

(f) MAP AND LEGAL DESCRIPTIONS OF LAND.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Commandant shall file with the Committee on Commerce, Science and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives maps, entitled “Atwater Street Land Exchange Maps,” which depict the Federal land and the City lands and provide a legal description of each property to be exchanged.

(2) FORCE OF LAW.—The maps and legal descriptions filed under paragraph (1) shall have the same force and effect as if included in this Act, except that the Commandant may correct typographical errors in the maps and each legal description.

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Coast Guard and the City of Detroit.

(g) ADDITIONAL TERMS AND CONDITIONS.—The Commandant may require such additional terms and conditions in connection with the exchange under this section as the Commandant considers appropriate to protect the interests of the United States.

(h) EXPIRATION OF AUTHORITY TO CONVEY.—The authority to enter into an exchange authorized by this section shall expire 3 years after the date of enactment of this Act.

AMENDMENT NO. 2119

(Purpose: To require a report from the Inspector General of the Department of Defense on a pilot program for the imposition of fines for noncompliance of contractor personnel with requirements for contractor personnel performing private security functions in areas of combat operations)

At the end of section 871(b), add following:

(5) INSPECTOR GENERAL REPORT ON PILOT PROGRAM ON IMPOSITION OF FINES FOR NON-COMPLIANCE OF PERSONNEL WITH CLAUSE.—Not later than January 30, 2008, the Inspector General of the Department of Defense shall submit to Congress a report assessing the feasibility and advisability of carrying out a pilot program for the imposition of fines on contractors or subcontractors for personnel who violate or fail to comply with applicable requirements of the clause required by this

section as a mechanism for enhancing the compliance of such personnel with the clause. The report shall include—

(A) an assessment of the feasibility and advisability of carrying out the pilot program; and

(B) if the Inspector General determines that carrying out the pilot program is feasible and advisable—

(i) recommendations on the range of contracts and subcontracts to which the pilot program should apply; and

(ii) a schedule of fines to be imposed under the pilot program for various types of personnel actions or failures.

AMENDMENT NO. 2123

(Purpose: To provide for training on contingency contracting for contractor personnel outside the defense acquisition workforce)

At the end of subtitle D of title VIII, add the following:

**SEC. 865. CONTINGENCY CONTRACTING TRAINING FOR PERSONNEL OUTSIDE THE ACQUISITION WORKFORCE.**

(a) TRAINING REQUIREMENT.—Section 2333 of title 10, United States Code is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

“(e) TRAINING FOR PERSONNEL OUTSIDE ACQUISITION WORKFORCE.—(1) The joint policy for requirements definition, contingency program management, and contingency contracting required by subsection (a) shall provide for training of military personnel outside the acquisition workforce (including operational field commanders and officers performing key staff functions for operational field commanders) who are expected to have acquisition responsibility, including oversight duties associated with contracts or contractors, during combat operations, post-conflict operations, and contingency operations.

“(2) Training under paragraph (1) shall be sufficient to ensure that the military personnel referred to in that paragraph understand the scope and scale of contractor support they will experience in contingency operations and are prepared for their roles and responsibilities with regard to requirements definition, program management (including contractor oversight), and contingency contracting.

“(3) The joint policy shall also provide for the incorporation of contractors and contract operations in mission readiness exercises for operations that will include contracting and contractor support.”.

(b) COMPTROLLER GENERAL REPORT.—Section 854(c) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2346) is amended by adding at the end the following new paragraph:

“(3) COMPTROLLER GENERAL REPORT.—Not later than 180 days after the date on which the Secretary of Defense submits the final report required by paragraph (2), the Comptroller General of the United States shall—

“(A) review the joint policies developed by the Secretary, including the implementation of such policies; and

“(B) submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the extent to which such policies, and the implementation of such policies, comply with the requirements of section 2333 of title 10, United States Code (as so added).”.

AMENDMENT NO. 2921

(Purpose: To require a plan for the participation of members of the National Guard and the Reserves in the benefits delivery at discharge program)

At the end of subtitle F of title VI, add the following:

**SEC. 683. PLAN FOR PARTICIPATION OF MEMBERS OF THE NATIONAL GUARD AND THE RESERVES IN THE BENEFITS DELIVERY AT DISCHARGE PROGRAM.**

(a) PLAN TO MAXIMIZE PARTICIPATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a plan to maximize access to the benefits delivery at discharge program for members of the reserve components of the Armed Forces who have been called or ordered to active duty at any time since September 11, 2001.

(b) ELEMENTS.—The plan submitted under subsection (a) shall include a description of efforts to ensure that services under the benefits delivery at discharge program are provided, to the maximum extent practicable—

(1) at appropriate military installations;

(2) at appropriate armories and military family support centers of the National Guard;

(3) at appropriate military medical care facilities at which members of the Armed Forces are separated or discharged from the Armed Forces;

(4) in the case of a member on the temporary disability retired list under section 1202 or 1205 of title 10, United States Code, who is being retired under another provision of such title or is being discharged, at a location reasonably convenient to the member; and

(5) that services described in the plan can be provided within resources available to the Secretary of Defense and the Secretary of Veterans Affairs in the appropriate fiscal year.

(c) BENEFITS DELIVERY AT DISCHARGE PROGRAM DEFINED.—In this section, the term “benefits delivery at discharge program” means a program administered jointly by the Secretary of Defense and the Secretary of Veterans Affairs to provide information and assistance on available benefits and other transition assistance to members of the Armed Forces who are separating from the Armed Forces, including assistance to obtain any disability benefits for which such members may be eligible.

AMENDMENT NO. 2233, AS MODIFIED

At the end of title X, add the following:

**SEC. 1070. REPORT ON FEASIBILITY OF HOUSING A NATIONAL DISASTER RESPONSE CENTER AT KELLY AIR FIELD, SAN ANTONIO, TEXAS.**

(a) IN GENERAL.—Not later than March 31, 2008, the Secretary of Defense shall submit to the congressional defense committees a report on the feasibility of utilizing existing infrastructure or installing new infrastructure at Kelly Air Field, San Antonio, Texas, to house a National Disaster Response Center for responding to man-made and natural disasters in the United States.

(b) CONTENT.—The report required under subsection (a) shall include the following:

(1) A determination of how the National Disaster Response Center would organize and leverage capabilities of the following currently co-located organizations, facilities, and forces located in San Antonio, Texas:

(A) Lackland Air Force Base.

(B) Fort Sam Houston.

(C) Brooke Army Medical Center.

(D) Wilford Hall Medical Center.

(E) Audie Murphy Veterans Administration Medical Center.

(F) 433rd Airlift Wing C-5 Heavy Lift Aircraft.

(G) 149 Fighter Wing and Texas Air National Guard F-16 fighter aircraft.

(H) Army Northern Command.

(I) The National Trauma Institute's three level 1 trauma centers.

(J) Texas Medical Rangers.

(K) San Antonio Metro Health Department.

(L) The University of Texas Health Science Center at San Antonio.

(M) The Air Intelligence Surveillance and Reconnaissance Agency at Lackland Air Force Base.

(N) The United States Air Force Security Police Training Department at Lackland Air Force Base.

(O) The large manpower pools and blood donor pools from the more than 6,000 trainees at Lackland Air Force Base.

(2) Determine the number of military and civilian personnel required to be mobilized to run the logistics, planning, and maintenance of the National Disaster Response Center during a time of disaster recovery.

(3) Determine the number of military and civilian personnel required to run the logistics, planning, and maintenance of the National Disaster Response Center during a time when no disaster is occurring.

(4) Determine the cost of improving the current infrastructure at Kelly Air Field to meet the needs of displaced victims of a disaster equivalent to that of Hurricanes Katrina and Rita or a natural or man-made disaster of similar scope, including adequate beds, food stores, and decontamination stations to triage radiation or other chemical or biological agent contamination victims.

(5) An evaluation of the current capability of the Department of Defense to respond to these mission requirements and an assessment of any additional capabilities that are required.

(6) An assessment of the costs and benefits of adding such capabilities at Kelly Air Field to the costs and benefits of other locations.

#### AMENDMENT NO. 2299

(Purpose: To require consideration of small business concerns in evaluating actions that should be taken to address any disadvantage in the performance of contracts to actual and potential contractors and subcontractors of the Department of Defense when employees of such contractors and subcontractors are mobilized as part of a United States military operation overseas)

On page 235, between lines 6 and 7, insert the following:

(4) For any action addressed under paragraph (3)—

(A) the impact of that action on small business concerns (as that term is defined in section 3 of the Small Business Act (15 U.S.C. 632)); and

(B) how contractors and subcontractors that are small business concerns may assist in addressing any such disadvantage.

#### AMENDMENT NO. 2300

(Purpose: To require relevant reports to be submitted to the Committee on Small Business and Entrepreneurship of the Senate)

On page 351, strike lines 7 through 10 and insert the following:

(v) the Committee on Foreign Relations;  
(vi) the Committee on Small Business and Entrepreneurship; and  
(vii) the Select Committee on Intelligence.

#### AMENDMENT NO. 2864

(Purpose: To modify the provisions relating to mandatory separation for years of service of Reserve officers in the grade of lieutenant general or vice admiral)

On page 96, line 6, insert after “commissioned service” the following: “or on the fifth anniversary of the date of the officer’s appointment in the grade of lieutenant general or vice admiral, whichever is later”.

#### AMENDMENT NO. 2262

(Purpose: To modify the sunset date for the Office of the Ombudsman of the Energy Employees Occupational Illness Compensation Program)

At the end of title XXXI, add the following:

#### SEC. 3126. MODIFICATION OF SUNSET DATE OF THE OFFICE OF THE OMBUDSMAN OF THE ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM

Section 3686(g) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s-15(g)) is amended by striking “on the date that is 3 years after the date of the enactment of this section” and inserting “October 28, 2012”.

#### AMENDMENT NO. 2939

(Purpose: To provide for independent management reviews of contracts for services)

At the end of subtitle C of title VIII, add the following:

#### SEC. 847. INDEPENDENT MANAGEMENT REVIEWS OF CONTRACTS FOR SERVICES

(a) GUIDANCE AND INSTRUCTIONS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance, with detailed implementation instructions, for the Department of Defense to provide for periodic independent management reviews of contracts for services. The independent management review procedures issued pursuant to this section shall be designed to evaluate, at a minimum—

(1) contract performance in terms of cost, schedule, and requirements;

(2) the use of contracting mechanisms, including the use of competition, the contract structure and type, the definition of contract requirements, cost or pricing methods, the award and negotiation of task orders, and management and oversight mechanisms;

(3) the contractor’s use, management, and oversight of subcontractors; and

(4) the staffing of contract management and oversight functions.

(b) ELEMENTS.—The guidance and instructions issued pursuant to subsection (a) shall address, at a minimum—

(1) the contracts subject to independent management reviews, including any applicable thresholds and exceptions;

(2) the frequency with which independent management reviews shall be conducted;

(3) the composition of teams designated to perform independent management reviews;

(4) any phase-in requirements needed to ensure that qualified staff are available to perform independent management reviews;

(5) procedures for tracking the implementation of recommendations made by independent management review teams; and

(6) procedures for developing and disseminating lessons learned from independent management reviews.

#### (c) REPORTS.—

(1) REPORT ON GUIDANCE AND INSTRUCTION.—Not later than 150 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the guidance and instructions issued pursuant to subsection (a).

(2) GAO REPORT ON IMPLEMENTATION.—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on the implementation of the guidance and instructions issued pursuant to subsection (a).

#### AMENDMENT NO. 2940

(Purpose: To provide for the enforcement of requirements applicable to undefinitized contractual action)

At the end of subtitle C of title VIII, add the following:

#### SEC. 847. IMPLEMENTATION AND ENFORCEMENT OF REQUIREMENTS APPLICABLE TO UNDEFINITIZED CONTRACTUAL ACTIONS

(a) GUIDANCE AND INSTRUCTIONS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance, with detailed implementation instructions, for the Department of Defense to ensure the implementation and enforcement of requirements applicable to undefinitized contractual actions.

(b) ELEMENTS.—The guidance and instructions issued pursuant to subsection (a) shall address, at a minimum—

(1) the circumstances in which it is, and is not, appropriate for Department of Defense officials to use undefinitized contractual actions;

(2) approval requirements (including thresholds) for the use of undefinitized contractual actions;

(3) procedures for ensuring that schedules for the definitization of undefinitized contractual actions are not exceeded;

(4) procedures for ensuring compliance with limitations on the obligation of funds pursuant to undefinitized contractual actions (including, where feasible, the obligation of less than the maximum allowed at time of award);

(5) procedures (including appropriate documentation requirements) for ensuring that reduced risk is taken into account in negotiating profit or fee with respect to costs incurred before the definitization of an undefinitized contractual action; and

(6) reporting requirements for undefinitized contractual actions that fail to meet required schedules or limitations on the obligation of funds.

#### (c) REPORTS.—

(1) REPORT ON GUIDANCE AND INSTRUCTIONS.—Not later than 150 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the guidance and instructions issued pursuant to subsection (a).

(2) GAO REPORT.—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on the extent to which the guidance and instructions issued pursuant to subsection (a) have resulted in improvements to—

(A) the level of insight that senior Department of Defense officials have into the use of undefinitized contractual actions;

(B) the appropriate use of undefinitized contractual actions;

(C) the timely definitization of undefinitized contractual actions; and

(D) the negotiation of appropriate profits and fees for undefinitized contractual actions.

#### AMENDMENT NO. 2893

(Purpose: To enhance the national defense through empowerment of the Chief of the National Guard Bureau and the enhancement of the functions of the National Guard Bureau)

At the end of division A, add the following:

#### TITLE XVI—NATIONAL GUARD BUREAU MATTERS AND RELATED MATTERS

##### SEC. 1601. SHORT TITLE.

This title may be cited as the “National Guard Empowerment Act of 2007”.

**SEC. 1602. EXPANDED AUTHORITY OF CHIEF OF THE NATIONAL GUARD BUREAU AND EXPANDED FUNCTIONS OF THE NATIONAL GUARD BUREAU.****(a) EXPANDED AUTHORITY.—**

(1) IN GENERAL.—Subsection (a) of section 10501 of title 10, United States Code, is amended by striking “joint bureau of the Department of the Army and the Department of the Air Force” and inserting “joint activity of the Department of Defense”.

(2) PURPOSE.—Subsection (b) of such section is amended by striking “between” and all that follows and inserting “between—

“(1)(A) the Secretary of Defense, the Joint Chiefs of Staff, and the commanders of the combatant commands of the United States, and (B) the Department of the Army and the Department of the Air Force; and

“(2) the several States.”.

**(b) ENHANCEMENTS OF POSITION OF CHIEF OF NATIONAL GUARD BUREAU.—**

(1) ADVISORY FUNCTION ON NATIONAL GUARD MATTERS.—Subsection (c) of section 10502 of title 10, United States Code, is amended by inserting “to the Secretary of Defense, to the Chairman of the Joint Chiefs of Staff,” after “principal adviser”.

(2) GRADE.—Subsection (d) of such section is amended by striking “lieutenant general” and inserting “general”.

(3) ANNUAL REPORT TO CONGRESS ON VALIDATED REQUIREMENTS.—Section 10504 of such title is amended by adding at the end the following new subsection:

“(c) ANNUAL REPORT ON VALIDATED REQUIREMENTS.—Not later than December 31 each year, the Chief of the National Guard Bureau shall submit to Congress a report on the following:

“(1) The requirements validated under section 10503a(b)(1) of this title during the preceding fiscal year.

“(2) The requirements referred to in paragraph (1) for which funding is to be requested in the next budget for a fiscal year under section 10544 of this title.

“(3) The requirements referred to in paragraph (1) for which funding will not be requested in the next budget for a fiscal year under section 10544 of this title.”.

**(c) ENHANCEMENT OF FUNCTIONS OF NATIONAL GUARD BUREAU.—**

(1) ADDITIONAL GENERAL FUNCTIONS.—Section 10503 of title 10, United States Code, is amended—

(A) by redesignating paragraph (12) as paragraph (13); and

(B) by inserting after paragraph (11) the following new paragraph (12):

“(12) Facilitating and coordinating with other Federal agencies, and with the several States, the use of National Guard personnel and resources for and in contingency operations, military operations other than war, natural disasters, support of civil authorities, and other circumstances.”.

(2) MILITARY ASSISTANCE FOR CIVIL AUTHORITIES.—Chapter 1011 of such title is further amended by inserting after section 10503 the following new section:

**“§ 10503a. Functions of National Guard Bureau: military assistance to civil authorities**

“(a) IDENTIFICATION OF ADDITIONAL NECESSARY ASSISTANCE.—The Chief of the National Guard Bureau shall—

“(1) identify gaps between Federal and State capabilities to prepare for and respond to emergencies; and

“(2) make recommendations to the Secretary of Defense on programs and activities of the National Guard for military assistance to civil authorities to address such gaps.

“(b) SCOPE OF RESPONSIBILITIES.—In meeting the requirements of subsection (a), the Chief of the National Guard Bureau shall, in coordination with the adjutants general of the States, have responsibilities as follows:

“(1) To validate the requirements of the several States and Territories with respect to military assistance to civil authorities.

“(2) To develop doctrine and training requirements relating to the provision of military assistance to civil authorities.

“(3) To acquire equipment, materiel, and other supplies and services for the provision of military assistance to civil authorities.

“(4) To assist the Secretary of Defense in preparing the budget required under section 10544 of this title.

“(5) To administer amounts provided the National Guard for the provision of military assistance to civil authorities.

“(6) To carry out any other responsibility relating to the provision of military assistance to civil authorities as the Secretary of Defense shall specify.

“(c) CONSULTATION.—The Chief of the National Guard Bureau shall carry out activities under this section in consultation with the Secretary of the Army and the Secretary of the Air Force.”.

(3) BUDGETING FOR TRAINING AND EQUIPMENT FOR MILITARY ASSISTANCE TO CIVIL AUTHORITIES AND OTHER DOMESTIC MISSIONS.—Chapter 1013 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 10544. National Guard training and equipment: budget for military assistance to civil authorities and for other domestic operations**

“(a) IN GENERAL.—The budget justification documents materials submitted to Congress in support of the budget of the President for a fiscal year (as submitted with the budget of the President under section 1105(a) of title 31) shall specify separate amounts for training and equipment for the National Guard for purposes of military assistance to civil authorities and for other domestic operations during such fiscal year.

“(b) SCOPE OF FUNDING.—The amounts specified under subsection (a) for a fiscal year shall be sufficient for purposes as follows:

“(1) The development and implementation of doctrine and training requirements applicable to the assistance and operations described in subsection (a) for such fiscal year.

“(2) The acquisition of equipment, materiel, and other supplies and services necessary for the provision of such assistance and such operations in such fiscal year.”.

(4) LIMITATION ON INCREASE IN PERSONNEL OF NATIONAL GUARD BUREAU.—The Secretary of Defense shall, to the extent practicable, ensure that no additional personnel are assigned to the National Guard Bureau in order to address administrative or other requirements arising out of the amendments made by this subsection.

**(d) CONFORMING AND CLERICAL AMENDMENTS.—**

(1) CONFORMING AMENDMENT.—The heading of section 10503 of title 10, United States Code, is amended to read as follows:

**“§ 10503. Functions of National Guard Bureau: charter”.**

(2) CLERICAL AMENDMENTS.—(A) The table of sections at the beginning of chapter 1011 of such title is amended by striking the item relating to section 10503 and inserting the following new items:

“10503. Functions of National Guard Bureau: charter.

“10503a. Functions of National Guard Bureau: military assistance to civil authorities.”.

(B) The table of sections at the beginning of chapter 1013 of such title is amended by adding at the end the following new item:

“10544. National Guard training and equipment: budget for military assistance to civil authorities and for other domestic operations.”.

**SEC. 1603. PROMOTION OF ELIGIBLE RESERVE OFFICERS TO LIEUTENANT GENERAL AND VICE ADMIRAL GRADES ON THE ACTIVE-DUTY LIST.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that, whenever officers are considered for promotion to the grade of lieutenant general, or vice admiral in the case of the Navy, on the active duty list, officers of the reserve components of the Armed Forces who are eligible for promotion to such grade should be considered for promotion to such grade.

(b) PROPOSAL.—The Secretary of Defense shall submit to Congress a proposal for mechanisms to achieve the objective specified in subsection (a). The proposal shall include such recommendations for legislative or administrative action as the Secretary considers appropriate in order to achieve that objective.

(c) NOTICE ACCOMPANYING NOMINATIONS.—The President shall include with each nomination of an officer to the grade of lieutenant general, or vice admiral in the case of the Navy, on the active-duty list that is submitted to the Senate for consideration a certification that all reserve officers who were eligible for consideration for promotion to such grade were considered in the making of such nomination.

**SEC. 1604. PROMOTION OF RESERVE OFFICERS TO LIEUTENANT GENERAL GRADE.****(a) TREATMENT OF SERVICE AS ADJUTANT GENERAL AS JOINT DUTY EXPERIENCE.—**

(1) DIRECTORS OF ARMY AND AIR NATIONAL GUARD.—Section 10506(a)(3) of title 10, United States Code, is amended—

(A) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively; and

(B) by inserting after subparagraph (B) the following new subparagraph (C):

“(C) Service of an officer as adjutant general shall be treated as joint duty experience for purposes of subparagraph (B)(ii).”.

(2) OTHER OFFICERS.—The service of an officer of the Armed Forces as adjutant general, or as an officer (other than adjutant general) of the National Guard of a State who performs the duties of adjutant general under the laws of such State, shall be treated as joint duty or joint duty experience for purposes of any provisions of law required such duty or experience as a condition of promotion.

**(b) REPORTS ON PROMOTION OF RESERVE MAJOR GENERALS TO LIEUTENANT GENERAL GRADE.—**

(1) REVIEW REQUIRED.—The Secretary of the Army and the Secretary of the Air Force shall each conduct a review of the promotion practices of the military department concerned in order to identify and assess the practices of such military department in the promotion of reserve officers from major general grade to lieutenant general grade.

(2) REPORTS.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Army and the Secretary of the Air Force shall each submit to the congressional defense committees a report on the review conducted by such official under paragraph (1). Each report shall set forth—

(A) the results of such review; and

(B) a description of the actions intended to be taken by such official to encourage and facilitate the promotion of additional reserve officers from major general grade to lieutenant general grade.

**SEC. 1605. REQUIREMENT THAT POSITION OF DEPUTY COMMANDER OF THE UNITED STATES NORTHERN COMMAND BE FILLED BY A QUALIFIED NATIONAL GUARD OFFICER.**

(a) IN GENERAL.—A position of Deputy Commander of the United States Northern Command shall be filled by a qualified officer of the National Guard who is eligible for promotion to the grade of lieutenant general.

(b) PURPOSE.—The purpose of the requirement in subsection (a) is to ensure that information received from the National Guard Bureau regarding the operation of the National Guard of the several States is integrated into the plans and operations of the United States Northern Command.

**SEC. 1606. REQUIREMENT FOR SECRETARY OF DEFENSE TO PREPARE ANNUAL PLAN FOR RESPONSE TO NATURAL DISASTERS AND TERRORIST EVENTS.**

(a) REQUIREMENT FOR ANNUAL PLAN.—Not later than March 1, 2008, and each March 1 thereafter, the Secretary of Defense, in consultation with the commander of the United States Northern Command and the Chief of the National Guard Bureau, shall prepare and submit to Congress a plan for coordinating the use of the National Guard and members of the Armed Forces on active duty when responding to natural disasters, acts of terrorism, and other man-made disasters as identified in the national planning scenarios described in subsection (e).

(b) INFORMATION TO BE PROVIDED TO SECRETARY.—To assist the Secretary of Defense in preparing the plan, the National Guard Bureau, pursuant to its purpose as channel of communications as set forth in section 10501(b) of title 10, United States Code, shall provide to the Secretary information gathered from Governors, adjutants general of States, and other State civil authorities responsible for homeland preparation and response to natural and man-made disasters.

(c) TWO VERSIONS.—The plan shall set forth two versions of response, one using only members of the National Guard, and one using both members of the National Guard and members of the regular components of the Armed Forces.

(d) MATTERS COVERED.—The plan shall cover, at a minimum, the following:

(1) Protocols for the Department of Defense, the National Guard Bureau, and the Governors of the several States to carry out operations in coordination with each other and to ensure that Governors and local communities are properly informed and remain in control in their respective States and communities.

(2) An identification of operational procedures, command structures, and lines of communication to ensure a coordinated, efficient response to contingencies.

(3) An identification of the training and equipment needed for both National Guard personnel and members of the Armed Forces on active duty to provide military assistance to civil authorities and for other domestic operations to respond to hazards identified in the national planning scenarios.

(e) NATIONAL PLANNING SCENARIOS.—The plan shall provide for response to the following hazards:

(1) Nuclear detonation, biological attack, biological disease outbreak/pandemic flu, the plague, chemical attack-blister agent, chemical attack-toxic industrial chemicals, chemical attack-nerve agent, chemical attack-chlorine tank explosion, major hurricane, major earthquake, radiological attack-radioactive dispersal device, explosives attack-bombing using improvised explosive device, biological attack-food contamination, biological attack-foreign animal disease and cyber attack.

(2) Any other hazards identified in a national planning scenario developed by the Homeland Security Council.

**SEC. 1607. ADDITIONAL REPORTING REQUIREMENTS RELATING TO NATIONAL GUARD EQUIPMENT.**

Section 10541 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(d) Each report under this section concerning equipment of the National Guard shall also include the following:

“(1) A statement of the accuracy of the projections required by subsection (b)(5)(D) contained in earlier reports under this section, and an explanation, if the projection was not met, of why the projection was not met.

“(2) A certification from the Chief of the National Guard Bureau setting forth an inventory for the preceding fiscal year of each item of equipment—

“(A) for which funds were appropriated;

“(B) which was due to be procured for the National Guard during that fiscal year; and

“(C) which has not been received by a National Guard unit as of the close of that fiscal year.”.

AMENDMENT NO. 2941

**Purpose:** To modify the termination of assistance to State and local governments after completion of the destruction of the United States chemical weapons stockpile)

At the end of subtitle D of title XIV, add the following:

**SEC. 1434. MODIFICATION OF TERMINATION OF ASSISTANCE TO STATE AND LOCAL GOVERNMENTS AFTER COMPLETION OF THE DESTRUCTION OF THE UNITED STATES CHEMICAL WEAPONS STOCKPILE.**

Subparagraph (B) of section 1412(c)(5) of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521(c)(5)) is amended to read as follows:

“(B) Assistance may be provided under this paragraph for capabilities to respond to emergencies involving an installation or facility as described in subparagraph (A) until the earlier of the following:

“(i) The date of the completion of all grants and cooperative agreements with respect to the installation or facility for purposes of this paragraph between the Federal Emergency Management Agency and the State and local governments concerned.

“(ii) The date that is 180 days after the date of the completion of the destruction of lethal chemical agents and munitions at the installation or facility.”.

Mr. GRAHAM. Let's call it a day.

Mr. LEVIN. There are several Senators on the way over. The Presiding Officer, I know, looks forward to the continuation of the session with his good nature.

I suggest the absence of a quorum.

Mr. GRAHAM. Mr. President, while we are awaiting other Senators to arrive, I would like a few minutes to speak against my friend's amendment.

The PRESIDING OFFICER. Does the Senator withdraw his request for a quorum call?

Mr. LEVIN. Of course, I withdraw the request.

The PRESIDING OFFICER. The Senator from South Carolina.

AMENDMENT NO. 2898

Mr. GRAHAM. Mr. President, the choice for the Congress is whether or not we retreat from a policy that appears to be working by adopting this

amendment which would redeploy troops in a fashion very inconsistent with what we are doing on the ground. What we are doing now is a long overdue change in strategy. We have more forces than we have ever had before, and they are very much needed.

The one thing I can say without any doubt is the old strategy, before the surge, was not producing the results we were hoping for in terms of security and political reconciliation. After about the third trip to Baghdad, it was obvious to me the game plan we had in place after the fall of Baghdad was not working. I was told time and time again, we have enough troops, the insurgency is in its last throes, and there are a few dead-enders. Well, that was the furthest thing from the truth.

The truth is the security environment in Iraq got completely out of hand, al-Qaida flourished under the old strategy, they were able to thrive in parts of Anbar, and it was evolving into complete chaos. Thank God we had the ability and the willingness as a nation, through our Commander in Chief and through this Congress, to appoint a new general with a new idea. The idea that he is employing now is long overdue. More troops have provided better security, and they have been able to accomplish this by partnering with the Iraqi Army in a new way.

The old strategy, which we are trying to go back to with this amendment, had us in a training role. We were living behind walls, training during the day, and pretty much disengaged from the fight. We are now out from behind those walls, living with the Iraqi troops in joint security stations all over Baghdad and all over the country. We are living, eating, training, and fighting with the Iraqi Army. And General Jones tells us they are getting better.

Anbar Province is dramatically different. Six months ago, it was reported by the Marine Corps to have been lost to the enemy called al-Qaida. Well, a couple of things happened that are indeed good news. No. 1, the people who lived in Anbar, who had a taste of al-Qaida life, decided they did not want to live that way. Why? Well, what happened in Anbar Province when al-Qaida was in charge? Awful, terrible, vicious things that really cannot even be talked about on the floor of the Senate. They imposed a way of life on the Anbar Sunnis that did not meet the test of human decency, and the people living in Anbar rejected al-Qaida because they overplayed their hand.

The difference between us and our enemy in Iraq, al-Qaida, is pretty obvious. This organization that is tied to bin Laden, but also has Iraqi members, they are the type of people if you don't do what they say, they will take the family out into the street, take a 5-year-old child in the presence of the parents, cover the child in gasoline, and set the child on fire. That is our enemy. That is the enemy of everybody

who loves freedom and human decency. That happened in Anbar, and things like that happened time and time again.

The agenda that al-Qaida has for the world is a very dark view of the world, particularly for women. And, thank God, it has been rejected by those in Anbar. The surge gave the ability to those living in Anbar to make a choice they never had before. The additional military support provided by the surge came along at a magic moment in time when the people in Anbar were ready to take on al-Qaida. This additional combat capacity cannot be underestimated in terms of how it has changed Iraq. It certainly liberated Anbar from the clutches of al-Qaida. And the fact that Sunni Arabs are willing to turn on al-Qaida and join coalition forces is good news for the world.

This amendment would basically undo many of the successes we have had in terms of adding more combat power. Things are getting better around Baghdad. There is still a lot of fighting. Al-Qaida has not been completely vanquished, but they are certainly diminished. Iran is playing hard in Iraq right now. They understand what is going on on the floor of the Senate.

Why are the Iranians trying to kill American forces? What is the goal of the Iranian regime when it comes to Iraq? I think the goal is to drive us out. Does Iran want a completely chaotic Iraq? No. Does Iran want a representative government in Iraq? Absolutely not, because the biggest threat to this Iranian theocracy would be a representative government on their border where Sunnis, Shias, and Kurds would live together and elect their own leaders. The biggest threat to Syria, this dictatorship in Syria, would be a representative democracy on their border.

So if you are waiting on Iran and Syria to come in and help us form a moderate way of doing business, where people can elect their leaders and accept each other's differences and live together with tolerance, you can forget it because it is a threat to the dictatorships and the theocracies that exist.

I think it is in our national security interests to allow General Petraeus to continue a strategy that is bringing about better security than we have ever seen before. Now is not the time to pull back. Now is the time to recommit American forces, and the political, military, and economic power to finish the job that has been started.

I think the idea that the war in Iraq is a civil war just misses the boat. The truth is, there are many things going on in Iraq. Some of them are local to Iraq, but many of them have international implications and longstanding national security consequences for this country. Why did the Iranian President say he stood ready to fill any vacuum created in Iraq? Because he would like to expand his power. The question for us is, is it in our national security interest to allow a vacuum to be created?

Now, my good friend, Senator LEVIN, has a view that the more troops we have in Iraq, the longer we stay there with large numbers, the less likely the politicians in Baghdad will reconcile their differences through the political process. I have a totally opposite view. I understand what he is saying, but there is no evidence that less troops will provide quicker reconciliation. The Iraqis are dying three to one compared to our deaths and our injuries. The sacrifices of this country are enormous, but do not forget the Iraqi people are fighting and dying against extremist forces, and they are not indifferent to their fate.

The political reconciliation necessary to occur to bring this war to a successful conclusion has not occurred in Baghdad, but it is occurring at the local level. So, in my opinion, it is just a matter of time before the local reconciliation we see in Anbar and other places in Iraq comes to Baghdad. And the best pressure to put on any politician in any place in the world where people vote to elect their politicians is for all people to speak up and put pressure on their elected officials—not for Senator GRAHAM or Senator LEVIN or Senator CLINTON or Senator MCCAIN to tell the Maliki government what to do, but their own people telling them what to do.

After being there eight times, the people in Iraq I meet are more war weary than ever. They are coming together more at the local level than at any other time. Better security is emboldening the Iraqi people to make the hard decisions that will eventually reconcile their country. The idea of terminating this operation now, putting a deadline or a timeline to withdraw will undercut everything we have achieved. The politicians will change their attitude. Instead of looking at how to reconcile their country, they will be looking at how to protect their families when the Americans leave.

So I am not for an unending, unlimited commitment of 160,000 troops. I am for keeping an American military presence in Iraq that helps my country—helps our country. We need to look at every decision we make in Iraq now and in the future from the viewpoint of, does it enhance our national security? Is it better to have 160,000 American forces in Iraq now to stabilize a dysfunctional government or is it better to bring them home, knowing the most likely result will be a failed state?

A dysfunctional government exists in Iraq and here in Washington. But there is a big difference between a dysfunctional government and a failed state. A dysfunctional government is one that keeps trying but fails to do the hard things. A failed state is a place where no one tries anymore. They go back to the corners of their own country and the regional players begin to take sides and you have absolute chaos. Iran is the biggest winner of a failed state because they will dominate the southern part of Iraq.

Another problem of a failed state is that the Kurds will likely go to war with Turkey over an independent movement in the north. If the Sunnis think they are going to win in Iraq and have the good old days of Saddam come back by using force, they are crazy and they are naive. If the Shias think they are going to create a theocracy in Iraq, like Iran, and no one will say anything about it, they misunderstand the region.

I am convinced all three groups are better off working together than trying to work apart. I know this: We are better off if they do that. If they break apart and this country becomes a failed state, 160,000 troops for a limited period of time will not be what our country will be faced with in terms of choices. We will have a large American military presence in the Mideast, containing a variety of conflicts that do not exist today because the problems in Iraq will spill over in the region.

I believe that is a likely consequence. That is a reasonable consequence of a failed state. I cannot promise that they will go from a dysfunctional government to a stable government, a secure government, one that is an ally on the war on terror with us that would reject al-Qaida and contain Iran. But I believe this: the best shot to bring that about is to continue the mission and the surge as planned out by General Petraeus, to continue the strategy that we have now that has shown results we have never known before. If we pull back now, it will undo all the accomplishments that have come from a lot of sacrifice, a lot of blood, and a lot of treasure.

At the end of the day, the Iraqi political leadership has to embrace the hard decisions necessary to pull their country together. They are more likely to do that when they are less worried about their families being killed as they reach across the aisle.

It is hard to reach across the aisle here. The Presiding Officer and I have worked on immigration. We know how hard it is. We will keep coming back and bringing up hard issues such as Social Security and immigration until we find a solution. But imagine reaching across the aisle in Iraq where the consequence would be that your family is murdered.

The better security we can bring about in terms of Iraq for the judges, the politicians, and the population as a whole, the more likely they are to do the hard things. And I do believe they are ready to do the hard things because they have had a hard life. The Iraqi people are not perfect. I don't think we realized how hard it was to have lived in that country under Saddam Hussein. The fear that if your daughter walked down the street, she might catch the eye of one of Saddam's sons; the way they have had to live under Saddam Hussein is unimaginable, and the chaos that they have experienced from al-Qaida coming there, throwing bombs at different mosques and bringing up old

wounds has been very difficult to deal with. But they keep trying. When one police officer is killed, someone else takes their place. When an army person is killed, someone else joins the army. When a judge is assassinated, somebody else comes forward to be a judge.

They are trying. And I do believe, if we will continue the strategy employed by General Petraeus, even though political reconciliation is lagging behind security, it will not be much longer until the politicians in Baghdad embrace the hard decisions necessary to bring reconciliation to their country. And I believe that for a couple of reasons. No. 1, their people want it; and, No. 2, they have the opportunity now, through better security, to bring it about.

So to my good friend, Senator LEVIN, I understand exactly his concern. It is a judgment call. I think when you are dealing with extremists, when you are dealing with the Iranian President, the last thing in the world you do is to show weakness. You make sure they understand, al-Qaida and Iran, and any other extremist group, that America is going to do what is necessary to defend her vital interests and that we are going to stand with forces in moderation.

My biggest fear, if we begin to withdraw now and redeploy to the old mission, is that all of those who have risked their lives to help us will surely meet the fate of that 5-year-old boy. And that is not in our national interest. That is not the right thing to do. We will come home. But as Senator McCAIN says, we need to come home with honor. Equally important, we need to come home with a more secure America.

I think we are on the road to bringing about withdrawal with honor and a more secure America by having a more stable Iraq. The worst thing to do now is to go back to a strategy that has failed when the one that we have in place is beginning to work.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

UNANIMOUS CONSENT AGREEMENT—H.R. 1495

Mr. CASEY. Mr. President, I ask unanimous consent that on Monday, September 24, at 3 p.m., the Senate turn to the consideration of the conference report on the water resources bill, H.R. 1495; that the time until 5:45 p.m. be divided for debate as follows: 30 minutes under Senator FEINGOLD's control, with the remainder of the time under the control of the two leaders or their designees; and that at 5:45 p.m. the Senate, without any intervening action or debate, vote on passage of the conference report.

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

Mr. CASEY. Mr. President, I rise today to speak about the war in Iraq, and in particular to speak about an amendment that we will be voting on tomorrow, the Reed-Levin amendment.

I want to note, first of all, that this amendment has been offered before. We voted on similar amendments over the course of this year, and I am glad we are voting on it again because I think the American people, time and again, have told us it is time, at long last, to change the course in Iraq and to focus on a new policy.

Sometimes we talk about this amendment and we fail to mention something about the sponsors of this amendment. We are talking about two Members of the Senate with broad experience in this body, tremendous years of public service, but also a lot of years on the Armed Services Committee and other committees that have informed their judgment. The two Members of the Senate, JACK REED and CARL LEVIN, I am speaking about, have both been to Iraq innumerable times, learning about what is happening there and focused in a real way on helping us get this policy right.

Our troops have done everything we asked of them, time and again. Every mission, every battle, they have done their job. It is about time the Congress of the United States and the President of the United States do our job to change the course in Iraq and to focus on a new policy.

Fortunately, this amendment, I think, has tremendous support in the Senate. We have already seen this before. Much more than a majority of Senators will vote for this amendment. I hope we can get it to 60 votes at long last.

Let's talk about it for a moment. This is a very basic amendment, which fundamentally says we have to change the course in Iraq; we have to begin to redeploy our combat forces so the Iraqi forces can take over, ultimately. But it also focuses in a real way on transitioning this mission. Our mission should be about a couple of things our soldiers have already proven time and again that they do very well. The mission should be transitioned to a much more focused mission: First of all, to hunt down and kill terrorists in Iraq. That is fundamental to our mission. Our mission has to include training of the Iraqi security forces. We see in report after report, especially at the level 1 of readiness, the ability for the Iraqi forces to independently, without help from American forces, take over the fight against the enemy. We have to make sure that training moves forward much more aggressively and in a much more focused way than we have seen already. But that is not happening. So we need to train the Iraqi security forces.

Finally, we have to make sure we protect our troops and their infrastructure and also the civilian personnel we have in Iraq. We have seen all those personnel doing a great job as well—from the State Department and other parts of our Government. But if we can focus, as we should, on a redeployment of our combat forces and focus on the terrorists, focus on training, and focus

on diplomacy—which I will talk about at length a few minutes later—that has to be the mission we should focus on in Iraq.

That is what Reed-Levin does, among other things. It focuses at long last on a mission that we know our troops can continue to achieve. But also it focuses in a real way on transitioning this mission and focusing on a redeployment of our forces, our combat forces.

I think some of what has formed the way I vote and the way lot of us vote is our time in Iraq. I spent a day and a half in Iraq. Some people can say: What can you learn in a day and a half? You can learn a lot about Iraq in that short amount of time. I learned, not just in the meetings we had but a good part of our time in Iraq—Senator DURBIN and I were there in the early part of August—a good part of our time was outside the Green Zone. You get a sense, a fleeting sense, a glimpse, but you get a sense of the insecurity of Baghdad when you are outside of that Green Zone.

I have heard a lot of discussion about things that have been happening in Anbar. Frankly, our marines have done a great job there and our troops have done a great job in Baghdad. But Baghdad is a lot more complicated than Anbar, and we should recognize that. It is a lot more difficult assignment going forward.

What do we see in Baghdad? Every time you go outside the Green Zone you travel in a convoy. We were given great protection, not only by those who were traveling with us but also by people from the State Department and others. We appreciated that. But you wear body armor wherever you go—inside the vehicle, outside the vehicle. You wear a combat helmet, a Kevlar helmet. You are surrounded by people with weapons to protect you. So you get a sense of the insecurity there.

Then, when we were traveling to the President's house our second day there, almost the entire trip to President Talabani's house where he resides was in a military convoy with helicopters flying overhead to protect us. When I got on a Blackhawk helicopter to go from an airport to a patrol base outside the city of Baghdad where our forces are doing a great job against al-Qaida, what do we have to do? We get into a Blackhawk helicopter and fly at a very high rate of speed over the rooftops to avoid being attacked. We saw in the last couple of weeks what happened to a C-130, with distinguished Members of the Senate, some of them here on the floor today, being fired upon by the enemy.

You see the insecurity all around you. You see the insecurity when we were meeting at the patrol base and a missile landed and we heard the explosion 400 yards from us.

What I am trying to convey is the sense we had of the insecurity of Baghdad. It is a real presence there, that feeling of insecurity. It is a fact. We should recognize this mission is very

difficult for our troops. They have met every assignment.

What we have to do is give our troops a policy and a strategy which matches their valor. We don't have that right now. The President should start acting more like a Commander in Chief instead of someone who is reading talking points for his side of the argument. When I was listening to the President the other night, unfortunately, what he conveyed to me was a sense that he was selling a message instead of leading. I don't think he has led in a way that has brought this Congress together, frankly. It is about time we had a mission and a strategy that matched the brilliance and the valor of our troops.

When I was in Iraq, we would hear these phrases from the Iraqi leaders: We need more time. You need to be patient in America. I heard this phrase I have never heard before, we need "strategic patience." I still don't know what that means, but the Iraqi political leaders were telling us that over and over again. I have to say, on behalf of the people of Pennsylvania and on behalf of the 175 families who lost someone in Iraq already, I have to say to these Iraqi leaders: We have shown strategic patience, whatever that means. We have shown patience and forbearance and our troops and their families have sacrificed over and over again. It is about time for you, Mr. or Mrs. Iraqi Leader, to get your act together and take overt responsibility of taking on this enemy for the next generation, taking the corruption out of your police force, and governing your country so you can have a government of national unity.

But all they ask for is patience. Whenever the Iraqi political leaders ask for patience, the one who pays most of the price is not anybody in Congress. It isn't anybody in the White House. The people who pay the price are the troops and their families—over and over again. We are reaching the end of our patience, I think I would say and have said to those Iraqi leaders.

Finally—I don't wish to spend too much time on our trip—one of the most poignant parts of our trip, and it has connection and relevance to what we voted on today and yesterday and will tomorrow, is the sense you get from our troops. You know the bravery of those troops—troops from Pennsylvania, from small towns in Bradford County, way up in northeastern Pennsylvania, troops from the inner city of Philadelphia, who were in the same mission, sitting at the same table to have what goes for lunch over there—very simple food that they have to eat every day. But what I got from our troops was a real sense of commitment, a real sense of focus on their mission. We have to do everything we can to make sure they have the resources they need.

But a lot of our troops are being asked to referee a civil war. No American fighting men or woman has ever

been asked to referee someone else's civil war. We have asked them to do that. I heard language in this Chamber, and we heard it from the President—he talks about victory, victory, victory. He uses phrases such as that and some people here have used those phrases.

Do you know what. I think the more accurate phrase and the more descriptive, to describe what is happening there, is what Ambassador Crocker said to me in Baghdad. I challenged him and General Petraeus, and they both said: No, that is not the right language. What the mission has to be is to stabilize that Government, not to have some Hollywood victory that sets our troops up for something not achievable. Our troops have done their job. It is about time we have the right policy and the right language that matches the valor of our troops.

We see what these troops and their families have sacrificed, and we see some of the horror of battle. We went into the combat support hospital, right in the middle of Baghdad. You see in that hospital doctors and nurses, enlisted men and women who are doing that job 24 hours a day under the most difficult circumstances. In one case, taking care of a little child, a girl who had been left in the streets of Baghdad when her parents were killed. These doctors and nurses were ministering to her, just like they minister to the troops who come in from the battlefield.

We think of a lot of lessons from history. We remember what Abraham Lincoln said when he was talking about the Civil War. He talked about what happens to those who die or are wounded in battle—especially those who die. He talked, at the time, about making sure we are doing everything possible to remember and to help the families of those who perished. As Abraham Lincoln said: ". . . to help him who has borne the battle, and his widow and his orphan."

When we debate on this floor about this policy, debate about veterans health care, we are trying to do our best to enact policy that is supportive of those troops who have perished in battle and those families.

We have to make sure we do everything possible to get this policy right. I believe a giant step forward to doing that would be to support the Reed-Levin amendment and to support other measures that help us change our course. We lost an opportunity yesterday when we didn't get to 60 votes on the Webb amendment. That was a bad day in the Senate. But we have to keep trying, and we will try again tomorrow on this vote.

I wish to conclude with some remarks about an amendment I have offered along with Senator MURKOWSKI, an amendment which focuses on something we all talk about a lot but, frankly, the administration has not done nearly enough about, and that is diplomacy. This amendment is a sense-of-the-Senate amendment expressing a

very simple notion that it is time we implement a diplomatic surge that matches any military surge. It sends a crystal-clear message to the White House: The time for sustained regional diplomacy is now, and it deserves the highest priority of the President, President Bush, and the Secretary of State, Secretary Rice.

We all recognize in hindsight how diplomacy was critically missing from the strategic planning of the United States in the runup to this war. We all know that now. That is almost not even debated anymore. Yet we have paid little heed to diplomacy in the frustrating years since our initial invasion. The United States continues to treat Iraq as some kind of isolated box, failing to recognize the complex linkages between the various sectarian groups inside Iraq and their patrons and supporters in the broader Middle East region. It is time we made Iraq less America's problem and more a responsibility for its regional neighbors and the international community.

Let me highlight quickly the elements of this amendment, very specific steps. First of all, the United States should implement a comprehensive diplomatic offensive. It has not been done yet. No. 2, the United States should bring together Iraq's neighbors through a regional conference or other mechanism. That has not been done yet—part of it has, but it has not been done as it should. No. 3 definitely has not been done, especially when it pertains to the President: The President and the Secretary of State should invest their personal time and energy in these diplomatic efforts. This cannot be done by proxy or surrogate. They have to be engaged fully. In addition to that, the President, I believe, and Senator MURKOWSKI believes, should appoint a high-level Presidential envoy to the region. The U.S. Ambassador to the United Nations should seek the appointment of an international mediator in Iraq to engage the political, religious, ethnic, and tribal leaders in Iraq.

Finally, the United States should more directly press Iraq's neighbors to open fully operating embassies in Baghdad.

I will conclude with that. There is so much that has to be done on diplomacy and there is so much more we have to do. We have to keep debating this issue, keep pushing forward to achieve a better policy.

I believe two parts of that are the enactment of the Reed-Levin amendment, first of all, and in addition to that the amendment that I and Senator MURKOWSKI have worked together on, to have a real diplomatic surge in Iraq.

I yield the floor.

The PRESIDING OFFICER (Mr. TESTER). The Senator from Michigan.

Mr. LEVIN. Mr. President, I ask unanimous consent that Senators now be recognized in the following order: Senator LIEBERMAN, Senator SMITH, Senator KYL.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

**MR. LIEBERMAN.** Mr. President, I rise to speak against the amendment introduced by Senators LEVIN and REED, my friends. I actually say that with full meaning. I have great respect for the Senators from Michigan and Rhode Island. I even like them. But in this case, I am in deep disagreement about the amendment they have offered.

This is the most recent iteration of a series of amendments Senators LEVIN and REED have put in. It changes slightly from earlier versions, but the strategy is essentially the same, and in doing so, it ignores, I say respectfully, all the changes that have occurred in Iraq on the ground in the months that have gone by since the first Levin-Reed amendment was introduced. It also ignores the clearly stated counsel of the National Intelligence Estimate, of the head of the independent Commission to evaluate Iraqi security forces, GEN Jim Jones, and it ignores much of the testimony General Petraeus and Ambassador Crocker, who live on the ground, gave to Congress and the American people last week.

I rise to oppose it because I think it does not reflect the successes we have had, and if it ever passed, it would take us from this strategy which is bringing success to a strategy which would bring us to failure. It orders a change of a strategy that is working and puts us on a course to a strategy that I believe will fail disastrously. But at least everyone would have to acknowledge that we do not know how it will work as compared to the Petraeus strategy that is now working.

This amendment, as has been said, would first order the beginning of a reduction of U.S. forces in Iraq not later than 90 days from its enactment. Well, the interesting thing to say is that General Petraeus and President Bush announced last week that a withdrawal of American forces will begin this month. It will reach over 5,000 by the end of this year, by Christmastime. Quite remarkable. Unexpected. Not predicted. But why is it happening? It is happening because the surge strategy, combined with the improvement in the performance of the Iraqi security forces, has allowed our commander on the ground to recommend to the Commander in Chief, who has accepted the recommendation, that we can reduce some of our troop presence in Iraq without compromising the mission and the security of Iraq.

But General Petraeus said very clearly that he is not for congressionally-mandated deadlines, including this one; that as a general principle of war, not just to support his own position, he feels—and I could not agree with him more—that withdrawals of American troops in battle ought to be made on the basis of what is happening on the battlefield and at the recommendation of the commanders on the battlefield.

Then the Levin-Reed amendment represents essentially a transition of U.S.

forces to a limited presence, undefined number, to carry out the following missions: to protect the U.S. and coalition personnel and infrastructure, training, equipping, providing logistical support to the Iraqi security forces, and engaging in targeted counterterrorism operations against al-Qaida, al-Qaida affiliated groups, and other international terrorist organizations.

As I will make clear in a moment, I am particularly troubled that that does not include the groups Iran is training, equipping, and then sending back into Iraq which have killed hundreds of American soldiers and thousands of Iraqi soldiers and civilians.

In ordering a withdrawal within 90 days, in ordering a transition from a strategy that is working to a strategy that I believe will fail, as I said at the outset, this amendment ignores the best evidence and judgment we have based on what is happening on the ground.

The National Intelligence Estimate commented quite clearly about what would happen if we limited the mission our soldiers in Iraq were allowed to undertake prematurely. It warned us in no uncertain terms that:

Changing the mission of coalition forces from a primarily counterinsurgency and stabilization role [which is the current Petraeus strategy] to a primary combat support role for Iraqi forces and counterterrorism operations [which is the strategy that would be imposed by this amendment] would erode the security gains achieved so far.

Not “might” but “would” erode the security gains achieved thus far.

General Jones made very clear in testimony he gave just 2 weeks ago that:

Deadlines can work against us. I think a deadline of this magnitude would be against our national interests.

General Petraeus warned us last week that:

We need to ensure that we do not surrender a gain for which we fought very, very hard by being locked into a timetable.

Likewise, we heard from General Petraeus, who bluntly told us:

While one may argue that the best way to speed the process in Iraq is to change the mission from one that emphasizes population security, counterterrorism and transition, to one that is strictly focused on transition and counterterrorism, making that change now would, in our view, be premature.

That is diplomatic language chosen by a military man speaking to Congress last week: “would be premature.”

Look, as our mission in Iraq succeeds and hopefully continues to succeed as it is now both in terms of stabilizing the country, reducing victims of sectarian violence, chasing al-Qaida, and, most significantly, improving the capacity of the Iraqi security forces, we will transition our mission because the Iraqis and the environment will allow us to do that, and there will be transition to something, I would guess, quite like the goal of this amendment. But if you force this by congressional action before the commanders on the ground tell us it can be safely implemented, it

will be more than General Petraeus’s diplomatic term, “premature,” and probably more than the NIE’s direct term, “would erode the security gains achieved so far.” I think it would begin to unwind Iraq and lead to a victory for al-Qaida and Iranian-backed terrorists. I think it is particularly unjustified for Congress to take up this amendment now, the moment we are seeing evidence of real progress in Iraq.

I know some of the supporters of the amendment suggest that by withdrawing forces, we would force the Iraqi Government to achieve the political progress we all want. There is no military solution, only a political solution that will ultimately end this. That is true. But let me say this: That misses one powerful reality in Iraq today. We are now not just fighting to give Iraqis the stability to reach political reconciliation and the ability to self-govern, we are fighting al-Qaida and Iranian-backed terrorists. That requires a military solution. So to say the goal here is just to make sure the Iraqi leadership reaches some accommodations with one another—that is not the end of it. You can have that happen, and if we pulled out prematurely, al-Qaida and Iran could blow the whole thing apart, and it would be a devastating loss for Iraq, for the region, and for the security of the people of the United States.

But listen to what Ambassador Crocker said about this idea to Congress last week:

An approach that says we are going to start pulling troops out regardless of the objective conditions on the ground and what might happen in consequence of that could actually push the Iraqis in the wrong direction, to make them less likely to compromise, rather than more likely. It would make them far more focused on building the walls, stacking the ammunition, and getting ready for a big nasty fight without us around, than it would push them toward compromise and accommodation with the people who would be on the other side of that fight.

That is Ambassador Crocker, who lives with those people every day, the leaders, the political leaders of Iraq, and he is saying: Watch out, a premature withdrawal by the U.S. forces would do exactly the opposite. It would not encourage the Iraqis to political reconciliation; it would basically lead them to hunker down for a civil war they fear would be following.

You know what, from this distance, although I have been there six or seven times now, it seems like common sense and human nature that if we pull out too soon, they are not going to wake up and suddenly make difficult political agreements; they are going to get ready for civil war. This amendment is based on a premise that disregards exactly what our Ambassador, a non-political career person, an expert on the Middle East, is telling us would happen.

I would also point out, as I mentioned briefly at the beginning, that

the amendment, I fear, would leave our troops unable, even in their reduced mission role, to respond to and go after Iranian operatives and Iranian-backed militias, the so-called special groups that are in the midst of fighting a vicious proxy war against American troops and Iraqis in Iraq.

General Petraeus testified last week that:

These elements have assassinated and kidnapped Iraqi governmental leaders, killed and wounded our soldiers with advanced explosive devices provided by Iran, and indiscriminately rocketed civilians in the international zone and elsewhere.

So even in the reduced mission, it does provide for allowing our troops to go after al-Qaida but not the Iranian-backed operatives. And as Senator MCCAIN I think quite compellingly pointed out on the floor earlier today, what are our troops supposed to do when they see someone walking along with an IED? Go up to them and say: Excuse me, sir, are you a member of a sectarian militia or are you al-Qaida? If you are sectarian militia, go ahead. If you are al-Qaida, I am sorry, I am going to have to capture you.

That is not going to work.

I am sure my colleagues, including the sponsors of this amendment, agree that the United States has a vital national interest in preventing the dominance of Iraq by the fanatical anti-American regime in Tehran, and yet this amendment would give our forces, as I read it, no authority to deal with that critical mission after the transition period is over.

I just want to say that at the end of last year, after too many months, too many months of a strategy that was not working in Iraq, President Bush, as the Commander in Chief, finally said: I have to change the strategy. He called in a lot of people to ask how should he change it in response to the reality on the ground, which is that what we were doing was not working, was not succeeding. He met General Petraeus, a man who had been in Iraq before, had disagreed with the prevailing strategy, and instead of being honored, he was sent out to Fort Leavenworth, where he did some great work. It is a great place. But he really should have been raised up to continue the fight in Iraq. President Bush brought him back to Iraq, accepted his ideas for a new strategy of counterinsurgency, of stabilizing Iraq. He gave him the 30,000-plus troops, and it has worked. Remarkable.

We all know Iraq has not reached the goals we want it to reach, but assassinations are down, deaths from sectarian violence are down. American and Iraqi forces are in control of most of Baghdad now, not the militias.

Most significantly, al-Qaida is on the run. I heard bin Laden and Zawahiri put out other tapes today. I wonder whether these tapes are a sign not of confidence but of insecurity by al-Qaida's leaders. I am beginning to wonder whether they are worried about the fact that they are essentially being

chased out of an Arab country, Iraq, particularly painful for them, chased out of an enormous Sunni Arab province, because they are all Sunni Muslims, and that they are on the verge of what could be a humiliating defeat, if we continue to move this strategy forward against them. As we all know in our own lives, sometimes the people who bark the loudest are the ones who are the most insecure. I am beginning to wonder whether bin Laden and Zawahiri, who masterminded the attack against us on 9/11, are now, on what has become the central battlefield of the war with Islamist extremism, al-Qaida, whether they are badly losing that war.

What I am saying is, after a long time President Bush looked at the facts, changed the strategy, and the new strategy is working. This amendment, respectfully to its sponsors, does not regard the facts, does not look at the facts, does not accept the changes that have occurred in our strategy and the success it is bringing and basically continues as if nothing had changed. In doing so, if adopted, it would do a disservice to our forces in Iraq who are succeeding, to the cause of freedom in Iraq and throughout the Muslim world, and to the cause of security of every American threatened by al-Qaida who we know is working, plotting, and intends to strike us again, and the fanatics who, unfortunately, control the Government of a great country, Iran, who lead thousands and tens of thousands on any occasion they can in chants to "death to America." That is what is on the line. That is what would be jeopardized if this amendment were passed. That is why I respectfully ask my colleagues to vote "no" on the Levin-Reed amendment.

I yield the floor.

The PRESIDING OFFICER (Mr. NELSON of Florida). The Senator from Michigan.

Mr. LEVIN. Before Senator KYL is recognized, before Senator SMITH is recognized, under the current UC, we would then go to Senator KYL. I ask unanimous consent that after Senator KYL, Senator KENNEDY be recognized on this side of the issue and that after Senator KENNEDY, Senator BILL NELSON be recognized as the next speaker in support of the Levin amendment. If there is a speaker in opposition after Senator KENNEDY, that Senator would then come immediately after Senator KENNEDY and before Senator NELSON.

The PRESIDING OFFICER. Is there objection?

Mr. SESSIONS. I ask unanimous consent that I be added as a speaker at that point before Senator NELSON. But if Senator LOTT wishes to speak, I will yield to him.

Mr. LEVIN. With that amendment, I offer that UC.

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

The Senator from Oregon.

Mr. SMITH. Mr. President, I rise today as the lead Republican on the

Levin-Reed amendment. I am proud to cosponsor this amendment because it calls for what I have been stating all year. It sets up a timetable—a timetable we all know is inevitable—to draw down our troops. Last week General Petraeus's testimony highlighted what I consider to be the remaining primary function of American troops in Iraq: to defeat al-Qaida, our mortal enemy. The organization which attacked us on 9/11 is being hounded from its refuge in Anbar, fleeing from a lethal mix of American forces and their own destructive ideology. American troops should by all means continue this assault on al-Qaida. But Anbar Province is not all of Iraq. In past years supporters of the war have pointed to areas other than Anbar, such as the Shia and Kurdish provinces, to show that things are not going as badly as they were in Fallujah and Ramadi. Today they point to Anbar to show that things are not going as badly as the violence in Baghdad.

I have visited Iraq numerous times; and wherever I am with our troops, I am inspired by them. I have also become increasingly conscious of the fact that I am in the eye of the hurricane. Relative peace wherever our troops are, but outside of us are swirling the winds of hatred and violence such of which the American people can scarcely imagine.

This amendment explicitly defines the role of the U.S. military in Iraq as threefold. An appropriate amount of troops will remain to protect our diplomats, our military installations, and our infrastructure. We will continue to train, equip, and provide logistical and intelligence support to Iraqi security forces, sharing intelligence with them. Thirdly, and most importantly, we will be there to turn over every rock, every crevice, and seek out every al-Qaida killer who wishes to harm Americans.

As I have spoken out pleading for a new course in Iraq, there has been a great cacophony of noise about how to go forward. Some of my colleagues have wanted to cut off funding. In fact, we voted that plan down resoundingly. Such a course, in my view, would be more than dishonorable; it would be dangerous. Some, on the other hand, say: Let's stay the course. I find that troubling as well. What "stay the course" means is, we will continue to spend \$12 billion a month. We will lose roughly three American soldiers a day, some of them Oregonians. In addition, there will be countless traumatized, wounded, and maimed for life, for which I cannot find a number.

Underpinning the current course and the argument of many of my colleagues is the hope, the predicate, that at the end of the road there will be an Iraqi Government that will govern effectively and democratically. I believe President Bush's formulation that we will stand down when they can stand up has it backwards. I have come to the reluctant conclusion that based on my numerous trips to Iraq, they will

not stand up politically until we begin standing down militarily. Like many of my colleagues, I have been to Iraq repeatedly. To be with the troops, again, is to be inspired, to be humbled in their presence because of the remarkable work they are doing and the cause for which they are fighting. As inspiring as that is, it is equally depressing to meet with Iraqi political leaders, democratically elected, who we think ought to be focused on reconciliation. What I have found is they are focused on revenge.

In Iraq there is ancient sectarian strife which has produced a low-grade civil war, a war which is not ours to win and not one we can win. It is theirs to win. We won the first war—Saddam was overthrown. Iraqis must now win the peace. Civil wars end in one of two ways: One side wins and the other loses, or they fight it out until they figure it out. My belief is that we delay the day for them figuring it out with our current posture.

I would love to be proven wrong. I pray President Bush is right. But I believe it is our obligation to have this debate to help change the course in the policy of the United States Government, and more importantly, to help change also the course in the policy of the Iraqi Government. I intend to use all my leverage as a Senator to change that course in Iraq, to get their Government to govern.

My fear is that what our presence and current posture are doing is simply keeping their civil war at a low-grade level, a no-win situation for American troops in Iraq. There is no good option for how we come home, but it does seem to me this amendment best expresses my own conclusions. That is why I cosponsored the amendment, to recognize al-Qaida as our mortal foe. We must take them on wherever we can, even now in Iraq, but ultimately we have to get capable and effective Iraqi political leaders, too, to do the most basic kinds of governing: debaathification, setting up of local elections, allowing the processes of democracy to work, establishing a rule of law that gives people confidence, spending their oil revenue money for the restructuring and the rebuilding of their own country. We cannot want functioning democracy for Iraqis more than they want it for themselves. What they seem bent on now is ethnic cleansing of their neighborhoods and religious division. Ultimately, those are their decisions, not ours. As long as we say—we will take the bullet, we will take it first—they will let us.

The Reed-Levin amendment provides a different way forward with a responsible division of labor. Let the Iraqi forces we have trained and equipped handle their security in Baghdad and in other communities. Let us help them and ourselves by taking on al-Qaida as we find it in Iraq.

This should not be a Republican-Democratic debate. I do not want to sling mud around this Chamber and

point fingers at which parties and which voters and which Government branch got us where we are. That should not be the focus of our discussion today. But for the sake of the American people, we should be discussing the way forward, a way that includes a United States victory over al-Qaida. Therefore, I rise as a Republican from Oregon to support the amendment. I believe this legislation strikes the right balance between the same old stay the course policy and a panicked flight to the exit.

Do we have moral and strategic interests in Iraq? Of course, we do. Will we have those interests in the future? Of course, we will. Should we ignore those interests? Of course not. This language addresses those concerns, the language of the Reed-Levin amendment. I believe this legislation is the best, most effective, most responsible way forward.

I urge the amendment's adoption and yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I ask unanimous consent that I be permitted to be the next Democrat to speak after the Chair, who is already in line in the order.

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

Mr. KERRY. I thank the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. SESSIONS. Mr. President, I believe the Senator from Arizona is to be recognized next.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, in view of the fact that there are a series of other speakers who wish to address this matter, I am going to ask unanimous consent to put an article in the RECORD to respond to one of the arguments that has been made, and then I will briefly respond to the others.

To the point that this is a civil war in Iraq and that is the justification for American forces being withdrawn, I ask unanimous consent that an article by Frederick Kagan entitled "Al Qaeda in Iraq," dated September 10 and appearing in the *Weekly Standard*, be printed in the RECORD after my comments.

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

(See Exhibit 1.)

Mr. KYL. Fred Kagan is a respected expert, a resident scholar at the American Enterprise Institute. The point he makes in this erudite article is that the primary problem for our forces in Iraq is al-Qaida in Iraq. It is the Iraq component of al-Qaida, that either we are fighting the al-Qaida forces directly—about 90 percent of whom are Iraqis, though the leadership significantly primarily comes from other places—Egypt, Jordan, and so on—or we are fighting to maintain peace between people whom al-Qaida in Iraq have instigated a conflict with, as they

did when they bombed the Golden Mosque in Samarra, and that our primary effort, therefore, is in defeating al-Qaida in Iraq.

The reason I bring that point up here is also to go to the heart of one of the points of the Levin-Reed amendment which is, we need to change our mission. Part of it is to change the mission to deal primarily with the counterterrorism operations against al-Qaida and al-Qaida affiliated groups. That would be certainly al-Qaida in Iraq and other international terrorist organizations. That is going to be one of the three new missions in addition to protecting U.S. and coalition forces and infrastructure and training and equipping the Iraqis.

All three of those are part of our mission today. It is simply not the case that we can separate our mission today from this mission in any meaningful way. As General Petraeus testified when he was asked about a new mission, he said counterterrorism requires not just the special operations forces—a relatively small force that would be left behind under the proposal that is pending before us here—but it requires other forces as well, including the kind of combat operations we engage in today, our general conventional forces, along with intelligence, reconnaissance, surveillance, and all of the other forces, which also include logistical support, that are currently used in the operations against al-Qaida and the other terrorists who are there.

So it is simply a mistake in concept here that somehow we are performing a different mission today than would be performed in the future, that that is a counterterrorism mission and it can be performed with different and less troops. General Petraeus has said that is simply not true.

If you stop and think about it for a moment, you have heard reports of the way some of these operations are conducted. You get good intelligence from a predator aircraft or a human source or someone you have an Iraqi, al-Qaida, or other terrorist group that is going to be planting an IED in a location or they are making explosives in a location, and you have an F-16 that has been up in the air for an hour or two, and they get this information, and they relay it to the F-16, and they say: Go to these coordinates and drop a bomb on those coordinates, and he does that.

Now, it is not some special forces thing that deals with al-Qaida, in other words, as a counterterrorism type of war that is totally different than anything else. You use many of the same kinds of personnel and tactics and equipment you use in conventional warfare. That is the point General Petraeus was trying to make. It is an artificial distinction to say there is going to be a new and different mission under the Levin-Reed proposal than exists today and it can be done with a much smaller and different kind of force. General Petraeus says: It is simply not so. That is the primary reason

I have trouble with this proposal that is pending. I hope my colleagues will defeat it.

I did want to also make this point in the debate: We sometimes get so wrapped up in discussing what we think that we do not stop and think about the people who are actually doing the fighting there. I have in mind both our troops and the very fine officers who lead the troops. We have all visited them in Iraq. We have visited those who have been wounded, and we grieve with the families of those who have been lost. These are America's finest, and they are fighting the worst of the worst. They are fighting killers who prey on innocent people, have no conscience in killing anyone who is necessary to suit their needs.

This is a brutal war against a brutal enemy. We are asking some of our finest young men and women to go into harm's way to perform this mission. They want to know what they have done so far—the gains they have produced, as General Petraeus called them—will not have been won in vain, that those gains can be helped.

What General Petraeus said in his testimony—I am going to summarize these quick four points—"the military objectives of the surge are, in large measure, being met," "that Coalition and Iraqi forces have dealt significant blows to al-Qaeda-Iraq"—incidentally, it is a point Frederick Kagan makes in some detail in this article I am having printed in the RECORD—third, "Iraqi elements have been standing and fighting and sustaining tough losses, and they have taken the lead in operations in many areas," and, finally—this is the point I am leading up to—"we will be able to reduce our forces to the pre-surge level of brigade combat teams by next summer without jeopardizing the security gains that we have fought so hard to achieve."

That is the key, and that is what the President said should unite us. We would all like to bring our troops home, as many as soon as possible. The more success we have, the better we are able to do that. But we do not want to do it if it means we lose what we have fought so hard to gain. I think almost all of us can agree with that proposition. But that is why I reached the conclusion that the particular amendment that has been proposed here would be counterproductive.

Fortunately, polls of the American people are beginning to show they support the Petraeus recommendations. In fact, I was told of a new Pew poll within the last few days that had the American people supporting the Petraeus recommended troop reductions by the number 57 to 28. That is an astounding change from American public opinion of a few months ago.

So the American public supports what our troops are accomplishing now. To try to find some way to politically triangulate between an immediate withdrawal and following the Petraeus recommendations, which is

essentially what I gather the amendment before us would attempt to do, is to try to impose an artificial political construct in a very dangerous and very complex environment. There is an old saying that for every complex problem there is a simple and wrong solution. I think that is what we have here. We have a very complex situation, a very brutal enemy, and an attempt to try to triangulate it in order to get a certain number of votes in the Senate, to suggest that we can change the mission with a different mix of force than we have, contrary to General Petraeus's testimony, I think would be a big mistake.

So I urge my colleagues to take these considerations into account when they cast their vote and, in particular, again, go back to what General Petraeus said. There was a lot of wisdom in his testimony. I think all of us here recognize General Petraeus, General Odierno, and all of the other fine officers who are in Iraq have given us a path to achieve success in Iraq. The sooner that success can be consolidated, the sooner our troops can come home.

#### EXHIBIT 1

[From the Weekly Standard, Sept. 10, 2007]  
AL QAEDA IN IRAQ—HOW TO UNDERSTAND IT.  
HOW TO DEFEAT IT.

(By Frederick W. Kagan)

Al Qaeda In Iraq is part of the global al Qaeda movement. AQI, as the U.S. military calls it, is around 90 percent Iraqi. Foreign fighters, however, predominate in the leadership and among the suicide bombers, of whom they comprise up to 90 percent, U.S. commanders say. The leader of AQI is Abu Ayyub al-Masri, an Egyptian. His predecessor, Abu Musab al Zarqawi, was a Jordanian.

Because the members of AQI are overwhelmingly Iraqis—often thugs and misfits recruited or dragooned into the organization (along with some clerics and more educated leaders)—it is argued that AQI is not really part of the global al Qaeda movement. Therefore, it is said, the war in Iraq is not part of the global war on terror: The "real" al Qaeda—Osama bin Laden's band, off in its safe havens in the Pakistani tribal areas of Waziristan and Baluchistan—is the group to fight. Furthermore, argue critics of this persuasion, we should be doing this fighting through precise, intelligence-driven airstrikes or Special Forces attacks on key leaders, not the deployment of large conventional forces, which only stirs resentment in Muslim countries and creates more terrorists.

Over the past four years, the war in Iraq has provided abundant evidence to dispute these assertions.

#### AL QAEDA WORLDWIDE

Al Qaeda is an organization pursuing an ideology. Both the organization and the ideology must be defeated. Just as, in the Cold War, the contest between the United States and its allies and the Soviet Union and its captive nations was the real-world manifestation of an ideological struggle, so today, the global war on terror is a real-world contest between the United States and its allies and al Qaeda and its enablers. We can hope to defeat the ideology only by defeating its champion, al Qaeda.

Al Qaeda's ideology is the lineal descendant of a school of thought articulated most

compellingly by the Egyptian revolutionary Sayyid Qutb in the 1950s and 1960s, with an admixture of Wahhabism, Deobandi thought, or simple, mainstream Sunni chauvinism, depending on where and by what group it is propounded.

Qutb blended a radical interpretation of Muslim theology with the Marxism-Leninism and anticolonial fervor of the Egypt of his day to produce an Islamic revolutionary movement. He argued that the secularism and licentious (by his extreme standards) behavior of most Muslims was destroying the true faith and returning the Islamic world to the state of *jahiliyyah*, or ignorance of the word of God, which prevailed before Muhammad. The growing secularism of Muslim states particularly bothered him. According to his interpretation, God alone has the power to make laws and to judge. When men make laws and judge each other according to secular criteria, they are usurping God's prerogatives. All who obey such leaders, according to Qutb, are treating their leaders as gods and therefore are guilty of the worst sin—polytheism. Thus they are—and this is the key point—not true Muslims, but unbelievers, regardless of whether they otherwise obey Muslim law and practice.

This is the defining characteristic of al Qaeda's ideology, which is properly called "takfirism" (even though al Qaeda fighters do not use the term). The word "takfir" designates the process of declaring a person to be an unbeliever because of the way he practices his faith. Takfir violates the religious understanding of most of the world's Muslims, for the Koran prescribes only five requirements for a Muslim (acknowledgment of the oneness of God, prayer, charitable giving, the fast, and the pilgrimage to Mecca) and specifies that anyone who observes them is a Muslim. The takfiris insist that anyone who obeys a human government is a polytheist and therefore violates the first premise of Islam, the *shahada* (the assertion that "There is no god but God"), even though Muslims have lived in states with temporal rulers for most of their history. The chief reason al Qaeda has limited support in the Muslim world is that the global Muslim community overwhelmingly rejects the premise that anyone obeying a temporal ruler is ipso facto an unbeliever.

Today's takfiris carry Qutb's basic principles further. Some pious Muslims believe that human governments should support or enforce sharia law. This is why Saudi Arabia has no law but sharia. But to Osama bin Laden and his senior lieutenant, Ayman al Zawahiri, it is not enough for a state to rule according to sharia. To be legitimate in the eyes of these revolutionaries, a state must also work actively to spread "righteous rule" across the earth. This demand means that only states aligned with the takfiris and supporting the spread of takfirism—such as the Taliban when it was in power—are legitimate, whereas states aligned with unbelievers, like Saudi Arabia, are illegitimate even if they strictly enforce sharia law. Some takfiris, particularly in Iraq as we shall see, argue in addition that all Shia are polytheists, and therefore apostates, because they "worship" Ali and Hussein and their successor imams. This distorted view of Shiism reflects the continual movement of takfiri thought toward extremes.

These distinctions are no mere theoretical niceties. The Koran and Muslim tradition forbid Muslims from killing one another except in narrowly specified circumstances. They also restrict the conditions under which Muslims can kill non-Muslims. Takfiris, however, claim that the groups and individuals they condemn are not really Muslims but unbelievers who endanger the true faith. They therefore claim to be exercising the right to defend the faith, granted

by the Koran and Muslim tradition, when they endorse the killing of these false Muslims and the Westerners who either seduce them into apostasy or support them in it. This is the primary theological justification for al Qaeda's terrorism.

Takfirim is a radical reinterpretation of Islam that discards over a thousand years of Islamic scholarship and cautious tradition in favor of a literal reading of the Koran and Hadith that allows any layman—such as Osama bin Laden, who has no clerical standing—to usurp the role of Islam's scholars and issue fatwas and exercise other such clerical prerogatives. Interestingly, “takfirim” is what the Muslim enemies of this movement call it. Iraqis, for example, commonly refer to the members of AQI as “takfiris.” This term has a strong negative connotation, implying as it does the right of a small group to determine who is a Muslim and to kill those who do not practice their religion in a particular manner. (Iraqis also sometimes call the terrorists “kharawaj,” a reference to the Kharajites of early Muslim history that is extremely derogatory, implying as it does that al Qaeda members are schismatics, well outside of the mainstream of Islam.)

While takfirim is the primary theological justification for the actions of al Qaeda, it is not the only important component of the terrorists' ideology. Western concepts are deeply embedded in the movement as well, primarily Leninism. Qutb was familiar with the concept of the Bolshevik party as the “vanguard of the proletariat”—the small group that understood the interests of the proletariat better than the workers themselves, that would seize power in their name, then would help them to achieve their own “class consciousness” while creating a society that was just and suitable for them. Qutb thought of his ideology in the same terms: He explicitly referred to his movement as a vanguard that would seize power in the name of the true faith and then reeducate Muslims who had gone astray.

Bin Laden underscored this aspect of the ideology in naming his organization “al Qaeda,” which means “the base.” Qutb and bin Laden envisaged a small revolutionary movement that would seize power in a Muslim state and then gradually work to expand its control to the entire Muslim world, while reeducating lapsed Muslims under its power. Al Qaeda's frequent references to reestablishing the caliphate are tied to this concept. The goal is to recapture the purity of the “Rashidun,” the period when Muhammad and his immediate successors ruled. This was the last time the Muslim world was united and governed, as bin Laden sees it, according to the true precepts of Islam.

Leninism (along with the practical challenges faced by revolutionaries in a hostile world) has informed the organizational structure as well as the thinking of al Qaeda. The group is cellular and highly decentralized, as the Bolsheviks were supposed to be. It focuses on seizing power in weakened states, as Communist movements did in Russia and China, and on weakening stronger states to make them more susceptible to attack, as the Communist movement did around the world after its triumph in the Soviet Union. Al Qaeda's center of gravity is its ideology, which means that individual cells can pursue the common aim with little or no relationship to the center. It is nevertheless a linked movement, with leaders directing the flow of some resources and ordering or forbidding particular operations around the world.

These, then, are the key characteristics of al Qaeda: It is based on the principle of takfirim. It sees itself as a Muslim revolutionary vanguard. It aims to take power in weak states and to weaken strong states. It

is cellular and decentralized, but with a networked global leadership that influences its activities without necessarily controlling them. How does Al Qaeda In Iraq fit into this scheme?

#### AL QAEDA IN IRAQ

AQI is part of the global al Qaeda movement both ideologically and practically. Ideologically, it lies on the extreme end of the takfiri spectrum. It was initially called the “Movement of Monotheism (tawhid) and Jihad,” referring to the takfiri principle that human government (and Shiism) are polytheist. From its inception, AQI has targeted mainly Iraqis; it has killed many times more Muslims than Americans. Its preferred weapon is the suicide car-bomb or truck-bomb aimed at places where large numbers of Iraqi civilians, especially Shia, congregate. When the movement began in 2003 it primarily targeted Shia. Zarqawi sought to provoke a Shia-Sunni civil war that he expected would mobilize the Sunni to full-scale jihad. He also delighted in killing Shia, whom he saw as intolerable “rejectionists,” who had received the message of the Koran and rejected it. Even worse than ignorance of the word of God is deliberate apostasy. The duty to convert or kill apostates supersedes even the duty to wage war against the regular unbeliever—hence Zarqawi's insistence that the Shia were more dangerous than the “Zionists and Crusaders.”

Bin Laden's associate Zawahiri remonstrated with Zarqawi on this point in a series of exchanges that became public. He argued that Zarqawi erred in attacking Shia, who should rather be exhorted and enticed to join the larger movement he hoped to create. Zawahiri's arguments were more tactical and strategic than ideological. He has no objection to killing unfaithful Muslims, but he has been eager to focus the movement on what he calls the “far enemy,” America and the West.

Zarqawi too pursued attacks on Western targets, of course. He was implicated in the 2002 murder of USAID official Lawrence Foley in Jordan, and in the bombing of the United Nations office in Baghdad on August 19, 2003. But Zarqawi concentrated on attacking Iraqi Shia. A blast at the end of August 2003, for example, killed 85 Shia in Najaf, including Ayatollah Mohammed Baqir al-Hakim (older brother of Abd al-Aziz al-Hakim, the leader of the Supreme Iraqi Islamic Council, the largest Shia party in the Council of Representatives), and a series of attacks on Shia mosques during the Ashura holiday in March 2004 killed over 180. He finally succeeded in provoking a significant Shia backlash with the destruction of the golden dome of the Shia al-Askariyah Mosque in Samarra in February 2006. Zarqawi was killed by coalition forces Sunni areas to the north and south, Diyala, Salah-ad-Din, and Nineva. AQI bases in Falluja, Tal Afar, and Baquba included media centers, torture houses, sharia courts, and all the other niceties of AQI occupation that would be familiar to students of the Taliban in Afghanistan and takfiri groups elsewhere. Local thugs flocked to the banner, and those who resisted were brutally tortured and murdered. Imams in local mosques—radicalized in the 1990s by Saddam Hussein's “return to the faith” initiative (to shore up his highly secular government by wrapping it in the aura of Islam)—preached takfirim and resistance to the Americans.

The presence of large numbers of Iraqis in the movement has contributed to confusion about the relationship between AQI and al Qaeda. Apart from the radicalized clerics and some leaders, most of the Iraqis in the organization are misfits and ne'er-do-wells, younger sons without sense or intelligence

who fall under the spell of violent leaders. The recruitment process in many areas is like that of any street-gang, where the leaders combine exhortation and promises with exemplary violence against those who obstinately refuse to join. In this regard, AQI is subtly different from the al Qaeda movement that developed in Afghanistan. The takfiri elements of the mujahedeen who fought the Soviet invader in Afghanistan were highly diverse in origin. That war attracted anti-Soviet fighters from across the Muslim world. They did not fit easily into Afghanistan's xenophobic society, and so concentrated themselves in training camps removed from the population centers after the Soviet withdrawal and the rise of the Taliban. Americans saw these foreign fighters in their camps as the “real” al Qaeda, the one that attacked the United States in 2001.

But al Qaeda was only part of the story in Afghanistan. The Taliban forces that seized power in 1994 imposed a radical interpretation of Islam upon the population and attacked the symbols of other religions in a country that had traditionally tolerated different faiths and diverse practices. Like their AQI counterparts today, the Taliban tended to be ill-educated, violent, and radical. And they were just as necessary to sustaining al Qaeda in Afghanistan as the Iraqi foot soldiers of AQI have been to supporting that movement. Bin Laden provided essential support, both military and financial, to put the Taliban in power and keep it there. In return, the Taliban allowed him to operate with impunity and protected him from foreign intervention. The war began in 2001 when Taliban leader Mullah Omar refused to yield the al Qaeda members responsible for 9/11 even though the Taliban itself had not been involved in the attacks.

Afghanistan's extremist thugs and misfits, once in power, facilitated the foreign-led al Qaeda's training, planning, and preparation for attacks against Western targets around the world, including the attacks on two U.S. embassies in Africa in 1998, the attack on the U.S.S. *Cole* in 2000, and 9/11. In return, al Qaeda's foreign fighters fiercely defended the Taliban regime when U.S. forces attacked in 2001, even forming up in conventional battle lines against America's Afghan allies supported by U.S. Special Forces and airpower. In Afghanistan the relationship between al Qaeda and the Taliban was symbiotic, mutually dependent, and mutually reinforcing. It included a shared world view and a willingness to fight common enemies. There was a close bond between indigenous Afghan extremists and the internationalist takfiris. Al Qaeda in Iraq benefits from just such a bond.

Yet there is a difference between the two movements in this regard: Whereas in Afghanistan al Qaeda remained separate from Afghan society for the most part, interacting with it primarily through the Taliban, AQI directly incorporates Iraqis. Indeed, the foreign origins of AQI's leaders are a handicap, of which their names are a constant reminder: Zarqawi's nom de guerre identified him immediately as a Jordanian, and the “al-Masri” in Abu Ayub al-Masri means “the Egyptian.” The takfiris clumsily addressed this problem by announcing their “Islamic State of Iraq,” which they presented as an umbrella movement Iraqi in nature but which was in fact a thin disguise for AQI, and by inventing a fictitious leader with a hyper-Iraqi, hyper-Sunni name, Abu Omar al-Baghdadi.

As for its local recruits, they undergo extensive training that is designed to brainwash them and prepare them to support and engage in vicious violence. One of the reasons some Iraqi Sunnis have turned against AQI has been this practice of making their

sons into monsters. Many Iraqis have come to feel about AQI the way the parents of young gang members tend to feel about gangs.

These AQI recruits often remain local. Young Anbaris do not on the whole venture out of Anbar to attack Americans or Shia beyond their province; AQI recruits in Arab Jabour or Salah-ad-Din tend to stay near their homes, even if temporarily driven off by U.S. operations. The leaders, however, travel a great deal—Zarqawi went from Jordan to Germany to Afghanistan to Iraq, and within Iraq from Falluja to Baquba and beyond, and his subordinates and successors have covered many miles at home and abroad. The presence of AQI cells in each area facilitates this movement, as well as the movement of foreign fighters into and through Iraq and the movement of weapons, supplies, and intelligence. AQI facilitators provide safe houses and means of communication. Some build car bombs that are passed from cell to cell until they are mated with the foreign fighters who will detonate them, perhaps far from where they were built. Even though most members of AQI remain near their homes, the sum of all of the cells, plus the foreign leadership and foreign fighters, is a movement that can plan and conduct attacks rapidly across the country and around the region, and that can regenerate destroyed cells within weeks. The leaders themselves are hooked into the global al Qaeda movement.

The integration of AQI into the population makes it harder to root out than al Qaeda was in Afghanistan. In Afghanistan, American leaders could launch missile strikes against al Qaeda training bases (as President Clinton did, to little effect), and U.S. Special Forces could target those camps with or without indigenous help. Not so in Iraq.

Intermingled with the population, AQI maintains no large training areas and thus offers few targets suitable for missile strikes. American and Iraqi Special Forces have been effective at killing particular AQI leaders, but this has not destroyed the movement or even severely degraded its ability to conduct attacks across the country. New leaders spring up, and the facilitation networks continue their work.

When the Taliban fell in Afghanistan, al Qaeda lost its freedom of movement throughout the country. Most surviving al Qaeda fighters fled to Pakistan's largely ungoverned tribal areas, where they could count on enough local support to sustain themselves. Today there is little support for al Qaeda in Afghanistan, no large permanent al Qaeda training camp, and certainly no ability to conduct large-scale or countrywide operations against U.S. or Afghan forces.

The recent turn against Al Qaeda In Iraq by key Iraqis has produced less dramatic results because of the different means by which AQI maintains itself. Although much of AQI's support originally came from locals who sought its aid, by 2006 the takfiris had made themselves so unpopular that their continued presence relied on their continuous use of violence against their hosts. As Anbari tribal leaders began for various reasons to resist AQI's advances, AQI started attacking them and their families. Outside of Anbar Province, AQI regularly uses exemplary torture and murder to keep locals in line. The principles of takfirism justify this, as anyone who resists AQI's attempts to impose its vision of Islam becomes an enemy of Islam. AQI then has the right and obligation to kill such a person, since, in the takfiri view, execution is the proper punishment for apostasy. It is a little harder to see the pseudo-religious justification for torture, but AQI is not deterred by such fine points.

Like al Qaeda in Afghanistan, then, AQI initially relied on support from the popu-

lation more or less freely offered. Unlike al Qaeda in Afghanistan—but like the Taliban—it also developed means of coercing support when this was no longer given freely. As a result, Iraq's Sunnis cannot simply decide to turn against al Qaeda on their own, for doing so condemns them to outrageous punishments. To defeat Al Qaeda In Iraq, therefore, it is not enough to attack takfiri ideology or persuade the Iraqi government to address the Sunnis' legitimate grievances. Those approaches must be combined with a concerted effort to protect Sunni populations from AQI's terrorism.

#### HOW TO DEFEAT AQI

One of the first questions Iraqis ask when American forces move into AQI strongholds to fight the takfiris is: Are you going to stay this time? In the past, coalition forces have cleared takfiri centers, often with local help, but have departed soon after, leaving the locals vulnerable to vicious AQI retaliation. This pattern created a legacy of distrust, and a concomitant hesitancy to commit to backing coalition forces.

This cycle was broken first in Anbar, for three reasons: The depth of AQI's control there led the group to commit some of its worst excesses in its attempt to hold on to power; the strength of the tribal structures in the province created the possibility of effective local resistance when the mood swung against the takfiris; and the sustained presence and determination of soldiers and Marines in the province gave the locals hope of assistance once they began to turn against the terrorists.

The movement against the takfiris began as AQI tried to solidify its position in Anbar by marrying some of its senior leaders to the daughters of Anbari tribal leaders, as al Qaeda has done in South Asia. When the sheikhs resisted, AQI began to attack them and their families, assassinating one prominent sheikh, then preventing his relatives from burying him within the 24 hours prescribed by Muslim law. In the tribal society of Anbar, this and related actions led to the rise of numerous blood-feuds between AQI and Anbari families. The viciousness of AQI's retaliation and the relative weakness of the Anbari tribes as a military or police force put the locals in a difficult position, from which they were rescued by the determined work of coalition and Iraqi security forces.

Throughout 2006, U.S. soldiers and Marines in Anbar refused to cede the province's capital and major population centers to the insurgents. Officers like Colonel Sean MacFarland worked to establish bases in Ramadi, protect key positions within the city, and generally contest AQI's control. At the same time, Marine commanders strove to reach out to Anbaris increasingly disenchanted with AQI. Commanders in the province now acknowledge that they probably missed several early overtures from tribal leaders, but they clearly grasped the more obvious signals the sheikhs sent in late 2006 and early 2007 indicating their interest in working together against the common foe.

The change in U.S. strategy announced in January 2007 and the surge of forces over the ensuing months did not create this shift in Anbar, but accelerated its development. The surge meant that American commanders did not have to shift forces out of Anbar to protect Baghdad, as had happened in previous operations. MacFarland's successor, Colonel John Charlton, was able to build on MacFarland's success when he took command in early 2007. He moved beyond the limited bases MacFarland's soldiers had established and began pushing his troops into key neighborhoods in Ramadi, establishing Joint Security Stations, and clearing the city. Marine forces in the province were aug-

mented by two battalions in the spring and a battalion-sized Marine Expeditionary Unit in the summer. The latter has been attacking the last bastions of AQI in northeastern Anbar.

The increased U.S. presence and the more aggressive operations of American forces—working with Iraqi army units that, although heavily Shia, were able to function effectively with U.S. troops even in Sunni Anbar—allowed the tribal turn against AQI to pick up steam. By late spring 2007, all of the major Anbari tribes had sworn to oppose AQI and had begun sending their sons to volunteer for service in the Iraqi army and the Iraqi police. By summer, the coalition had established a new training base in Habbaniya to receive these recruits, and the Iraqi army units had begun balancing their sectarian mix by incorporating Anbari Sunnis into their formations. Thousands of Anbaris began patrolling the streets of their own cities and towns to protect against AQI, and coalition commanders were flooded with information about the presence and movements of takfiris. By the beginning of August, AQI had been driven out of all of Anbar's major population centers, and its attempts to regroup in the hinterland have been fitful and dangerous for the takfiris. The mosques in Anbar's major cities have stopped preaching anti-American and pro-takfiri sermons on the whole, switching either to neutral messages or to support for peace and even for the coalition.

The battle is by no means over. AQI has made clear its determination to reestablish itself in Anbar or to punish the Anbaris for their betrayal, and AQI cells in rural Anbar and surrounding provinces are still trying to regenerate. But the takfiri movement that once nearly controlled the province by blending in with its people has lost almost all popular support and has been driven to desperate measures to maintain a precarious foothold. The combination of local disengagement with takfiri extremism, a remarkable lack of cultural sensitivity by the takfiris themselves, and effective counterinsurgency operations by coalition forces working to protect the population have turned the tide.

Anbar is a unique province in that its population is almost entirely Sunni Arab and its tribal structures remain strong despite years of Saddam's oppression. The "Anbar Awakening," as the Anbari turn against the takfiris is usually called, has spread to almost all of Iraq's Sunni areas, but in different forms reflecting their different circumstances. Sunni Arabs in Baghdad, Babil, Salah-ad-Din, and Diyala provinces have long suffered from AQI, but they also face a significant Shia Arab presence, including violent elements of the Jaysh al-Mahdi, or Mahdi Army, the most extreme Shia militia. Diyala, Ninewa, and Kirkuk provinces also have ethnic fault lines where Arabs, Turkmen, and Kurds meet and occasionally fight. Tribal structures in these areas vary in strength, but are everywhere less cohesive than those of Anbar.

Extreme elements of the Jaysh al-Mahdi, particularly the Iranian-controlled "secret cells," have been exerting pressure against Sunni populations in mixed provinces at least since early 2006. Some formerly Sunni cities like Mahmudiya have become Shia (and Jaysh al-Mahdi) strongholds. Mixed areas in Baghdad have tended to become more homogeneous. AQI has benefited from this struggle, which it helped to produce, posing as the defender of the Sunni against the Jaysh al-Mahdi even as it terrorizes Sunnis into supporting it. AQI's hold cannot be broken without addressing the pressure of Shia extremists on these Sunni communities, as well as defending the local population against AQI attacks.

This task is dauntingly complex, but not beyond the power of coalition forces to understand and execute. American and Iraqi troops throughout central Iraq have been working aggressively to destroy AQI strongholds like those in Arab Jabour, Baquba, Karma, and Tarmiya and in the Baghdad neighborhoods of Ameriyah, Ghazaliya, and Dora, and have largely driven the takfiris out of the major population centers and even parts of the hinterland. As U.S. forces have arrived in strength and promised to stay, thousands of Sunnis have volunteered to fight the terrorists and to protect their neighborhoods by joining the Iraqi army, police, or auxiliary “neighborhood watch” units set up by U.S. forces. In these areas, however, coalition forces have also had to work to protect the local Sunni from attacks by the secret cells of the Shia militia and by Shia militia members who have penetrated the Iraqi national and local police forces. The continued presence of American forces among the population is a key guarantor against attack by the Jaysh al-Mahdi as well as AQI reprisals. Indeed, the Sunni insist upon it as the condition for their participation in the struggle against the takfiris.

The description of the new U.S. strategy as “protecting the population” is shorthand for this complex, variable, and multifaceted approach to the problem of separating AQI from the population and supporting the rising indigenous movement against the takfiris. It has been extremely successful in a short period of time—Anbar in general and Ramadi in particular have gone from being among the most dangerous areas in Iraq to among the safest. AQI strongholds like Arab Jabour and Baquba are now mostly free of large-scale terrorist infiltration, and their populations are working with the coalition to keep the takfiris out. The overall struggle to establish peace and stability in Iraq clearly goes beyond this fight against AQI, but from the standpoint of American interests in the global war on terror, it is vital to recognize our success against the takfiris and the reasons for it.

#### THE OUTLOOK

AQI—and therefore the larger al Qaeda movement—has suffered a stunning defeat in Iraq over the past six months. It has lost all of its urban strongholds and is engaged in a desperate attempt to reestablish a foothold even in the countryside. The movement is unlikely to accept this defeat tamely. Even now, AQI cells scattered throughout the country are working to reconstitute themselves and to continue mass-casualty attacks in the hope of restarting widespread sectarian conflict from which they hope to benefit. If the coalition abandoned its efforts to finish off these cells and to prevent them from rebuilding their networks, it is quite possible that they could terrify their victims into taking them back in some areas, although AQI is unlikely to be viewed sympathetically by most Iraqis for a long time to come.

If, on the other hand, coalition forces complete the work they have begun by finishing off the last pockets of takfiris and continuing to build local Iraqi security forces that can sustain the fight against the terrorists after American troops pull back, then success against the terrorists in Iraq is likely. That success will come at a price, of course. The takfiris have only the proverbial hammer in Iraq at this point, and they are now in the position of seeing every problem as the proverbial nail. Their hammer can be effective only if no one is around to protect the population: Their violence consistently drives Iraqi sentiment against them and their ideology. So the prospect of a thorough and decisive defeat of the terrorists in Iraq is real.

It is too soon to declare victory in this struggle, still less in the larger struggle to stabilize Iraq and win the global war on terror. AQI can again become a serious threat if America chooses to let it get up off the mat. Other significant takfiri threats remain outside Iraq, such as the al Qaeda cell that has been battling Lebanese military forces from the Palestinian refugee camps in Lebanon and the aggressive al Qaeda group in the Islamic Maghreb that has proclaimed its intention of conquering all of North Africa and restoring Muslim rule to Spain. Each al Qaeda franchise is subtly different from the others, and there is no one-size-fits-all solution to defeating them. But our experience in Iraq already offers lessons for the larger fight.

The notion that there is some “real” al Qaeda with which we should be more concerned than with AQI or any of the other takfiri franchises is demonstrably false. All of these cellular organizations are inter-linked at the top, even as they depend on local facilitators and fighters in particular places. The Iraqi-ness of AQI does not make it any less a part of the global movement. On the contrary, if we do not defeat AQI, we can expect it to start performing the same international functions that al Qaeda and the Taliban did in Afghanistan: Locally active AQI cells will facilitate the training, planning, and preparation for attacks on Western and secular Muslim targets around the world. As has often been noted, the overwhelming majority of the September 11 attackers were Saudis, yet their attacks were made possible by facilitators who never left Afghanistan. AQI, if allowed to flourish, would be no different. It has posed less of a threat outside Iraq because of the intensity of the struggle within Iraq—just as the takfiris among the Afghan mujahedeen posed little threat outside that country as long as they had the Soviet army to fight. If the United States lets up on this determined enemy now and allows it to regain a position within Iraqi society, it is likely that AQI cells will soon be facilitating global attacks.

The idea that targeting these cells from the air or through special operations is an adequate substitute for assisting the local population to fight them is also mistaken. Coalition forces have relied on just this approach against al Qaeda in Afghanistan and Pakistan since 9/11, with questionable results. Granted, there have been few successful attacks against Western powers, none of them in the United States, for which this aggressive targeting is surely in part responsible. But recent intelligence estimates suggest a strengthening of the al Qaeda movement. In Iraq, years of targeting AQI leaders weakened the movement and led it to make a number of key mistakes, but did not stop mass-casualty attacks or stimulate effective popular resistance to the takfiris. It seems doubtful that Muslim communities—even those that reject the takfiri ideology—are capable of standing up to the terrorists on their own or with only the support of intelligence-driven raids against terrorist leaders and isolated cells.

Iraq has also disproved the shibboleth that the presence of American military forces in Muslim countries is inherently counterproductive in the fight against takfiris. Certainly the terrorists used our presence as a recruiting tool and benefited from the Sunni Arab nationalist insurgency against our forces. But there is no reason to think that Iraq would have remained free of takfiri fighters had the United States drawn down its forces (or should it draw them down now); it is even open to question whether a continued Baathist regime would have kept the takfiris out. The takfiris go where American forces are, to be sure, but they also go where

we are not: Somalia, Lebanon, North Africa, Indonesia, and more. The introduction of Western forces does not inevitably spur takfiri sentiment. When used properly and in the right circumstances, Western military forces can play an essential role in combatting takfirism.

This is not to say that the United States should invade Waziristan and Baluchistan, or launch preemptive conventional assaults against (or in defense of) weak Muslim regimes around the world. Each response must be tailored to circumstance. But we must break free of a consensus about how to fight the terrorists that has been growing steadily since 9/11 which emphasizes “small footprints,” working exclusively through local partners, and avoiding conventional operations to protect populations. In some cases, traditional counterinsurgency operations using conventional forces are the only way to defeat this 21st-century foe.

Muslims can dislike al Qaeda, reject takfirism, and desire peace, yet still be unable to defend themselves alone against the terrorists. In such cases, our assistance, suitably adapted to the realities on the ground, can enable Muslims who hate what the takfiris are doing to their religion and their people—the overwhelming majority of Muslims—to succeed. Helping them is the best way to rid the world of this scourge.

Mr. KERRY. Mr. President, will the Senator yield for a question?

Mr. KYL. Mr. President, I would be happy to yield.

Mr. KERRY. Is the Senator from Arizona suggesting there is not a civil war in Iraq?

Mr. KYL. Mr. President, what I am saying is the primary conflict that concerns the United States of America forces right now is defeating al-Qaida in Iraq and the conflicts that al-Qaida in Iraq have instigated, which include conflicts between Sunnis and Shias.

Mr. KERRY. Is the Senator aware that 60 percent of Iraq is Shia, that Shia are viewed by al-Qaida as complete apostates outside of Islam, that they do not get along, that the Kurds do not get along—and they are 20 percent of Iraq; therefore, 80 percent of Iraq will have nothing to do with al-Qaida—and now the Sunni in Anbar decided they do not want anything to do with al-Qaida, and that most of the injuries to our troops are from IEDs, and that most of the conflict in Iraq that has moved 2 million people out of Iraq and 2 million people within Iraq and changed Baghdad from 60 percent Sunni to 75 percent Shia—is he aware that, in fact, al-Qaida is not responsible for that, but it is the Jaysh al-Mahdi and it is the militia and it is the Badr army and everybody except for, fundamentally, al-Qaida that is doing that?

That is the fundamental violence and conflict which requires the political settlement General Petraeus cannot produce, only the Iraqi politicians can produce. Is he aware of that?

Mr. KYL. Mr. President, I will be happy to respond by saying, I am aware that many of the things asserted by the Senator from Massachusetts are incorrect.

I am aware al-Qaida in Iraq is a major force—

Mr. KERRY. Let me ask the Senator—

Mr. KYL. May I complete my answer to the Senator's lengthy question?

Mr. KERRY. How many al-Qaida are in Iraq?

Mr. KYL. Al-Qaida in Iraq—as is evident from the article I had printed in the RECORD; and I would be happy to share a copy of that article with my friend from Massachusetts—is a major force in Iraq, and is, in addition to being part of the force we are fighting, an instigator of violence between some of the groups the Senator from Massachusetts mentioned.

Now, let me say one other thing. I intended to conclude my remarks by laying down an amendment which Senator LIEBERMAN and I are prepared to debate tomorrow, not right now. But the Senator from Massachusetts mentioned the IEDs. Of course, I know the Senator is aware that a lot of the newest equipment and training, and in particular this virulent, this very destructive IED that is being used in Iraq, is coming from Iran, and that part of what we need to do is to deal with Iran in the context of this conflict in Iraq as well, and in particular the group in Iran that is supplying this equipment. For that reason—

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

Mr. KYL. I will be happy to yield the floor to the Senator as soon as I conclude my business. Then the Senator from Massachusetts can go ahead and make his full statement, if that would be all right.

AMENDMENT NO. 3017 TO AMENDMENT NO. 2011

Mr. President, what I want to do, in concluding my remarks, is, on behalf of Senator LIEBERMAN and Senator COLEMAN and myself, send an amendment to the desk that is a sense of the Senate on Iran, which is how it is titled.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment?

Mr. LEVIN. Mr. President, I understand this is going to be simply sent to the desk, it is then going to be read, and then we are going to set aside that amendment. That is understood by the Senator from Arizona?

Mr. KYL. That is correct, Mr. President.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arizona [Mr. KYL], for himself, Mr. LIEBERMAN, and Mr. COLEMAN, proposes an amendment numbered 3017.

Mr. KYL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To express the sense of the Senate regarding Iran)

At the end of subtitle C of title XV, add the following:

**SEC. 1535. SENSE OF SENATE ON IRAN.**

(a) **FINDINGS.**—The Senate makes the following findings:

(1) General David Petraeus, commander of the Multi-National Force Iraq, stated in testimony before a joint session of the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives on September 10, 2007, that “[i]t is increasingly apparent to both coalition and Iraqi leaders that Iran, through the use of the Iranian Republican Guard Corps Qods Force, seeks to turn the Shi'a militia extremists into a Hezbollah-like force to serve its interests and fight a proxy war against the Iraqi state and coalition forces in Iraq”.

(2) Ambassador Ryan Crocker, United States Ambassador to Iraq, stated in testimony before a joint session of the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives on September 10, 2007, that “Iran plays a harmful role in Iraq. While claiming to support Iraq in its transition, Iran has actively undermined it by providing lethal capabilities to the enemies of the Iraqi state”.

(3) The most recent National Intelligence Estimate on Iraq, published in August 2007, states that “Iran has been intensifying aspects of its lethal support for select groups of Iraqi Shia militants, particularly the JAM [Jaysh al-Mahdi], since at least the beginning of 2006. Explosively formed penetrator (EFP) attacks have risen dramatically”.

(4) The Report of the Independent Commission on the Security Forces of Iraq, released on September 6, 2007, stated that “[t]he Commission concludes that the evidence of Iran's increasing activism in the southeastern part of the country, including Basra and Diyala provinces, is compelling... It is an accepted fact that most of the sophisticated weapons being used to 'defeat' our armor protection comes across the border from Iran with relative impunity”.

(5) General (Ret.) James Jones, chairman of the Independent Commission on the Security Forces of Iraq, stated in testimony before the Committee on Armed Services of the Senate on September 6, 2007, that “[w]e judge that the goings-on across the Iranian border in particular are of extreme severity and have the potential of at least delaying our efforts inside the country. Many of the arms and weapons that kill and maim our soldiers are coming from across the Iranian border”.

(6) General Petraeus said of Iranian support for extremist activity in Iraq on April 26, 2007, that “[w]e know that it goes as high as [Brig. Gen. Qassem] Suleiman, who is the head of the Qods Force... We believe that he works directly for the supreme leader of the country”.

(7) Mahmoud Ahmedinejad, the president of Iran, stated on August 28, 2007, with respect to the United States presence in Iraq, that “[t]he political power of the occupiers is collapsing rapidly. Soon we will see a huge power vacuum in the region. Of course we are prepared to fill the gap”.

(8) Ambassador Crocker testified to Congress, with respect to President Ahmedinejad's statement, on September 11, 2007, that “[t]he Iranian involvement in Iraq—its support for extremist militias, training, connections to Lebanese Hezbollah, provision of munitions that are used against our force as well as the Iraqis—are all, in my view, a pretty clear demonstration that Ahmedinejad means what he says, and is already trying to implement it to the best of his ability”.

(9) General Petraeus stated on September 12, 2007, with respect to evidence of the complicity of Iran in the murder of members of the Armed Forces of the United States in Iraq, that “[t]he evidence is very, very clear. We captured it when we captured Qais

Khazali, the Lebanese Hezbollah deputy commander, and others, and it's in black and white... We interrogated these individuals. We have on tape... Qais Khazali himself. When asked, could you have done what you have done without Iranian support, he literally throws up his hands and laughs and says, of course not... So they told us about the amounts of money that they have received. They told us about the training that they received. They told us about the ammunition and sophisticated weaponry and all of that they received”.

(10) General Petraeus further stated on September 14, 2007, that “[w]hat we have got is evidence. This is not intelligence. This is evidence, off computers that we captured, documents and so forth... In one case, a 22-page document that lays out the planning, reconnaissance, rehearsal, conduct, and aftermath of the operation conducted that resulted in the death of five of our soldiers in Karbala back in January”.

(11) The Department of Defense report to Congress entitled “Measuring Stability and Security in Iraq” and released on September 18, 2007, consistent with section 9010 of Public Law 109-289, states that “[t]here has been no decrease in Iranian training and funding of illegal Shi'a militias in Iraq that attack Iraqi and Coalition forces and civilians... Tehran's support for these groups is one of the greatest impediments to progress on reconciliation”.

(12) The Department of Defense report further states, with respect to Iranian support for Shi'a extremist groups in Iraq, that “[m]ost of the explosives and ammunition used by these groups are provided by the Iranian Islamic Revolutionary Guard Corps-Qods Force... For the period of June through the end of August, [explosively formed penetrator] events are projected to rise by 39 percent over the period of March through May”.

(13) Since May 2007, Ambassador Crocker has held three rounds of talks in Baghdad on Iraq security with representatives of the Government of the Islamic Republic of Iran.

(14) Ambassador Crocker testified before Congress on September 10, 2007, with respect to these talks, stating that “I laid out the concerns we had over Iranian activity that was damaging to Iraq's security, but found no readiness on Iranians' side at all to engage seriously on these issues. The impression I came with after a couple rounds is that the Iranians were interested simply in the appearance of discussions, of being seen to be at the table with the U.S. as an arbiter of Iraq's present and future, rather than actually doing serious business... Right now, I haven't seen any sign of earnest or seriousness on the Iranian side”.

(15) Ambassador Crocker testified before Congress on September 11, 2007, stating that “[w]e have seen nothing on the ground that would suggest that the Iranians are altering what they're doing in support of extremist elements that are going after our forces as well as the Iraqis”.

(b) **SENSE OF SENATE.**—It is the sense of the Senate—

(1) that the manner in which the United States transitions and structures its military presence in Iraq will have critical long-term consequences for the future of the Persian Gulf and the Middle East, in particular with regard to the capability of the Government of the Islamic Republic of Iran to pose a threat to the security of the region, the prospects for democracy for the people of the region, and the health of the global economy;

(2) that it is a vital national interest of the United States to prevent the Government of the Islamic Republic of Iran from turning Shi'a militia extremists in Iraq into a

Hezbollah-like force that could serve its interests inside Iraq, including by overwhelming, subverting, or co-opting institutions of the legitimate Government of Iraq;

(3) that it should be the policy of the United States to combat, contain, and roll back the violent activities and destabilizing influence inside Iraq of the Government of the Islamic Republic of Iran, its foreign facilitators such as Lebanese Hezbollah, and its indigenous Iraqi proxies;

(4) to support the prudent and calibrated use of all instruments of United States national power in Iraq, including diplomatic, economic, intelligence, and military instruments, in support of the policy described in paragraph (3) with respect to the Government of the Islamic Republic of Iran and its proxies;

(5) that the United States should designate the Islamic Revolutionary Guards Corps as a foreign terrorist organization under section 219 of the Immigration and Nationality Act and place the Islamic Revolutionary Guards Corps on the list of Specially Designated Global Terrorists, as established under the International Emergency Economic Powers Act and initiated under Executive Order 13224; and

(6) that the Department of the Treasury should act with all possible expediency to complete the listing of those entities targeted under United Nations Security Council Resolutions 1737 and 1747 adopted unanimously on December 23, 2006 and March 24, 2007, respectively.

Mr. KYL. Mr. President, as I said, the chairman of the committee is correct, the intention was to simply lay this amendment down tonight on behalf of Senators LIEBERMAN, COLEMAN, and myself. We will debate it after we have concluded further business.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I ask unanimous consent that amendment be set aside.

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

AMENDMENT NO. 2898

The PRESIDING OFFICER. Who yields time?

Mr. LEVIN. Mr. President, there is no time agreement. As I understand, there is an order of speakers.

The PRESIDING OFFICER. That is correct.

The Senator from Massachusetts is now recognized.

Mr. KENNEDY. Mr. President, I support this amendment.

As we continue debating how best to support America's brave military forces in Iraq, we must be clear where we stand on the war. I strongly support our troops, but I strongly oppose the war. The best way to protect our troops and our national security is to put the Iraqis on notice that they need to take responsibility for their future so we can bring troops back home to America.

The administration's policy has put our troops in an untenable and unwinnable situation. They are being held hostage to Iraqi politics in which sectarian leaders are unable or unwilling to make the tough judgments needed to lift Iraq out of its downward spiral. We are spending hundreds of bil-

lions of dollars on a failed policy that is making America more vulnerable and putting our troops at greater risk.

We have lost our focus on apprehending terrorists and on capturing those who seek to destroy America. Osama bin Laden remains at large. The war in Iraq has enabled al-Qaeda to recruit terrorists more effectively to work against America.

Our policy in Iraq continues to exact a devastating toll. Nearly 4,000 American troops have died—80 in my State of Massachusetts—and 30,000 have been injured. We need to have a policy that is worthy of the valor of the brave men and women who have been fighting there for the last 4½ years. The toll on Iraqis is immense. Tens of thousands of Iraqis have been killed or injured, and more than 4 million Iraqis have been forced to flee their homes. If that were in American terms, it would be 45 million Americans who would have lost their homes, effectively 20 Katrinas would have taken place here in the United States—when we look at what has happened to the Iraqi families during this period of time. Nearly a half trillion dollars has been spent fighting this war. Our generals have acknowledged over and over again that a military solution alone is not the answer to Iraq's problems. After four bloody years, political reconciliation remains illusive, and Iraqi politicians are not being held accountable to any standard of progress or success. Yet the President unacceptably continues to impose the enormous burden of Iraq's sectarian violence on the backs of American troops, with an open-ended commitment—with an open-ended commitment.

Our military is stretched to its limits; it is nearing its breaking point. The American public has lost confidence in the current direction of the war. They are tired of a war based upon a failed policy that has made America no safer and that is subjecting our military to Iraq's intractable civil war. They are tired of the administration's promises that success is just around the corner. They want to know when the nightmare of Iraq will end.

How much longer will President Bush insist that our troops be held hostage to the abysmal failure of the Iraqi Government to make the political compromises essential to end violence, especially when there is no indication—no indication—that they will do so any time soon? How many more brave Americans must die? How many more billions of taxpayers' dollars must we spend? How much more of a burden must we place on our military?

We all know what is going on. President Bush's strategy is delay and delay. We never should have gone to war in the first place, and his misguided war has now gone on for more than 4 years. The situation is not improving; it is worsening. It is not showing signs of meaningful progress. Year after year, it has failed to deliver political reconciliation. The President fi-

nally admitted to Congress and the American people last week that his successor, the next American President, will inherit the war in Iraq. He calls himself a decider, but he refuses to make the decision to end the war.

President Harry Truman said: "The buck stops here." The last thing President Bush wants is for the buck to stop on his desk. He is desperately trying to buy time in order to pass the buck to his successor in the White House.

The first President Bush went to war with Iraq after 52 Senators voted in favor of a resolution of approval. Now, 53 Senators have voted for a timetable to end the war. But this President vetoed the bill because he refuses to accept responsibility to end a war he never should have started.

It is time to stop this madness. This amendment does that. It requires our combat troops to begin to come home in 90 days. It requires a change in mission for our military. It requires the vast majority of our combat troops to come home in 9 months. It is up to us to end the open-ended commitment of our troops that the President has been making year after year. The Iraqis need to take responsibility for their own future, resolve their own political differences, and enable our troops to come home.

We need to tell the Iraqis now that we are going to leave, and leave soon. Only such a step can add the urgency that is so clearly necessary to end their differences. We can't allow the President to drag this process out any longer, and I urge my colleagues to support this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, any American I know should be, and is, vitally interested in what is happening in Iraq and what our policy should be. There is no doubt that good people can disagree about how we should handle this important and difficult situation. Nobody's patriotism should be questioned in this process. But I would urge that these disagreements that might be expressed be expressed in ways that minimize the negative impact on what may be, and will be the decided policy of the United States. In other words, we need to be sure that as we conduct this debate—we have a policy in this country, and we need to make sure that we execute it in a way that most likely will provide us a method of success.

Let me recap the history of how we got here because I think it is important. By more than a three-fourths vote, 77 Senators in this body authorized the use of military force in Iraq. The initial invasion and removal of Saddam Hussein went well, surprisingly well—better than most would ever have expected. But the postinvasion situation has been much more difficult than expected. My personal view, for what it is worth—and it

may not be worth much—is that we underestimated the difficulties of establishing a functioning democracy in an undeveloped nation that had deep sectarian divides, that had no history of law or democracy, and that had been traumatized by years of oppression in a war. So we can look back and say there are a lot of mistakes out there that have been made, but I think the real problem is we are facing a difficult job that is not going to be easy, and no one should underestimate the challenge.

But we must honestly evaluate our current position and use this time in this Congress right now to decide what we are going to do. I know good people will disagree, but we will reach a decision before this debate is out. So we owe nothing less to those fabulous men and women who serve us in Iraq than to give this our best judgment, our hardest work, our most sincere consideration. There can be no doubt but that this is the correct time for a national evaluation.

Remember how we got here. In May—May 24 of this year—in a bipartisan vote, we voted to clearly affirm the surge; 80 to 14 was what that vote was. We debated the question. We knew General Petraeus was there. The President asked that we fund 30,000 additional troops as part of this surge, and we decided to do so. We voted for it. This Congress said we will execute that surge. I remember Senator REID and Speaker PELOSI meeting with the President and working on the deal, and we agreed to do the surge 80 to 14 on final vote. So it is really not President Bush's surge or General Petraeus's surge, it was and is America's surge, and our troops are carrying out America's policies. I hope our colleagues here won't be adopting the reasoning of MoveOn.Org instead of recognizing the responsibilities that we all have to those we have sent into harm's way.

Now, no one in May was sure how things would work out. Things had not gone well in 2006 and in early 2007. All of us were worried about what was happening. Violence had increased, the uncertainty had increased, and I think Congress rightly was concerned. After debate, we decided to execute the surge operation which was more than just increased troops, and I will talk about that in a minute. We decided that, for the purpose of openness and accountability, as part of the funding of this war that we had appropriated, we wanted some reports. In fact, we asked for five separate reports. Those reports have been produced as required. A report was required on the status of 18 benchmarks submitted by July 15. A report was required for an independent commission of experts to report not later than September 1 analyzing the progress of the Iraqi security forces. That was the General Jones commission, former supreme allied commander in Europe, former commander of the United States Marine Corps, and 20 other experts compiled that report. A report from the GAO, the comptroller

general, on whether the 18 benchmarks had been achieved by September 1; a followup on the benchmarks report submitted by September 15. Then public testimony was required from the U.S. Ambassador to Iraq and the commander of Multi-National Forces Iraq, General Petraeus, not later than September 15.

We have had all of that in the Armed Services Committee, of which I am a member. We had Mr. Walker from GAO give the GAO report. We had General Jones and his commission give their report, and we had General Petraeus and Ambassador Crocker give their reports. They testified before the House. They testified before other committees. We have had now a national discussion about this situation, and it is time for us to begin to make some decisions. So what I hope we will do is make a decision, and we will stick by it, and next week we would not have leaders in this body saying it is a failure before it ever gets started, as we have had in the past.

Let me summarize the reports that came in briefly. The administration report on benchmarks, as well as a GAO report, shows that we had some progress on some matters but that there had been limited political progress in Iraq. I would note that the GAO report, which was valuable and I think not inaccurate but could be misinterpreted, was important. It did not, however, incorporate data from August and early September from Iraq. That data shows remarkable progress in those recent weeks, and it was not part of its report. So the progress on the military front that they reported was not as significant as the later reports would show. It only measured whether the goals of each one of the benchmarks were fully achieved. It didn't measure whether progress had been made.

Ambassador Crocker, on the benchmarks, made some important comments. Those I would point out to my colleagues. One, he said, yes, an oil law had not been passed by the Iraqi Parliament. They couldn't get together on that. Sometimes we can't get together in this body and agree on things. So what happened is, they are indeed sharing oil revenue throughout the provinces in a fair and just way, although they have not yet been able to pass an overall oil law. So we are saying, according to benchmarks, they haven't met the benchmarks because the benchmarks said they must pass an oil law that would share their resources. But, in fact, they are sharing.

He talked about a benchmark dealing with reconciliation with former members of the Baathist Party and the Saddam Hussein regime. He said, no, they had not been able to pass in the parliament the legislation that would effectuate, as we would like to see it, a reconciliation among the former Baathists and the current leadership in Iraq, but it was happening out there. He said in various different places

throughout Iraq former members of Baathist activities are coming into the government, Sunnis who allied with al-Qaida are coming in and working with the American military, and at the grassroots level real progress is being made and reconciliation is occurring in a lot of different places in Iraq.

Now, the Jones commission was a very valuable commission. General Jones is a very distinguished, 40-year veteran of the U.S. Marine Corps, former commandant. He served as supreme allied commander of Europe and commander of USOCCOM. This bipartisan commission he headed was composed of 20 members representing senior military leaders, civilian officials, former chiefs of police, former DC Police Chief Charles Ramsey, former TRADOC Commander General John Abrams, and Mr. John Hamre, former Under Secretary of Defense in the Clinton administration, a respected voice on defense matters. Between them, the commissioners had more than 500 years of collective military experience and more than 150 years of police experience.

The Commission reported strong progress within the Iraqi Army but much weaker progress among the national police—in fact, unacceptable activity within the police. They called for massive reform and restructuring of the Iraqi police forces.

I asked General Jones and his colleagues in this fashion—I told him that before General Petraeus went to Iraq to take over the effort there, he told us he would define the challenge as being “difficult, but not impossible.” So I asked General Jones:

What are our realistic prospects for a long-term situation in which there is some stability and a functioning government that is not threatening to the United States?

This is what General Jones said:

Senator, I think that General Petraeus's words were correct. I think it is a difficult situation that is multifaceted. It is about bringing about in Iraq not only safe and secure conditions, but a completely different method of government, jump-starting an economy, rule of law. The whole aspect of transition is just enormously complex.

He added this:

And regardless of how we got there, we are where we are. It is, strategically, enormously important not only nationally, but regionally and globally, for this to come out and be seen as a success. And our report, I think, not only unanimous but very hard-hitting in certain areas, intentionally makes the point that there are some good things happening and that we are all excited to see that. That is certainly encouraging, but there is more work that needs to be done. We wanted to be very specific about where we think that work should be done. It doesn't mean it can't be done.

They call for a massive overhaul of the Iraqi police. He said it is difficult and it needs to be done. More progress needs to be made, but it is not impossible. So I followed up with that. I said:

Did any of your commission members, or any significant number of them, conclude that this could not work, that this was a failed effort, or that we ought to just figure

a way to get out of there regardless of the consequences?

Here is General Jones's answer:

I don't believe that there is a commissioner that feels that way. But let me just take a poll right now.

He turned around and surveyed the Commissioners, and they all agreed with General Jones.

Then General Petraeus and Ambassador Corker came before us last week to give their report, which detailed progress on a number of different levels. General Petraeus is one of our most distinguished officers in the Armed Forces. He graduated as an academically "distinguished cadet" from West Point. He was the General George C. Marshall Award winner as the top graduate of the U.S. Army Command and General Staff College, class of 1983. He also has a master's and a Ph.D. from Princeton, and he served as a professor at West Point. He is on his third tour in Iraq.

I know a lot of people in this body think they have figured out how to deal with Iraq. He spent 2 full years there and now over a half a year again in Iraq dealing with these circumstances. He is a very capable person, as anyone can well see.

Well, I have been to Iraq six times. On the first trip, I met General Petraeus. He commanded the 101st Airborne in Mosul. They were achieving some fine success and reconciliation. They were able to catch Saddam's sons, Uday and Qusay. He worked with Alabama engineering National Guard units impressively, in my opinion, to bring them on line in an effective way. I was impressed in my meeting with him.

The next year, he came home, and then they asked him to go back to train the Iraqi Army. He went back and took charge of that operation and spent a year doing that in Iraq, meeting people in Baghdad and getting a real feel for that country. Then he came home.

When he got home, he wrote the counterinsurgency manual for the U.S. Department of Defense, which details the principles and tactics that can work to defeat an insurgency. In fact, insurgencies can be defeated if you have a sustained and intelligent policy that is well led. So he wrote that manual, and President Bush met with him and decided to send him back a third time in January, and he asked him to lead this effort. He has been doing so with integrity, skill, and effectiveness. As a matter of fact, one commentator said even in the early months you could feel that there was a new atmosphere and a new strategic vision and new leadership. It was filtering down throughout the system.

So to have a group like MoveOn.org suggest—not suggest but call him a traitor and a liar, that is despicable. I cannot imagine anybody who would not condemn such a statement. This is a patriot of the highest order. We have asked him to go into harm's way for the third time to serve the national in-

terests of the United States, not serve President Bush—to serve this Congress, by a 80-to-14 vote in May.

So I am telling you that we need to get serious. We sent him there by a unanimous vote, confirmed him to be commander, and we voted to fund the operation, fund the surge. That wasn't President Bush who put up the money; we put it up. We asked him to come back and give us a report on how well it is going. We asked an independent commission to give us another report. We asked the GAO to give us a report. We have gotten those reports, and it is now time for this Congress to make some decisions. It is just that serious. This is a very important matter for the United States. It is important for us.

You tell me about the morale of the military. People say the morale of the military is not well. They are doing beyond anything I could expect. Reenlistments remain very high. I have to be amazed at that, and I know others are. We have a good reenlistment rate, and we are able to retain people and bring people into the military. They are going to Iraq and serving ably. As a matter of fact, in a moment, I will share a report from some of our Alabama people who came by to see me and what they had to say about their tour there. So we have done this, and we are now at a point where we have to make some decisions.

I have been asked: Well, has the situation changed since General Petraeus has made his report? I think it has, mainly because of what he said, not how he said it. I asked him back in January at his confirmation hearing would he always be truthful with the Congress and the American people about the status of this war and would he tell us if he didn't think he could be successful. He said that he would.

I asked him at this hearing: General Petraeus, when you came before us in January, before you went to Iraq, you had previously told me that no matter what happened, you would tell the Congress the truth. He told me that in private the night before. So the next morning, I asked him: Will you tell the truth to the American people? He committed that he would. So at this hearing last week, I asked him:

Have you, to the best of your ability, told this Congress the truth about the situation in Iraq today?

He said:

I have, yes, sir.

You can call him a liar if you want to. I don't. I believe he gave us the truth as he had the ability to give it to us.

I asked him further:

General Petraeus, in your opinion, is there a circumstance in which—in your opinion, is this effort in Iraq such that we cannot be successful, that we would be putting more effort in a losing cause if we continue it, or, in your opinion, do we have a realistic chance to be successful in this very important endeavor?

He replied:

Sir, I believe we have a realistic chance of achieving our objectives in Iraq.

So we received the reports and the information. What did some of that information tell us? I cannot tell my colleagues or the American people that this will continue, but, remarkably, violence in Baghdad is down dramatically. Remember, it was the President and everybody who acknowledged that if the large capital city could not be stable and was sinking into violence, there is no way we could have a peaceful settlement in Iraq and reconciliation and make progress. We had to reduce violence in Iraq. The report General Petraeus gave us and the charts he produced showed that civilian deaths in Iraq, in Baghdad, were down 70 percent. In his report, he declared that civilian deaths throughout the nation of Iraq were down 55 percent. Now, that is really big. Remember, the surge didn't reach full strength until June or July. He has only had the full surge in place for a month or two. So this is really big.

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

Mr. SESSIONS. Yes.

Mr. KERRY. On his own charts, he showed that two-thirds of the reduction of violence took place before our troops even got there; isn't that right?

Mr. SESSIONS. Mr. President, I will respond to that. I don't believe that is accurate.

Mr. KERRY. That is the chart, Mr. President.

Mr. SESSIONS. The most dramatic reductions in violence occurred in the last months of August and September. Regardless of that, I would say the Senator is making a point I think I can agree to—that it is not just the number of troops that are affected. General Petraeus is executing a strategy utilizing counterinsurgency tactics that are more suited to the problems in Iraq and are proving to be more effective in reducing violence and protecting the civilian people in Iraq.

Mr. KERRY. I further ask the Senator, if the civilian deaths are down to such a degree that Baghdad is such a security success, why did the Iraqi Legislature not reconcile on the issue of oil or debaathification?

Mr. SESSIONS. I will give my best answer to that. We had the President of the United States and the majority leader in the Senate say we had to have an immigration bill. They tried to pass it right here on the floor of the Senate. They could not pass it. The President could have stood on his head, and that bill would not pass.

Just because we think we can order the Iraqi Parliament to vote out some law doesn't mean they can do that. So I am really worried about it, frankly. I am fully willing to acknowledge that it is a very troublesome development that the Iraqi Parliament hasn't been able to pass laws to carry out some of these needed reforms. But I don't think they are going to be more likely to be effective in passing legislation if we precipitously withdraw, allowing violence to increase again and whatever

else might happen, with Iran expanding its influence.

I have to tell you that the substantial reduction in violence we have seen is not small. This is really large. If you told me when the surge started that we would see a 70-percent reduction in civilian deaths in Baghdad, I would not have believed it. I would have thought that would be more optimistic than I was prepared to be. So whether it will hold, I don't know. We have seen some improvement.

I know the Senator from Massachusetts would like to speak. I will just conclude by saying, OK, we have had these reports, we have seen this progress, and we know what the difficulties are. I have decided, based on General Petraeus's testimony, the Crocker testimony, the Jones Commission report, and other information we have, that things are moving in a better direction.

I personally believe it is the new tactics, not so much the number of soldiers. I am very happy General Petraeus has concluded he can draw down troops while maintaining this progress of reducing violence. In fact, he has recommended that within the next few weeks, a Marine unit not be replaced. So that represents an initial reduction in our forces within a few weeks. Then the next reduction will come before Christmas will be an Army brigade, and he would have 30,000 troops withdrawn by next summer and would report to us again in March on whether he could continue this rate of reduction or accelerate it.

There is not that much difference, I say to my colleagues, in what we want. Senator LEVIN wants to see troops withdrawn. He wants to see a stable Iraq. The question is, Do we do it with a mandated withdrawal rate dictated by Congress or do we do it in harmony with the situation on the ground that leaves us in the best possible position to allow a stable, peaceful Iraq, an ally to the United States, to exist?

I think we should accept the report. We should see this as good news, celebrate that some progress has been made and recognize that serious challenges are out there. I do believe Congress has every right to monitor this situation closely. We have every right to reject the President's recommendation, to reject General Petraeus's recommendation, to cut off funds and order our troops home if we so desire. I think that would not be a good decision. I think it would not be in the long-term interests of the United States of America. Therefore, I oppose the Levin amendment.

I yield the floor.

The PRESIDING OFFICER (Mr. SANDERS). The Senator from Michigan.

Mr. LEVIN. Mr. President, I believe Senator NELSON was scheduled to be the next speaker on this side of the aisle. He had to do that before 7 o'clock, so he will be unable to take that position. Senator KERRY is next in line on this side. However, I understand

he is going to yield to Senator KENNEDY for a couple minutes for him to offer a unanimous consent agreement.

I thank Senator KERRY for his patience, as always. There is a lot of confusion and difficulty in scheduling speakers. He has been extremely patient. I appreciate it a great deal.

I wonder if Senator KENNEDY can be recognized for a couple of moments to propound a unanimous consent request, and then Senator KERRY can be recognized.

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

Mr. KENNEDY. Mr. President, I thank Senator LEVIN and my colleague and friend, Senator KERRY.

#### FOOD AND DRUG ADMINISTRATION AMENDMENTS ACT OF 2007

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3580, received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 3580) to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and for medical devices, to enhance the postmarket authorities of the Food and Drug Administration with respect to the safety of drugs, and for other purposes.

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

Mr. KENNEDY. Mr. President, every day, families across America rely on the Food and Drug Administration in ways they barely realize. When they put dinner on the table, they are counting on FDA to see that it is free from contamination. When they care for a sick child, they are trusting FDA to make sure the drugs prescribed are safe and effective. From pacemakers to treatments for cancer to the foods we eat, FDA protects the health of millions of Americans, and oversees products that account for a quarter of the U.S. economy. The agency does all this on a budget that amounts to less than 2 cents a day for each citizen.

Yesterday, the House of Representatives approved legislation on FDA reform by a broad bipartisan majority of 405 to 7. Our House colleagues from all parts of the political spectrum united to send that bill to the Senate with a resounding bipartisan endorsement. We cannot wait another month, another week—or even another day. We must take action here and take action now to send that bill to the President.

The stakes could not be higher. Funding for the FDA's vital safety mission is reaching the breaking point. Unless we act, the FDA Commissioner will send a letter tomorrow to over 2,000 employees informing them that their jobs are slated for termination. This legislation provides nearly \$500 million in new resources for FDA—including over \$50 million for drug safety and \$6 million for review of direct to consumer ads.

Americans are worried about the safety of the products they use—from food to toys to drugs—and they are right to be worried. Dangerous lapses in safety oversight have exposed American families to intolerable risks from lead paint in toys, to bacteria in foods, to drugs that cause unreported and lethal side effects. The right response is comprehensive, considered and bipartisan legislation—and that is what we have before us today.

At the heart of our proposal is a new way to oversee drug safety that is flexible enough to be tailored the characteristics of particular drugs, yet strong enough to allow decisive action when problems are discovered.

A second major element of our legislation is a public registry of clinical trials and their results. A complete central clearinghouse for this information will help patients, providers and researchers learn more and make better health care decisions. Now, the public will know about each trial underway, and will be able to review its results.

Our bill recognizes that innovation is the key to medical progress by establishing a new center, the Reagan-Udall Foundation, to develop new research methods to accelerate the search for medical breakthroughs.

The bill helps preserve the integrity of scientific review by improving FDA's safeguards against conflicts of interest on its scientific advisory committees, and it will end the abuse of citizens petitions that are too often used not for their intended purpose of bringing important public health concerns to the attention of the FDA, but rather to delay the approval of generic drugs.

The proposal before the Senate today strikes the right balance on this issue. It rightly states that the mere filing of a citizen petition should not be cause for delay, but allows FDA to delay the approval of a generic application if it determines that doing so is necessary to protect public health. This is the right approach. It prevents abuse, but protects health.

The legislation also includes important reforms of direct-to-consumer, or DTC, advertising. I thank Senator ROBERTS and Senator HARKIN for working with Senator ENZI and me and with many members of the committee on this important provision.

Instead of the moratorium included in our original bill, the current proposal puts in place strong safety disclosures for DTC ads, coupled with effective enforcement. Under current law, safety disclosures can be an afterthought—a rushed disclaimer read by an announcer at the conclusion of a TV ad while distracting images help gloss over the important information provided. Our proposal requires safety announcements to be presented in a manner that is clear and conspicuous without distracting imagery. We also give FDA the authority to require safety disclosures in DTC ads if the risk profile of the drug requires them.