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No. 141

## House of Representatives

The House was not in session today. Its next meeting will be held on Monday, September 24, 2007, at 12:30 p.m.

## Senate

FRIDAY, SEPTEMBER 21, 2007

The Senate met at 9:15 a.m. and was called to order by the Honorable SHELTON WHITEHOUSE, a Senator from the State of Rhode Island.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God of all nations, Lord of all people, thank You for a land where we can believe that our rights and freedom come from You. We praise You for Your gifts of life, liberty, and dreams, and for those who make daily sacrifices for freedom. Forgive us when we fail to live up to our high heritage, and infuse us with a grace that transforms us into instruments of Your purposes.

Empower our Senators to protect and guard the foundations of our liberty so that America will bless the world. When our lawmakers are weary, replenish their spirits with the inspiration of Your presence, and never forsake them in their hour of need. Bellow the flickering embers of their hearts until they are white-hot again with the fires of patriotism, vision, service, and hope.

As many people prepare for Yom Kippur, we thank You for Your atoning sacrifice that purchased our freedom.

We pray in Your marvelous Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable SHELTON WHITEHOUSE led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, September 21, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SHELTON WHITEHOUSE, a Senator from the State of Rhode Island, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. WHITEHOUSE thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, this morning the Senate will immediately resume consideration of the Defense Department authorization measure and conclude debate on the Levin-Reed amendment. Debate time until 9:50 this morning is equally divided and controlled between Senators LEVIN and MCCAIN. The two leaders will control the time between 9:50 and 10 a.m., with myself controlling the last 5 minutes,

the vote occurring at 10 a.m. At 10 a.m., that will be the only vote to occur today.

I very much appreciate the cooperation of all Senators, Democrats and Republicans, that we worked out our problems on Monday so that we can vote on the very long-standing issue. We should have done it, but we didn't, but I am glad we are doing it now—the WRDA bill. It is bipartisan; Senators BOXER and INHOFE worked on it very hard. We are going to finish this Monday night. There will be work done on the Defense authorization bill on Monday. People can come and offer amendments, debate measures—whatever the managers feel is appropriate. Hopefully we can clear some amendments on that occasion.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 1585, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1585) to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S11919

Nelson (NE) (for Levin) amendment No. 2011, in the nature of a substitute.

Warner (for Graham/Kyl) amendment No. 2064 (to amendment No. 2011), to strike section 1023, relating to the granting of civil rights to terror suspects.

Levin/Reed amendment No. 2898 (to amendment No. 2011), to provide for a reduction and transition of U.S. forces in Iraq.

Kyl/Lieberman amendment No. 3017 (to amendment No. 2011), to express the sense of the Senate regarding Iran.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 9:50 a.m. will be equally divided between the Senator from Michigan, Mr. LEVIN, and the Senator from Arizona, Mr. MCCAIN.

Who yields time?

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

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

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

Mr. LEVIN. I also ask unanimous consent that the time of the quorum be equally divided and that apply retroactively.

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

Mr. LEVIN. Mr. President, I yield 5 minutes to the Senator from Rhode Island.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island is recognized.

Mr. REED. Mr. President, I thank my colleague, Senator LEVIN, for yielding time and also for being the principal author of the Levin-Reed amendment, the amendment we are considering today. There will be a vote shortly. The amendment recognizes that we have responsibilities in Iraq, but it also recognizes the constraints we face in Iraq.

The first principal constraint is a lack of sufficient forces to maintain the current force level there. That alone must drive a change in mission for our military forces in Iraq. But it also recognizes the fundamental dynamic in Iraq, which is a political dynamic. It is a political dynamic that must be achieved, not by the United States but by Iraqi political leaders. When the President announced the surge in January, he made it very clear that the whole purpose was to provide these leaders with the political space and the climate to make tough decisions. Frankly, those decisions have not been made.

What we have gained on the ground has been tactical momentum. Any time you insert the greatest Army and Marine Corps and Air Force and Navy in the world into a situation, you are going to make progress—and we have. But the real question there is, Will that progress last when we inevitably

begin to draw our forces down, as General Petraeus has announced? I think most people would suggest probably not.

So we are left with the reality on the ground and the reality here at home—waning support for a policy that the American people believe is misguided and has been incompetently executed by the administration. We have to change the mission, and the core of the Levin-Reed amendment is to change that mission, to go away from an open-ended “we will do anything you want, Mr. Maliki, even if you don’t do anything we want” to focused counterterrorism, training Iraqi security forces, and protecting our forces. It also recognizes that we have to have a timeframe in which to do those things.

I am encouraged and I think all should be encouraged that a year ago when we started talking about initiating withdrawal of forces from Iraq, that was an item which was not only hotly debated on the floor but severely criticized.

General Petraeus has told us he will propose and will probably implement a withdrawal of forces before the end of this year. That is part 1 of the Levin-Reed approach. The second is to begin a transition to these missions, and we hope that can be accomplished in a very short period of time. Finally, we would like to see these missions fully vetted, fully set out and implemented on the ground, moving away from the open-ended approach within a fixed period of time. This approach, together with a very aggressive diplomatic approach, we believe is the key to contributing not just to the stability of Iraq but to the long-term interests of the United States in the region and the world.

I hope we are able to agree to this amendment, to pick up support. We have listened to General Petraeus. Frankly, he has in part agreed with us, in terms of beginning withdrawal. He has suggested, but not definitively, that some transition sometime down the road must take place. But I think—surprisingly to me, at least—when asked what should we do in the next year, he essentially said: I can’t tell you until next March, and then I will tell you. We have to have a plan, a strategy for this country that certainly goes beyond next March. The world and our strategic interests will not start and stop in March. They are continuous, they are challenging, and we have to face the best course of action going forward. We believe—I believe strongly—this is the best course of action.

This war in Iraq has cost billions of dollars. More profoundly and more fundamentally, it has taken the lives of over 3,700 American service men and women. It has injured countless. I think the American public is genuinely not only concerned but in a literal sense heartbroken about what is going on. They are asking us—indeed, demanding of us—if the President is un-

willing to act, that we act to change the course, to provide a strategy and a policy that is consistent with our interests, with our resources, and with our ideals that will help us move forward.

I hope in the next several minutes as this vote comes to the floor that the message of the American people will be heard and heeded and that we will adopt the Levin-Reed amendment.

I yield my time.

Mr. LEVIN. I suggest the absence of a quorum and equally divide the time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will call the roll.

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

Mr. LEVIN. Mr. President, I yield myself 4 minutes.

There is a lot of disagreement about Iraq policy, how we got into the quagmire we are in there, the failure to plan properly, the disbanding of the Iraqi Army, the lack of a plan for the aftermath and a number of other issues which have been the subject of great debate.

There is a consensus on a number of issues. It is that consensus which drives the Levin-Reed amendment. There is a consensus that we have an important stake in a stable and independent Iraq. Everyone agrees on that. The opponents of this amendment like to suggest that somehow or other the proponents are not interested in a stable and independent Iraq. It is exactly the opposite. We are as interested in that as are the opponents.

The question is, Are we moving in that direction? Is the current policy working or do we need to change course? Do we need to find a way to put pressure on the Iraqi leaders to reach political settlement as the only hope of achieving an independent and stable Iraq?

That is not the proponents of this amendment who are saying a political settlement is not the only hope of ending the violence and achieving stability, that is not just the proponents, that is a consensus point. General Petraeus acknowledges that very openly. The Iraq Study Group says that. General Jones and his group say that.

There is no solution that ends the violence that is not based on a political coming together of the Iraqi leaders. They have to accept responsibility for their own country. They have to meet the benchmarks they themselves have set for themselves. They have missed those benchmarks and the timelines that were set out by themselves for those benchmarks.

We have to change course because we have been through now longer than we fought World War II, we have been there longer than we fought the Korean

war, we have spent half a trillion dollars or more, we have lost almost 4,000 of our brightest and bravest men and women, seven times that many wounded, \$10 billion a month.

We have to change the dynamic in Iraq, and that dynamic can only be changed when those Iraqi leaders realize the open-ended commitment is over. If we simply say, as the President says: Well, we will take another look in March, we will see what direction we are going to go in March, whether we are going to reduce our presence below the presurge level, but we will do that in March, that is a continuation of the message which this administration has been delivering to the Iraqi leaders year after year: We are going to be patient. We are going to be patient. The President has, a dozen times, said the American people need to be patient.

It is the opposite message that has a chance of working for the Iraqi leaders, that we are mighty inpatient here in America, with the dawdling of the political leaders in Iraq, who are the only ones who can achieve a political settlement. We cannot impose that on them, only they can reach it.

If they keep thinking we are not going to put the pressure on them, we are going to be their security blanket, we are going to protect them in the Green Zone, we are going to continue to lose our lives and squander our resources while they dawdle, they are making the major fundamental mistake which is going to keep the violence going.

We have to correct that. We have to change that. We have to force those leaders to accept the responsibility for their own country.

Now, the Iraq Study Group pointed to the relationship between putting pressure on the Iraqi leaders and having them reach an agreement. This is what the Iraq Study Group pointed out now almost a year ago: That an open-ended commitment of American forces would not provide the Iraqi Government the incentive it needs—the incentive it needs—to take the political actions that give Iraq the best chance of quelling sectarian violence.

I yield myself 1 additional minute. In the absence of such an incentive, the Iraq Study Group said, the Iraqi Government might continue to delay taking those actions.

That is the connection this amendment makes. What Levin-Reed says is: We are not going to withdraw precipitously, we are not going to totally withdraw, we have interests there that require us to keep some troops there. But we have the need to change that mission.

The President talks about the possibility, but he does not do it now. He does not say: we are announcing we are going to change our mission to a support mission, out of the middle of a civil war. We are going to change our mission to supporting our own people. We are going to change our mission to going after terrorists, a targeted coun-

terterrorism mission, we are going to change our mission so that we are going to, yes, continue to support the Iraqi Army, to supply the Iraqi Army, but we are getting out of the middle of a sectarian battle for our sake and for the sake of the Iraqi people, to force those leaders to take responsibility for their own nation.

So it is not precipitous. We provide a reasonable timeline. We say the troops that need to be withdrawn as part of that transition to those new missions will be withdrawn within 9 months.

Mr. President, I yield the remainder of my time.

I yield the floor.

Mr. GRAHAM. Mr. President, how much time is remaining on our side?

The ACTING PRESIDENT pro tempore. Twelve minutes.

Mr. GRAHAM. Mr. President, I yield 5 minutes to Senator INHOFE from Oklahoma.

Mr. INHOFE. Mr. President, I think we need to be real clear what we are talking about. What we are talking about is telling the enemy what we are going to do. If there is one thing they have said, our military has said we cannot do, is to leave precipitously and let them know when we are going to do it. But that is what we are talking about.

You know, when General Petraeus came a couple of weeks ago, I knew exactly what he was going to say because I was over there—I have been over there actually 15 times in the AOR of Iraq, not always in Iraq, sometimes Afghanistan, Djibouti and all of that.

But I have watched very carefully, from time to time when I have been there, what progress has been made. I was in shock the last two trips we took. The last two trips, it was so evident in that one area, starting with Anbar, where most of the problems were. And I was in Anbar Province, in Fallujah, during all the elections that took place, and it was chaos up there. We remember our marines going door to door World War II style and all the things that were going on there. It is now totally secure. It is not secure under us, it is secure under the Iraqi security forces.

We remember only a year ago the terrorists said Ramadi was going to be the terrorist capital of world. It is now secure. All of the way through down there, south of Baghdad, the same thing is happening.

What has happened with this surge are three different things: No. 1, the surge itself. That is more people. No. 2, we had General Petraeus going in. No. 3, they did get the message from some of these surrender and cut-and-run resolutions that there was the threat that we would pull out, and, consequently, the Iraqi security forces have done things they have never done before.

I learned something when I was over there, and that was it is not the political leaders, it is the religious leaders who are calling the shots. Our intelligence goes to all the weekly mosque

meetings. Prior to the surge, 85 percent of the mosque meetings were anti-American messages. Since the surge, since April, there hasn't been one.

So this is the kind of progress that is being made. We now have volunteers going out there with spray cans, putting circles around the undetonated IEDs, doing this on their own, risking their own lives to help Americans.

We have this imbedded program, where they actually go in joint security stations and live with the Iraqis. It is something that has been very successful in developing close relationships. So this is the kind of success we are having.

I was up in Tikrit the other day. Remember, that is Saddam Hussein's hometown. Even up there, in that home territory up there, with the exception of Diyala, it all looks real good. That is the bottom line. We have success.

If we pass something now that tells them, in a period of time you can expect us to leave, and this is what we are going to do, we are giving them our playbook. If you look and see what some of our top leaders have said about that, General Petraeus said: We cannot leave without jeopardizing the gains we have started to achieve.

Those are the gains I talked about. Secretary Gates said: If we were to withdraw, leaving Iraq in chaos, al-Qaida most certainly would use Anbar Province as another base from which to plan operations.

This is the type of thing we would be doing. I cannot imagine anyone would vote for any type of amendment that would tell the enemy specifically what we were going to do and when we were going to do it.

Ambassador Crocker says: I cannot guarantee success in Iraq. I do believe, as I have described, it is attainable. I am certain that abandoning or drastically curtailing our efforts will bring failure, and the consequences of such failure must be clearly understood by us all.

What are those consequences? It would be a vacuum. We have heard loudly and clearly from such people as President Ahmadi-Nejad who said:

I can tell you there will be a power vacuum in the region. [This is if we leave precipitously.] We are ready with other regional countries such as Saudi Arabia, and the people of Iraq to fill that vacuum.

In other words, we leave, Iran comes in, al-Qaida comes in, all the advances, all the sacrifices, all the lives that have been lost will have been lost in vain.

I cannot imagine anyone would vote for this amendment. I encourage my fellow Senators to oppose it.

I yield the floor.

Mr. GRAHAM. Mr. President, how much time remains?

The ACTING PRESIDENT pro tempore. There is 7 minutes 10 seconds.

Mr. GRAHAM. Mr. President, this has been a very spirited and meaningful debate. The amendment that has

been offered by two people I respect greatly. I do not question their motives about loving our country anymore than I do. They are trying to find out what is best for Iraq and a very difficult situation. We have an honest disagreement.

I think it has been a very healthy debate of reaching the same goal; that is, a successful outcome in Iraq. But make no mistake about it, from my point of view, the reason I oppose this resolution, it is a change in military strategy.

Senator REED talked about similarities between what General Petraeus said and what this resolution would do. There are some similarities, but it is a fundamental change in military strategy. After General Petraeus testified, is that wise for us to do that? Is it wise for the Congress to basically take operational control of this war from General Petraeus?

Because that is what this resolution would do, it restructures our forces in a way he did not recommend. It would be a very overt rejection of General Petraeus's leadership, his strategy, his vision, and his recommendations. I think we need to understand that would be the consequence of passing this resolution.

It would be saying, respectfully, no to General Petraeus and yes to the Congress in terms of how to run a war. I think that is not wise. It is the de facto return to the old strategy. For 3½ years, we had the strategy on the ground in Iraq that did not produce results that were beneficial.

I am a military lawyer, and I have no expertise about how to invade a country or manage a population once the invasion is over. But I can tell you this based on common sense and 3½ years of experience. The old strategy was not working. The first trip to Baghdad after the fall of the capital, you were able to move around, it was a bit chaotic, but you were able to go downtown and do some things you have a hard time even doing today.

But by the third trip to Baghdad after the fall, we were in a security environment, almost in a tank. So it was clear to me, training the Iraqi troops, having a small military footprint, was not achieving the security we needed for reconciliation. And the few "dead-enders" were the most resilient people in the world. If the insurgency was in its last throes, it was a deep throe.

Every time I asked the people coming back who were running the old strategy and testifying to Congress, what is the general number of insurgents, about 5,000 hard-core insurgents. It is the most resilient 5,000 in the world. They were able, certainly, to do a lot of havoc. Thank goodness we changed strategies.

Senators LEVIN and REED and others have been arguing for a very long time to change course and change strategies. The President heard that call. He sat down with military leaders and put a new commander in the field. We have,

in fact, changed strategies. What did we do? We went a different way. Instead of withdrawing troops and doing more of the same, we added troops. As Senator INHOFE said, it is the best thing we have done. These additional 30,000 combat troops being interjected into the battlefield have paid off in security gains we have never seen before.

Hats off to the surge. To those who are part of the surge, those who have been in Iraq for a very long time, I acknowledge and respect your success because the success has been undeniable. The challenges are also undeniable. But without the surge, there would have been no turnaround in Anbar. The people in Anbar had had enough of al-Qaida. We can't take credit for that. Al-Qaida overplayed its hand, and we had additional combat power in place to take advantage of a population that was ready to make a choice, a choice for the good. Their rejection of al-Qaida is not national political reconciliation, it is not embracing democracy. But it is good news because you have Sunni Arabs rejecting the al-Qaida agenda, and that is great news.

This resolution not only is a rejection of General Petraeus's strategy, his vision for how to be successful, it has an impractical effect. The rules of engagement one would have to draft around implementing this strategy are almost impossible from my point of view. Just to train and fight al-Qaida, how do you do that, when you have all kinds of enemies running around Iraq, including Iran, including sectarian violence? The idea that we are going to change missions and adopt this resolution as a new mission and have such a limited military ability is unwise and impractical.

It is a dangerous precedent for the Congress to set to withdraw from a military commander who has been successful the power to implement a strategy that has proven to be successful.

The basic premise of the resolution is, if we change strategies, reject General Petraeus and go to the old strategy, which is, in essence, what we would be doing, it would bring about better reconciliation. My fundamental belief is that we will never have political reconciliation until we have better security. The new strategy, the surge, has brought about better security than we have ever had before in Iraq. Even though it is still a very dangerous place, there is no evidence to suggest that reconciliation would be enhanced by rejecting Petraeus and adopting the Congress's plan for Iraq. Quite the opposite. I think all of the evidence we have before us is that a smaller military footprint, when you are training and fighting behind walls, empowers the enemy. If we adopted this resolution, the security gains we have achieved would be lost. We would be abandoning people who have come forward to help us. We wouldn't have the military power to seize the momentum that has been gained from the surge. We would actually roll back the mo-

mentum that has been gained. We would put people at risk who have come forward to help us. For example, 12,000 people have joined the police force in Anbar in 2007. In 2006, only 1,000 people joined the police in Anbar. There is local reconciliation going on. There is a realization by the Iraqi people that now is the time to step forward. Their politicians are lagging behind the local population, but it will not be long before Baghdad understands that they have to reconcile their country through the political process. They will only do that with better security.

When you reach across the aisle in America, you can pay a heavy price in terms of your political future. When you reach across the aisle in Baghdad, your family can be killed. Better security will breed more political reconciliation, not less. To abandon this strategy now, to substitute the Congress's judgment for General Petraeus's judgment, is ill-advised and unwarranted. Quite frankly, General Petraeus and the troops serving under him deserve our support and our respect, and they have earned the ability to carry on their mission. They have earned, based on success on the battlefield, the right to move forward as they deem to be militarily sound.

The Congress is at 11 percent. Part of the reason we are at 11 percent is that we don't seem to be able to come together and solve hard problems. Why do we believe we have a better insight into how to win this war than a battlefield commander who has produced results never known before? I don't think we do.

I will end this debate in a respectful manner. We have the same goal, and that is to bring about political reconciliation and success in Iraq. Unfortunately, this goes backwards at a time when we need to go forward.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

● Mr. DURBIN. Mr. President, today I am necessarily absent to attend a funeral, and therefore will miss rollcall vote No. 346 on the Levin-Reed amendment to provide for a reduction and transition of U.S. forces in Iraq. As a cosponsor of this amendment, had I been present, I would have voted "yea."

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

● Mrs. BOXER. Mr. President, I support passage of the Levin-Reed amendment and a new course of action in Iraq.

This amendment makes three significant and important changes in our involvement in Iraq that to this point the administration has been unwilling to make, even though the American people have been demanding change for over a year.

First, it removes our troops from the civil war they are now policing and gives them three achievable missions:

to conduct targeted counterterrorism operations against al-Qaida and affiliated terrorist organizations; to train and equip Iraqi Security Forces; and, to provide security for U.S. personnel and infrastructure.

Second, the amendment calls for the safe redeployment of those troops not required for these three missions beginning in 3 months and to be completed within 9 months of this bill's passage.

And finally this amendment acknowledges what we have known all along that there is no military solution to this conflict. It calls for the implementation of a comprehensive diplomatic, political, and economic strategy to jump start the process of reconciliation and stability. This strategy would include sustained engagement with Iraq's neighbors and the international community and the appointment of an international mediator in Iraq under the United Nations Security Council. The mediator would have the authority to engage the political, religious, ethnic, and tribal leaders in a political process that aims to avoid no one wants—regional civil war.

For nearly 5 years, our troops have done everything asked of them. It is time for Iraqis to provide the security for their own country. I urge adoption of the Levin-Reed amendment.●

The ACTING PRESIDENT pro tempore. Under the previous order, the time between 9:50 and 10 a.m. will be equally divided between the two leaders or their designees, with the majority leader or his designee controlling the final 5 minutes.

Mr. MCCAIN. Mr. President, with this vote, the Senate faces, once 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 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. After nearly 4 years of mismanaged war, the situation on the ground in Iraq shows demonstrable signs of progress. Understanding 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—it is inconceivable that we in Congress would end this strategy just as it is beginning to show real results.

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, LTG Ray Odierno, said yesterday that the 7-month-old security operation has reduced violence in Baghdad by some 50 percent, that car bombs and

suicide attacks in Baghdad have fallen to their lowest level 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 insurgent control. Today, he said, "only five to six districts can be called hot areas." Anyone who has traveled recently to Anbar, or Diyala, or Baghdad, can see the improvements that have taken place over the past months. With violence down, commerce has risen and the 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.

No one can guarantee success or be certain about its prospects. We can be sure, however, that should the United States 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 us make no mistake 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—in many more desperate fights to protect our security and at an even greater cost in American lives and treasure.

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 safehavens 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 Ira-

nian dominated Middle East that is roiled by wider regional war and riddled with terrorist safehavens.

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 catalogue of mistakes in the prosecution of this war will be stern and unforgiving. But history will revere the honor and the sacrifice of those Americans, who despite the mistakes and failures of both civilian and military leaders, shouldered a rifle and risked everything—everything—so that 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 our mission, for we do not fight only for the interests of Iraqis, Mr. President, we fight for ours as well.

In this moment of serious peril for America, we must all of us remember to who and what we owe our first allegiance—to the security of the American people and to the ideals upon which we our Nation was founded. That responsibility is our dearest privilege and to be judged by history to have discharged it honorably will, in the end, matter so much more to all of us than any fleeting glory of popular acclaim, electoral advantage or office. I hope we might all have good reason to expect a kinder judgment of our flaws and follies because when it mattered most we chose to put the interests of this great and good Nation before our own, and helped, in our own small way, preserve for all humanity the magnificent and inspiring example of an assured, successful and ever advancing America and the ideals that make us still the greatest Nation on Earth.

Mr. GRAHAM. Mr. President, I don't believe Senator McCONNELL is coming.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, it is morning here in Washington. It is dusk in Baghdad. As we debate this war yet again at home, another day draws to a close for our troops in Iraq. Tonight they will sleep on foreign sand. Tomorrow they will draw yet again from an endless well of courage to face another day of war. Some will likely die. Many will surely be wounded. They will face hatred they did not create and violence they cannot resolve.

One soldier described the average day as "being ordered into houses without knowing what was behind strangers' doors . . . walking along roadsides fearing the next step could trigger lethal explosives."

The soldier who told that story tragically took his own life while on his second deployment. His name was PFC Travis Virgadamo of Las Vegas. Travis was 19 years old when he took his life.

As our troops rise in the morning, so will millions of innocent Iraqi citizens. Today thousands of Iraqis will abandon their homes and neighborhoods to flee as refugees to Iran, Jordan, Syria, and other countries. Those Iraqis who remain will face what has become the daily norm of life in Iraq—water shortages, no electricity, the constant threat of violence, and, as we learned today, cholera, an ancient disease that has now hit the ancient land of Iraq. Remember, 1.2 million Iraqis have been killed since our military invasion. Our 160,000 or 170,000 courageous troops and those innocent Iraqi men, women, and children will wake on the 1,646th day of this war, 1,646 days and nights of war. I repeat, 1.2 million Iraqis have been killed since our military invasion.

Here in Washington, DC, we have a choice to make minutes from now. If we reject this amendment before us, this war will rage on and on, with no end in sight. Our troops will remain caught in the crossfire of another country's civil war. Our Armed Forces will continue to be strained to the breaking point. But there is a choice. There can be light at the end of this long, dark tunnel. If we stand together and adopt this amendment, today can be known as the first day of the end of this war, the first day Congress fulfills its constitutional duty to have a plan to bring our soldiers and marines home. We can begin to return our troops to safety and give them the hero's welcome that has been earned and so long in coming. We can refocus our efforts on reaching the political solution that all experts, even the President's own generals, agree must be achieved. And we can return our focus to the grave and growing threat we face from Osama bin Laden and his al-Qaida network, and others, who have the will and capability to do us harm.

I stand today with my colleagues, Senators LEVIN and REED, in support of this amendment. This is a terrific piece of legislation, legislation that recognizes the duties of this separate and equal branch of Government, the legislative branch. I am grateful for the few Republicans who have shown the courage to join us in a quest to end suffering, sorrow, and terror. Countless words, reams of paper, and so much ink have been spent on the Iraq debate in the Senate and in the country. So let me add this morning that this amendment is a reasonable and responsible way forward. This amendment sets a binding path well within our constitutional authority and without compromising our national security interests. This vote will come down to a question of courage and wisdom.

President John Kennedy said:

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 human morality.

In just a few hours it will be sundown, beginning the holiest day of the year for those of the Jewish faith, Yom Kippur. Reflecting on that, one needs only to look at the Old Testament, the book of Job, where Job asks: "But where shall wisdom be found?"

I say wisdom lies with the American people, a strong majority of Democrats, Republicans, and Independents who so oppose this war. I hope wisdom is found on the Senate floor today as well; that we follow the wishes, the demands, the hopes, and the prayers of the American people. When our grandchildren and generations to come study this war and this Government, I pray they will be able to say this was a turning point in a war that has cost us so much. I ask my Republican colleagues for the courage and wisdom to join the American people and bring our troops home. Courage and wisdom demands that we do such.

I ask unanimous consent to start the vote. We will make sure that everyone has ample time to vote. We will vote as if it started at 10.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. REID. I ask for the yeas and nays.

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

There appears to be a sufficient second.

The question is on agreeing to amendment No. 2898.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from California (Mrs. BOXER), the Senator from Illinois (Mr. DURBIN), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. MCCONNELL. The following Senators are necessarily absent: the Senator from Utah (Mr. BENNETT), the Senator from New Mexico (Mr. DOMENICI), and the Senator from Mississippi (Mr. LOTT).

Further, if present and voting, the Senator from New Mexico (Mr. DOMENICI), and the Senator from Mississippi (Mr. LOTT) would have voted "nay."

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

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

[Rollcall Vote No. 346 Leg.]

YEAS—47

Akaka	Hagel	Murray
Baucus	Harkin	Nelson (FL)
Bayh	Inouye	Obama
Biden	Johnson	Reed
Bingaman	Kennedy	Reid
Brown	Kerry	Rockefeller
Byrd	Klobuchar	Salazar
Cantwell	Kohl	Schumer
Cardin	Landrieu	Smith
Carper	Lautenberg	Snowe
Casey	Leahy	Stabenow
Clinton	Levin	Tester
Conrad	Lincoln	Webb
Dorgan	McCaskill	Whitehouse
Feingold	Menendez	Wyden
Feinstein	Mikulski	

NAYS—47

Alexander	DeMint	McCain
Allard	Dodd	McConnell
Barrasso	Dole	Murkowski
Bond	Ensign	Nelson (NE)
Brownback	Enzi	Pryor
Bunning	Graham	Roberts
Burr	Grassley	Sessions
Chambliss	Gregg	Shelby
Coburn	Hatch	Specter
Cochran	Hutchison	Stevens
Coleman	Inhofe	Sununu
Collins	Isakson	Thune
Corker	Kyl	Vitter
Cornyn	Lieberman	Voinovich
Craig	Lugar	Warner
Crapo	Martinez	

NOT VOTING—6

Bennett	Domenici	Lott
Boxer	Durbin	Sanders

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 47, the nays are 47. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is withdrawn.

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

The motion to lay on the table was agreed to.

Mr. REED. Mr. President, I note the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. LEVIN. Mr. President, Senator MCCAIN and I have had discussions with our leader, and I assume on their side, and this course of action has been cleared. Here is what we are proposing to do: The Biden amendment is going to be laid down today. There will be perhaps an hour or so on that amendment—perhaps more; there is no time limit on debate today. There will be no more votes today, as the leaders announced. But on Monday, we will make an effort—let me go back. On Tuesday at 10 o'clock, we are going to have a unanimous consent agreement that the Biden amendment will be voted on at 10 o'clock on Tuesday. That is going to be part of a unanimous consent agreement that is being prepared.

In addition, in terms of the Lieberman-Kyl amendment, there will be some debate on that today, and on Monday, and we will make an effort to see if we can't agree on a time certain on Tuesday, after the Biden amendment is disposed of on Tuesday. But we can't commit to that now. We will make a good-faith effort on Monday to set up that time on Tuesday, after the Biden amendment is disposed of.

Mr. REID. Mr. President, I think we are headed in the right direction. We may have to drag that vote—not drag it but set it for 10:15. We usually don't come in on Tuesdays until 10 o'clock, so would 10:15 be OK?

Mr. BIDEN. I know this is unusual. Mr. President, if we could start that at

10 and we didn't drag it, it would be better.

Mr. REID. I would say to my friend, on Tuesdays we don't come into session until 10 o'clock. There are meetings going on in the Capitol and people can't be here until 10, but we could set the vote for shortly thereafter, 10 after or something like that, but it takes a little while.

Mr. BIDEN. OK. That is not a very senatorial response, but OK.

Mr. MCCAIN. Mr. President, could I say I thank Senator LEVIN, Senator REID, and Senator BIDEN. Senator LIEBERMAN and Senator KYL will be discussing their amendment, which is a very important amendment concerning Iran so that everybody will have a good idea, and they will be discussing it again on Monday—or debating it. I would hope, as the distinguished chairman has said, that we could probably vote on the Kyl-Lieberman amendment very shortly after the vote on the Biden amendment, yet we are unable to put that in concrete. There may be a side by side, there may not be.

I wish to remind my colleagues again, if I could, this is the 13th day of debate now, and we have had 79 hours of debate on this bill. The Wounded Warriors legislation is still waiting, the pay raise, so many other things that are vital to, I believe, the men and women who are serving and the security of this Nation. What I hope—and I know Senator LEVIN who is managing this bill would agree—is that once we finish the Iraq issue, we should be able to move through the other amendments rather quickly. We are obviously running out of time. The first of October is upon us. So I hope we can finish the Iraq amendments as quickly as possible and move on to the 100 or so amendments we have on the bill itself. I thank the chairman for all of the cooperation and hard work he has done on this bill.

Mr. LEVIN. Mr. President, I agree with my good friend from Arizona on the need to move forward. We have literally hundreds of amendments we are working on. At some point next week we are going to have to find a way to end this. We have made efforts with unanimous consent proposals to cut off on amendments, but they have been objected to, and then more flood in. We have to get to an end point.

However, in reference to the Wounded Warriors legislation, there is a separate bill on which I think appointing conferees has been cleared on this side. I am wondering if the Senator from Arizona might check with his side to see whether the appointment of conferees could be cleared. I think it will be part of this bill at the end. It is important that we move this bill for a lot of reasons, including that one.

But we have a fallback. We have a safety valve. We also have a separate bill which we would like to get to conference, and if the ranking member could check on the Republican side and see if we can get the clearance for the

appointment of conferees, it may give us some momentum.

Mr. MCCAIN. Mr. President, I thank the chairman. I agree. I will make every effort to do that. I am confident that no one on this side would object. It has to be done. Everywhere I go, I hear concern and the continued outrage about the situation that existed at Walter Reed, and the American people are not confident that we have taken the necessary measures to provide for the care of our veterans.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Delaware is recognized.

Mr. BIDEN. Mr. President, before I send an amendment to the desk, I do not want to in any way disagree with anything that was said but expand on it slightly. There is a Biden-Brownback amendment. Senator BROWNBACK is a major sponsor of this amendment, and I will yield to him in a moment because he has a difficult scheduling dilemma. I will let him go first. I also want to make it clear that Senators BOXER, KERRY, SPECTER, probably HUTCHISON, and others are going to want to speak to this amendment.

I am assuming that on Monday this will still be the pending business and that we will be able to continue to discuss and debate this issue, so Senators have time. This is an important week-end in the Jewish faith, so a lot of people are not here. But I assume, notwithstanding the fact that we are going to vote shortly after we convene on Tuesday morning, that we will have an opportunity to speak to this on Monday as well.

Now, today I will offer an amendment to the Defense authorization bill concerning U.S. policy in Iraq. As I said, I am joined by a bipartisan group of colleagues, including Senators BROWNBACK, BOXER, SPECTER, KERRY, and, I believe, Senator HUTCHISON. Our amendment says it should be the policy of the United States to support a political settlement in Iraq based on the principles of federalism. I have much more to say about this. Again, I thank my friend from Kansas who has been a major proponent of this approach for some time. We joined forces together months ago. He has a very tight schedule, so he will speak first. I see Senator HUTCHISON standing also.

Mrs. HUTCHISON. Mr. President, I just ask the Senator, if he will yield briefly, is it possible that I may make a 2-minute statement after Senator BROWNBACK, and then I will come back on Monday as well?

Mr. BIDEN. Possibly, Senator BROWNBACK would let the Senator from Texas proceed for 2 minutes now.

Mr. BROWNBACK. Yes, I will yield to the Senator from Texas before I speak.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized for 2 minutes.

Mrs. HUTCHISON. Mr. President, thank you. Monday, I will make longer

comments. I am a cosponsor of this amendment. I have said for a long time it is my belief that if we could allow the sectors of Iraq to have their own semiautonomous government, like is now in the northern part with the Kurds—and the southern part is mostly Shia—I think we could really begin to see economic stability, as well as political stability.

Of course, we all know we should have oil revenue that would go to all of the people of Iraq, fairly allocated. But I think we have seen in Bosnia a lessening of tensions when there is a capability for the security forces, the educational and the religious sects to have their own ability to govern within themselves. If we can get economic stability, which is largely untalked about in the United States, I think that would bring the political stability along.

So I commend Senator BIDEN. I have written on this as well. Senator BROWNBACK and I have talked about this in many forums. It is important that we look at not only the great success we are having, which General Petraeus reported on, we are stabilizing the country on the security side. We are keeping our commitments. We are going to be able to do it with fewer Americans and bring the Iraqi troops forward, but it will not stabilize Iraq. We must have economic and political security. So I thank the chairman, and I thank Senator BROWNBACK. I will speak again Monday. It is the most important sense of the Senate that we can have on this bill. Thank you.

AMENDMENT NO. 2997 TO AMENDMENT NO. 2011

Mr. BIDEN. Mr. President, I call up amendment No. 2997.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Delaware [Mr. BIDEN], for himself, Mr. BROWNBACK, Mrs. BOXER, Mr. SPECTER, Mr. KERRY, Mr. SMITH, Mr. NELSON of Florida, Mrs. HUTCHISON, Mr. SCHUMER, Ms. MIKULSKI, and Mrs. LINCOLN, proposes an amendment number 2997.

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

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

The amendment is as follows:

(Purpose: To express the sense of Congress on federalism in Iraq)

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

**SEC. 1535. SENSE OF CONGRESS ON FEDERALISM IN IRAQ.**

(a) FINDINGS.—Congress makes the following findings:

(1) Iraq continues to experience a self-sustaining cycle of sectarian violence.

(2) The ongoing sectarian violence presents a threat to regional and world peace, and the long-term security interests of the United States are best served by an Iraq that is stable, not a haven for terrorists, and not a threat to its neighbors.

(3) Iraqis must reach a comprehensive and sustainable political settlement in order to



achieve stability, and the failure of the Iraqis to reach such a settlement is a primary cause of increasing violence in Iraq.

(4) The Key Judgments of the January 2007 National Intelligence Estimate entitled "Prospects for Iraq's Stability: A Challenging Road Ahead" state, "A number of identifiable developments could help to reverse the negative trends driving Iraq's current trajectory. They include: Broader Sunni acceptance of the current political structure and federalism to begin to reduce one of the major sources of Iraq's instability . . . Significant concessions by Shia and Kurds to create space for Sunni acceptance of federalism".

(5) Article One of the Constitution of Iraq declares Iraq to be a "single, independent federal state".

(6) Section Five of the Constitution of Iraq declares that the "federal system in the Republic of Iraq is made up of a decentralized capital, regions, and governorates, and local administrations" and enumerates the expansive powers of regions and the limited powers of the central government and establishes the mechanisms for the creation of new federal regions.

(7) The federal system created by the Constitution of Iraq would give Iraqis local control over their police and certain laws, including those related to employment, education, religion, and marriage.

(8) The Constitution of Iraq recognizes the administrative role of the Kurdistan Regional Government in 3 northern Iraqi provinces, known also as the Kurdistan Region.

(9) The Kurdistan region, recognized by the Constitution of Iraq, is largely stable and peaceful.

(10) The Iraqi Parliament approved a federalism law on October 11th, 2006, which establishes procedures for the creation of new federal regions and will go into effect 18 months after approval.

(11) Iraqis recognize Baghdad as the capital of Iraq, and the Constitution of Iraq stipulates that Baghdad may not merge with any federal region.

(12) Despite their differences, Iraq's sectarian and ethnic groups support the unity and territorial integrity of Iraq.

(13) Iraqi Prime Minister Nouri al-Maliki stated on November 27, 2006, "The crisis is political, and the ones who can stop the cycle of aggravation and bloodletting of innocents are the politicians".

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should actively support a political settlement among Iraq's major factions based upon the provisions of the Constitution of Iraq that create a federal system of government and allow for the creation of federal regions;

(2) the active support referred to in paragraph (1) should include—

(A) calling on the international community, including countries with troops in Iraq, the permanent 5 members of the United Nations Security Council, members of the Gulf Cooperation Council, and Iraq's neighbors—

(i) to support an Iraqi political settlement based on federalism;

(ii) to acknowledge the sovereignty and territorial integrity of Iraq; and

(iii) to fulfill commitments for the urgent delivery of significant assistance and debt relief to Iraq, especially those made by the member states of the Gulf Cooperation Council;

(B) further calling on Iraq's neighbors to pledge not to intervene in or destabilize Iraq and to agree to related verification mechanisms; and

(C) convening a conference for Iraqis to reach an agreement on a comprehensive political settlement based on the creation of federal regions within a united Iraq;

(3) the United States should urge the Government of Iraq to quickly agree upon and implement a law providing for the equitable distribution of oil revenues, which is a critical component of a comprehensive political settlement based upon federalism; and

(4) the steps described in paragraphs (1), (2), and (3) could lead to an Iraq that is stable, not a haven for terrorists, and not a threat to its neighbors.

Mr. BIDEN. Mr. President, I yield to my friend from Kansas, Senator BROWNBACK.

The ACTING PRESIDENT pro tempore. The Senator from Kansas is recognized.

Mr. BROWNBACK. Mr. President, I thank my colleague for that, for this amendment, and for his insight and prophetic view of what is really taking place. Senator BIDEN has mentioned for over a year that the likely outcome in Iraq is going to be a federalism model where you have most of your power in the states—the Kurdish north, the Sunni west, the Shia south, and Baghdad as the federal city.

I think we have had, hopefully now, enough debate about the military situation in Iraq. It is an important one, but we have not had much, if any, discussion about the political situation in Iraq. Last week, all the focus was on General Petraeus, and there was another individual who testified, Ambassador Crocker. General Petraeus talked about the military situation, and Ambassador Crocker talked about the political situation.

Regarding the military situation, I think we have seen incredible progress by the dedicated men and women in uniform, but we have seen little to no political progress. This discussion is about a "political surge." We have had the military surge. It is moving forward and getting things done and stabilizing. All it can do is provide space for a political solution. It cannot put forward a solution that will last. You have to have that politically. So what we are going to talk about with this resolution is a political surge. Those are not my words; they are Thomas Friedman's. I think it is apt and its timing is right. I urge my colleagues to look at this resolution and support what this is—that we need a political surge, and we need to recognize the demographics on the ground.

This resolution simply calls for the following things: A conference where Iraqis reach a political settlement based on federalism; in effect, an agreement on new and already constitutionally recognized federal regions. This doesn't require a change in the Iraqi Constitution. It is already there. They allow the Kurdish north as a state. This would be allowing other states within Iraq.

No. 2, it calls on the international community to respect the results of that conference and to support federalism in Iraq, which is a concept we are very familiar with in the United States. I think that is really the key for it to work in Iraq.

No. 3, it calls on the Iraqi Government to resolve the issue of distrib-

uting oil revenues, which is crucial to any federal solution in Iraq. It is the oil that will keep the whole place together.

I show my colleagues a map that I think is kind of interesting. It is a map of Iraq under the Ottoman Empire. It is prior to the World War I divisions in Iraq. I think we ought to study history to keep from repeating past mistakes. I think we are repeating history now because we have not studied it sufficiently. So here is a map from 1914. This is fascinating. You have the north Ottoman, which were called vilayets. This is in the State of Mosul, the Kurdish north. You had the vilayet of Baghdad, the Sunni area in Iraq. You had the vilayet of Basra, the Shia State. Baghdad was the federal city—a very effective city at that particular time.

As much as a third of the population there was Jewish at that point in time. Those were the governing bodies within this region. The Ottoman Empire was concerned about whether the Basra region and the Shia there would stay with them or go with the Persians at that time. It is a similar discussion we are hearing today.

My reason for saying this is, if you can put it in a certain term, this is natural in Iraq. Instead of us trying to force together a country under Shia domination—and under the current setup all you are ever going to get is a Shia government, but it is going to be a weak one because the Kurds are not going to agree with a strong Shia government, nor are the Sunnis. All you can ever get is a weak Shia government that has a lot of question marks in it from the Sunnis. They don't trust the Shia, and the Shia don't trust the Sunnis. The Sunnis think they ought to run the whole country, as they have for the past century. They think the Sunnis are going to come back.

I was in Iraq in January. I went to the north, and I was in Baghdad. The Kurds are prospering, stable, growing, and investment is taking place. I will show you a map later of people moving from Baghdad to the northern portion because it is stable. I was meeting with the Sunni and Shia leaders in Baghdad. The Shia said: We could get this solved if it wasn't for the Sunni. The Sunni leaders would say: We could get this solved if it wasn't for the Shia. The Shia leaders were saying: We could get this solved if it wasn't for the Sunnis.

I submit to this body that we have a flawed political design that we are pushing currently in Baghdad. That is why we have not seen the political progress that we need to see taking place. We have done the military surge, which has been successful. Now we need a political surge. We need to send in a Jim Baker or a Condoleezza Rice to get these people in a room to cut the deal to get different states, where you have the power mostly residing in the states. Right now, in the Kurdish north, they run their own military, their own police, and they are stable. So you allow that and you even encourage that to take place. It is in the Iraqi



Constitution to allow that. That is how the Kurds got their region in the first place. That is a political design that can lead to political stability on the ground so that we can pull our troops back.

This amendment says nothing about the troops. We have debated that a long time—the military side. This is all about the political side where we have failed to see the progress. But it does say, if we can get that political solution, we should push it forward. I submit that on the military side, if we can get some political stability in Iraq, we can start to pull our troops back from patrolling.

Ultimately, I think you are going to see long-term U.S. military bases in the north, probably in the west, and around Baghdad. But they can be bases where we can operate without our people being killed every day. As everybody in this body knows, we are still in South Korea 60 years after that conflict. We are still in Bosnia 15 years after that conflict. We can stay—and we usually do stay—in a place a long period of time to provide stability, as long as our people are not getting killed. Here is the design where you can stay for a long period of time—because I believe we will need to stay for a long time—without our men and women being killed. It reflects a demographic reality on the ground and the historic reality on the ground. It also recognizes that Iraq needs to have a strong state, weak federal form of government to reflect the different groups. Iraq, in many respects, is less a country than it is three groups held together by exterior forces. The Turks don't want the Kurds to be a separate country in the north. The Kurds already voted 90 percent that they want to have a separate country, but they are not pushing it today because they know they cannot do it at this point. So they are willing to stay within this situation.

The Sunnis believe they should run Iraq, but they are less than 20 percent of the population. That is not going to happen. The Shia lack a comfort that they can control the country, but they are certainly dominant in a particular region.

I wish to show an ancient map of this very same situation to give another flavor and context. Of course, under the Ottomans, it was called Mesopotamia during that period of time. Again, here is a three-state solution that the Ottoman Empire put in place as a way of managing these different groups who do not agree with one another, who do not get along.

One can say: Wait a minute, there is a lot of intermarrying, there are a lot of Sunni-Shia relations that are taking place and have taken place over the years of being together as one country. You are trying to go back rather than go forward.

I wish to show a map of the former Yugoslavia right after Tito left and before some of the civil wars started in

Yugoslavia because I think it is instructive. Here is a map of the ethnic composition before the war in 1991. It is an ethnic map that shows where the Croats, the Bosnians, and the Serbs were in this area in 1991. The reason I point this out is, I was in this country in 1991. I was there the week after the Slovenians voted to secede from the rest of Yugoslavia. I was in a conference with groups from all over the country. I couldn't tell the difference between the various ethnic groups.

When I would look, I couldn't tell if this person was a Croat or a Serb or a Macedonian, this, that. I couldn't tell the difference. It made no sense to me. These guys had been in a country together for decades. Why wouldn't they stay together? They knew the differences. They knew what happened. They knew the history. They had intermarried to where they had different ethnic groups who were married into the same families and spread, splotted all over the country. There were concentrations in different places, but over a period of, I think, 70 years, under a hard dictatorial rule, under Tito, with a tough military and a tough intelligence apparatus, if someone got out of control, they were dead or in jail—similar to Saddam Hussein in Iraq, who ran roughshod and people intermingled.

Then we started to see political leadership come forward and say: We Serbs have been mistreated by this group and you know what they did to us a century ago and you know what they did to us in this war and you know what they did to us 500 years ago, and we shouldn't be treated that way. We had a leader come up that hit this visceral inside note and started a bunch of wars, to where they sorted themselves out.

This is what happens after you get a group of leaders standing up and saying they shouldn't treat the Croats this way, they shouldn't treat the Serbs this way. We can see the purity of the map—Bosnians, Serbs, Croats—and by 1995—this is the Dayton peace accords—you can see what takes place after that. That leader touched that visceral note about this is who we are and they shouldn't treat us that way and there were a bunch of people killed in the process as well.

Finally, there was enough fighting and we got a political surge in the Dayton accords and made the leaders come together. We drew a line, Bosnia-Herzegovina, in the Dayton peace agreement. We still have troops in this area enforcing this accord, but they are not fighting and killing each other. There are still problems that take place. But this was a two-state solution in one country, with the United States pushing a political surge to take place and the United States still having troops there to make sure people do not get out of line.

I went to Sarajevo when it started to stabilize. The place was still shell-shocked about what had taken place.

People were still saying: We used to live in peace; what happened here? What happened was somebody pushed the ethnic button and it worked, and it works in too many places in the world, and it works in Iraq, unfortunately.

I wish to show a chart of what happened in Baghdad on ethnic splits and the movements taking place in Baghdad. This is a military chart. It is too busy of a chart, and there are some who dispute some of the movements. I am willing to grant them that there may be others with a slightly different factual variation.

Basically, the Tigris River is in the middle. We see the Sunnis moving and purifying west of the Tigris River and the Shia moving and purifying east of the Tigris River. These diagonal lines show communities that are going more Shia and the diagonal lines in the opposite direction are communities going more Sunni, and we see small ethnic groups, small Christian populations who are either going into smaller, tighter communities or going north into the Kurdish region of the country.

This is happening now. This is what is happening now. We have heard about the death squads, threats, and families forced to move taking place in Baghdad. When a number of leaders push the ethnic sectarian button, it hits this inside visceral note. It is a strange concept to us as Americans. They come from everywhere, and we say: Can't you guys get along? Believe me, this is a reality in the world, and it is a big reality in Iraq, particularly in a place that is more three groups than it is one country.

I wish to give a caveat. The New York Times on Monday questioned the purity of this information, saying there are some Shia moving into Sunni areas and there are some Sunni moving into Shia areas, and I am willing to give that taking place. These are the megatrends that are happening, and I don't think there is any question about it.

There has been a lot of death, killing with this taking place. It is the same with Bosnia-Herzegovina. What I am saying is rather than having a whole bunch of people get killed from this point forward, why don't we recognize the demographic realities on the ground and put this in a series of states where the ethnic group is running it and stop the killing or certainly reduce it substantially. That is what this amendment calls for.

I wish to show my colleagues some of the maps of current Iraq, to give an idea. I have shown the Ottoman Empire maps. This is modern Iraq, as far as the populations are going. We have the Sunni Kurds in the north. Again, this is the most stable, growing area. When I was there, there were cranes and building and investment taking place. It is moving forward. We have the Sunni area in the west and the Shia area in the south. There are areas of Sunni Arab and Shia Arab. There is a mix of Shia-Sunni with Baghdad in the

center. Again, we have three blocs who have pretty much split up. This is modern Iraq.

This is not a perfect solution by any means. As an American, I look at it as a subpar solution altogether because I think they would be much better off if they could get along and form one country and operate it as one country without having to give decentralization so much of the power.

The problem is it does not reflect the realities on the ground. The problem is, too—think about Ambassador Crock-er's testimony, think about the GAO report on political progress and the benchmarks that the Congress set. Think about those because militarily—I think “militarily” we have done a great job and that is where all the focus is. But politically we are not getting it done because we are trying to put a square peg in a round hole. It doesn't work. We can push a long time on it and we can get some artificial setting to take place and we can enforce it with our military power, but as soon as we pull back, then we are going to have the same problems taking place in the region. This amendment recognizes we should put a round peg in a round hole, and it is something we can do.

There was a gentleman who said something to me years ago that stuck with me: If you see a straight-line border in the Middle East or Africa, you ought to raise a question as to whether it reflects demographic reality.

In the past, when different groups went into a region, whether the Ottomans, the British, the French, or others, they were trying to balance interests. They were trying to balance Hutus versus Tutsis. They were trying to balance previously the Armenians and Azerbaijanis. So they were always trying to get a balance of power because they didn't have enough troops to maintain the country, but if it kept these guys off center and not after each other, they could maintain the country.

When you pull the colonial power off or when you pull the dictator off who is ruthlessness, who is willing to use military and to use his intelligence operation to kill people, when you pull that off, what are you left with? You are left with these same groups, and they still don't like each other. That is why we have to look at it this way.

Look at Sudan today. I can give another example: The north Arab Muslims with a radicalized government started by Osama bin Laden. The south is Black, primarily Christian—long conflict, 20 years of civil war, millions killed. Finally, the Bush administration, to their credit, was able to negotiate a Sudan peace agreement, and the southern Sudanese will vote whether to secede. I believe they will in large numbers. It will pass big, and there will be a second Sudan.

We now have a second genocide in Darfur. I have been to many of these places. I have worked with many of

these people. The west is Black Muslim. The capital is Arab Muslim. They don't get along. One is a group of herders and another is a group of farmers—farmers and ranchers not getting along. I think we are going to see ultimately that Darfur will break away.

Sudan is the biggest country in Africa landmasswise, but when the Brits put it together, they put several groups together who don't agree with each other and don't get along and the Government favors one. They favor the herders in Darfur; the jingawit, the Arab Muslims. They are trying to drive the farmers off the land, and they are in their second genocide, with 400,000 people killed, because somebody, again, hit the ethnic-sectarian button, and it is very effective. One can motivate a lot of people by hitting that button.

Why do we have to kill all the people to get to a political solution? Why do so many people have to die? It is past time—the military discussion has been a good discussion, but it is time for us to look at the political situation in Iraq and get on a model that can actually produce long-term stability so we can pull our military back into bases. We are going to need to be there for a long period of time. This resolution does nothing on the military side, but I think we are going to need to be there for some period of time. We need to be in the north to assure the Turks that the Kurds are not going to try to separate into a separate country, and I think we need to be there to protect the Kurds from Iran, and somewhat from the Turks, and the Sunnis will ask us for a long-term military presence in the west to protect them from the Shia. I think the Saudis are going to push for that to take place.

Again, Iraq is a lot more three groups held together by exterior forces than it is a country. But that is the reality. The Shia area has to sort out who is going to be the leaders in that country, and they are fighting amongst themselves. It may be more than three states. It may be a couple of Shia states will evolve. We shouldn't stop that from taking place if that is the natural reality.

We can fight against these things in nature or we can recognize them and try to build political systems around them. This resolution urges us to build the political solutions around them.

Again, the political surge, led by Jim Baker, of stature, or Condoleezza Rice—cut the deal, get us into a political solution that can produce the benchmarks we want so we can pull our troops back and stop getting killed.

I urge my colleagues to look at this amendment. I urge my colleagues to look at the history of what we are dealing with. There are many papers that have been written on this issue. O'Hanlon is one of the lead authors on it who got back recently. This is something that can work, can make progress and move us forward.

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

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

The bill clerk proceeded to call the roll.

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

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

Mr. BIDEN. Mr. President, as my friend from Kansas leaves, let me just thank him for his leadership here and his insight. I think he and I would agree that this is forming critical mass. Every once in a while in American politics, on a major issue, there is an idea that transcends both sides of this aisle and transcends from the experts to the average people because there is a commonsense ingredient to it as well as a deeper insightful notion of how that part of the world works. This is one of those issues.

I just wanted to say I am honored to be joined by Senator BROWNBACK in this effort because he and I both have other agendas in terms of our political careers, but I think we both agree getting this right is more important than who is President of the United States of America. This is about life and death and about whether we are going to have a generation of difficulty for America in that part of the world or whether we are going to be able to ultimately leave and not leave chaos behind.

So I thank my friend for doing what I am sure was not an easy thing to do as a Presidential candidate on the Republican side—to join with a Democrat to move what at the time we moved it was still a very controversial idea.

Mr. BROWNBACK. Mr. President, if my colleague will yield, I wish to thank my colleague also for working on this and for leading when it was a lonely battle. He was talking about this over a year ago, and I was hearing him saying it and thinking, he is probably right, but that is not the way we are headed. And it probably doesn't help him, running for President, to be associated with me, and it doesn't particularly help me, Senator BIDEN, to be associated with you. But that is exactly why the country gets mad, because they do not see us doing things like this on something that really makes sense.

I talk a lot about this on the campaign trail, running for President on the Republican side, and people look at it, and I don't think I have had even one or two people come up to me and say they disagree with it. Most people say: OK, that makes sense. And when you talk with the Sunnis and Shias and particularly with the Kurds, they all say yes, and particularly the Kurds do. The Sunnis are coming more and more around to it, and I think the Shias are recognizing it as well.

But my best successes on this floor have come when I have associated with somebody on the other side who disagrees with me on a lot of political

issues but we look at this one together and we say: This is something which can work. We did that with Senator Wellstone on human trafficking. We were as different as could be on different issues, but we got that one done, and today there are fewer people being trafficked.

This is something which can work, and I appreciate my colleague for leading on it, and I really hope the rest of the body can look at this and say: This is where we have not seen progress, is politically, and let's get this moving forward. I am delighted at the Senator's leadership on it.

Mr. BIDEN. Mr. President, I thank my colleague.

Mr. President, I ask unanimous consent that following my remarks, Senator LUGAR be recognized for up to 30 minutes and that Senator KENNEDY then be recognized to speak as in morning business.

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

Mr. BIDEN. Mr. President, to alert my colleagues, I will take somewhere between 20 and 30 minutes to speak on this issue this morning, and I will speak on it again prior to our finally voting on it on Tuesday.

Look, as I said, I have been a Senator since I was 29 years old. I have been here for seven Presidents, and I have observed that sometimes, on issues relating to national crises, whether it be domestic or foreign, events conspire to generate the kind of support for an idea that when it was first offered had few adherents. I think we are approaching that now.

The amendment Senators BROWNBACK, BOXER, SPECTER, KERRY, and I, as well as Senator HUTCHISON and others have says that U.S. policy should support a political settlement in Iraq based on the principles of federalism. Look, for all the division in Washington and across the country over the policy in Iraq, one thing just about everyone accepts, literally—left, right, center, the President, the Congress, the American people, and the so-called experts—is that there is no military solution in Iraq. Let me say that again. There is no military solution in Iraq.

I, along with Senator MCCAIN—in fact, shortly after the war began—said that I thought it was foolish to start this war. But once we started it, I thought: My Lord, we should have more American forces there. I argued for up to 100,000 more American forces in the first year so things would not get out of hand. I argued we needed 5,900 Gendarme paramilitary police from the international community. The Europeans were prepared to participate to literally restore order—make sure people didn't run the traffic lights or break into museums or engage in thuggery and robbery and crimes of ordinary violence, having nothing to do with sectarian divides. But we have passed that point.

To paraphrase General Petraeus, although he doesn't seem to be as adher-

ent to his original comment, and he was paraphrasing someone else—I believe it was 3 or 4 years ago when we were in Iraq with him, and I am looking over my shoulder at my staff generally; at the time I think it was 3 years ago—he said, and I am paraphrasing, there comes a point in every liberation where it becomes an occupation. There comes a point in every liberation effort where it becomes an occupation. And we have reached that point. We reached that point 3 years ago. I argued we reached that point when we went in.

We had one brief, brief moment where, having mistakenly moved when we did, in my view, had we acted more responsibly instead of out of the arrogance and hubris that existed, we might, we might have been able to change the dynamic drastically. But that has long passed. That has long passed.

I guess the point I want to make, again, and the end result of all I am saying here is you will not find a single person who thinks that a military solution will work alone. So what we are all about here today is what everybody says: OK, there has to be a political solution, but literally, I say to you, Mr. President, up to this moment no one on the floor of the Senate has offered a political solution. I mean, it is really fundamental. There is nobody who has said: We all acknowledge there is no military solution. And by the way, I am not claiming I am the only one. I have many cosponsors. We have a lot of people now saying: OK, we acknowledge there is a need for a political solution, embedded in the notion I have been pushing for a couple of years now and in detail for the last year and a half or so with Les Gelb.

I have to recognize Les Gelb, a former administration official in a Democratic administration, in the Carter administration, the president emeritus of the New York Council on Foreign Relations, an incredibly respected voice in American foreign policy, and thought of as a genuine scholar. Les and I started off not in full agreement of what that political solution was, but we were all on the same page. The end result of all this is that the underlying premise of Les Gelb and JOE BIDEN in generating this was that the political solution we are proposing, which is what the Iraqi Constitution essentially calls for—and it is not partition—is federalism.

Well, guess what. It is not going to happen spontaneously. The Iraqis aren't going to spontaneously decide in the midst of what is now a civil war and sectarian strife that they know how to do it on their own.

So getting back to the political question, everyone says there is a need for a political solution. But that begs the question, So what is your political solution?

The critics, and there is legitimate criticism of the Biden-Gelb plan, but the critics have come along and said: I

don't like your plan, BIDEN. My response has been from the outset: If you don't like mine, what is yours? Think about it. Think about, as you consider whether the Biden-Brownback plan, which is essentially taking Biden-Gelb and putting it into an amendment to the Defense authorization bill—think about what it says. We say this is our political solution. This is what we think is the way out.

So as I began this debate, my invitation to my colleagues was: I get it. You may not like all parts of it. You may not like it. You may think it is mostly correct. You may be able to legitimately point out there are weaknesses in it; things may or may not happen. I can't guarantee an outcome to this. But I would like you to think about it. If you don't like BIDEN's proposal, what is your idea?

Up to now, a lot of us have had what we voted on just a moment ago. It started off as the Biden-Hagel-Levin amendment back in January and February. I agree with it totally. It is now Levin-Reed. I think it is a good amendment. It is essentially the same one we voted on twice before. I was the author of it, along with my friend from Michigan, the leader of the Armed Services Committee. But the truth is, it is not a political solution. It is an important tactic to reach the point we all want to reach.

And what is that? When you cut through all of this, what is it the American people, what is it all my colleagues, all 100 of us, want? No one wants to keep American forces there, with almost 3,800 dead, close to 28,000 wounded, roughly 14,000 severely wounded and who are going to require medical attention and care the rest of their lives. No one in here wants that. If we could wave a wand, there is not a single Member, from the most conservative to the most liberal in this body, who wouldn't take every troop out if they could, tomorrow. We don't want our kids going. I don't want my son going, my daughter going. I don't want my grandkids going, either.

What is recognized underneath all of this is there is a clear understanding that even though most of us on this side of the aisle opposed what the President did and how he did it, there is a recognition that it matters what we leave behind. It matters a whole bunch. It matters for our grandchildren. It matters for our children.

Look, folks, there is an overwhelming desire. I live with a woman I adore. We have been married for 30 years. She is unalterably opposed to this war. She, like every mother, lives in fear that her son, who is a captain in the Army, is going to be sent over, which is probable. So her fervent wish every time I go home is: JOE, get them out of there. Get them out of there. You are chairman of the Foreign Relations Committee; get them out of there. Well, the truth is, the vast majority of the people know that getting

out of this is almost as difficult as the problems the President caused by getting us into it.

I know I am speaking colloquially here. I am not speaking in senatorial tones. But this is basic stuff.

My two staff members sitting to my left—and I admire the devil out of them—have accompanied me on eight trips to Iraq. The last time coming home, we were all supposed to get on an aircraft, but only one of them did, a C-130 that was supposed to take us home. Ambassador Crocker asked whether I would fly to Germany with him on his way home. He was coming to testify. He thought it would give us a chance to talk. And so I did. Actually, I flew out of Iraq into Kuwait with him to catch a commercial flight. The C-130 cargo plane I was supposed to get on—we got word there were six fallen angels on that plane. Six fallen angels.

That is what these tough, courageous, brave, hard Marines, Army, Navy, some of whom are there, et cetera, Air Force, call a dead American soldier whose body is coming home. They call them fallen angels.

You see these guys also who you know have been shot at and shot back, injured and injured others—it is such an emotional phase, to hear them talk in hushed tones, to treat every one of those coffins that gets put on board the C-130—every one of which comes through my State in Dover, Delaware—to hear these people, these fighting men and women, treat every single solitary death with the reverence it deserves. The American people would be stunned. They would be proud. They would be sad and they would be concerned. So they put six fallen angels on a plane.

The President of the United States a couple of days later—and I was there 2 weeks ago—a week ago—went on television and told the American people what great military progress we are making. But what he said was: I have no plan to end this war. I have no plan to win this war. I have a plan, as one of the press people said—it is not my line—he said: The American people are using the American forces as a cork in the bottle to keep the venom from spreading out beyond the borders in a regional war.

I am not prepared to use my son and his generation as a cork in a bottle. The American people are not prepared to do that either.

So what do we do? What do we do? Do we cut off funding? Talk about a hollow reed. How do you do that? How do you cut off funding for the 166,000 troops? Even if we ordered everyone home tomorrow, they have to get out of that country. Do you not provide them with the mine-resistant vehicles that can increase their life expectancy, when hit with a roadside bomb, by 80 percent? Do you not provide them with that? Do we cut that off? I don't know how you do that.

Some things are worth losing elections over. I am not going to do that.

So what do you do? Do you draw down troops on an orderly basis while you are protecting them? Yes. But where does that get you at the end of the day?

The good news is they are out. There are fewer fallen angels. But the bad news is how many angels will fall in the next 10 years or 15 years, if this war metastasizes into the region. Because, ironically, the President's policy, which is dead wrong, has one truism about it: Chaos in Iraq will have regional consequences. The irony is, it is his policy that is causing the chaos.

Getting back to the point of the amendment, so everybody understands the context in which this is being offered, it is being offered to say: Look, there is a way to do all of this. There is a way to reduce the number of fallen angels. There is a way to reduce the injuries and casualties. There is a way to reduce the number of deaths among the Iraqis. There is a way to keep this war from metastasizing. There is a way that we have, a last chance we have, to leave and not run the risk of having to send my grandson back. My grandson is a toddler.

We have been faced in this body with two false arguments. One is more of the same and it will get better, and the other is leave and hope for the best.

Again, I get back to the central premise to what I have been proposing. There is a need for a political rationale. What is the political rationale supposed to accomplish? It is a way—nothing is going to get better. We must leave, by the way. Come hell or high water, we must leave. But are we going to leave giving the Iraqis a chance that they can end up with a political agreement among themselves? For what purpose is the political agreement? To stop the civil war. That is it in a nutshell. Anybody who denies this is a sectarian war I think is denying reality.

The President—as my mother would say, God love him—keeps talking about al-Qaida. Al-Qaida is a problem. I would argue it is a Bush-fulfilling prophecy, al-Qaida in Iraq. But there is even in the military—as my good friend—and I admire the devil out of him, my friend from Virginia—as he points out, he knows when you go to Iraq, the military refers to al-Qaida of Mesopotamia; al-Qaida in Iraq. They are making a distinction by that, between al-Qaida in Iraq and al-Qaida in Afghanistan, al-Qaida in Pakistan. As I said to the President in one of my trips back, in a debriefing—which my friend knows we do. The President has us down and has his war cabinet and asks us—you know, we give our view.

He was telling me about freedom being on the march. I said: With all due respect, Mr. President, if every single solitary jihadi in the world were killed tomorrow—I said if the Lord Almighty came down and sat at the middle of this table—we were in the Roosevelt Room—and looked at you and said, Mr. President, I guarantee there is not one single al-Qaida person living in the world, Mr. President, you still have a

massive war on your hands. You have a massive war on your hands.

I see my friend from Virginia is standing. I will be happy to yield to him.

Mr. WARNER. Mr. President, as I have looked back on my years here, one of the chapters I have enjoyed the most is the debates we have had together, and this is not in the nature of a debate, Mr. President, but I do ask the Senator who now—in your current capacity and your long experience in foreign relations, you probably have a better grip than most of us as to the likelihood—and you mentioned it—of the political reconciliation taking place in Iraq. I am talking about the top down, not the smaller, but little things that happened in Al Anbar—which are very positive, but I don't think you can grow political reconciliation all the way from the bottom up. It has to come from the top down.

Our good friend here, Senator LEVIN, and I were there in Iraq a few weeks ago and we could not find any basis for projecting when that might come to pass. That is the very thing that underpins the entire policy we are pursuing. Because we all acknowledge a military solution is not there. It has to be a political reconciliation from the top down—albeit to get some form of unity government—maybe an adaptation of what the Senator is now advocating. But what is the Senator's projection of the likelihood of that occurring?

Mr. BIDEN. I will be happy to respond because my friend, as usual, gets to the crux of the issue.

Here is the way I look at it. I will try to break these things out. My friend Senator LUGAR, whom I think is the most informed man in the Congress on foreign policy, is used to my colloquial ways of expressing things so he will probably understand me better than most because he had to deal with me for 30 years-plus. I try to devolve this, to use a Washington word, into sort of big chunks. You basically have two options here.

No. 1, do you continue with a policy that was well intended by our Government, the President, the administration, of attempting to establish a strong central democratic government in Baghdad that in fact has the capacity to gain the faith and trust of the Sunni, Shia, and Kurds so that they will entrust to that central government their well-being, in terms of security, in terms of economic growth, and in terms of political reconciliation or do you have to reach a point that I have reached, and reached some time ago, of recognizing that is a bridge too far; that the only way in which you will be able to stop the warring factions from killing each other is essentially give them some breathing room under their federal Constitution which says—I am quoting from their Constitution: The Republic of Iraq is a single, independent, federal state.

What I look back to, I say to my friend from Virginia, is this can't be

built up from the village up. I acknowledge the requirement that the leaders of the Sunnis and the Shia and the Kurds—and there are multiple claimants to that leadership; I know my friend knows that—those claimants have to conclude their self-interest is better realized in a federal system. The Kurds have clearly recognized that. The Kurds made it clear when Senator HAGEL and I got smuggled into Irbil, back before the war began, that they weren't in on any deal that wasn't a federal system giving them pretty significant autonomy.

The Shia have now reached that conclusion themselves, with notable exceptions—Sadr being one of them. But, for example, the Vice President—the Shia Vice President of the, for lack of a phrase I will call the central government the existing government—is totally supportive of what I am proposing and he said so publicly and said so at this conference in Ramadi which I attended a few weeks ago.

The Sunnis up to now have been the odd folks out because they look at it, as my friend clearly knows, and they say: Look, we live in this place called Anbar Province, the majority of us. We don't have much out here but rock and shale. There is not much else out here. All the oil is in the north and all the oil is in the south and if you have regional governments and the oil is controlled by the north and the south, we don't get anything.

But here is what has happened. There is a bit of, as we Catholics say, an epiphany occurring. I will tell my friend in confidence who it is but I don't want to publicly—he is an Iraqi leader who is one of the leading Sunni leaders in the country, who used the following quote with me in the 4 hours we were together in Ramadi.

He said—I am paraphrasing the first part—I initially disagreed with your plan. Now I am quoting.

There has been a struggle I have had between my heart and my head. My heart has told me up to now that we Sunnis could play a major role in governing this country again, from the center. My head tells me that will not happen anytime soon and our fate lies in a regional system. But we need access to resources.

He said:

But don't quote me yet, Senator, because I have to work on my fellow tribal leaders out here, and others.

Look what is happening with the Turks. The Turks initially were absolutely opposed to this. But as they have begun to figure it out, they realize that if we continue on the path we are on, American patience with keeping the cork in the bottle is not going to be sustained for the next 2 years and that when we leave, absent a political settlement, there will be not a splitting of Iraq into three parts, there will be a fracture of Iraq into multiple parts. But guess what they figured out. Kurdistan will become a de facto independent country. They will be able to say in Kurdistan: Hey, we didn't do

this. There was nobody to deal with. And they have all of a sudden begun to understand that it is bad enough, from the Turkish standpoint to have a quasi-independent—and it is not even that—region called Kurdistan, within defined borders of a country called Iraq; it is a very different thing to have a quasi-independent Kurdistan, when you have 4 million Kurds sitting in their eastern mountains.

So all of a sudden they are figuring this out. "Figuring out" sounds derogatory, and I do not mean it that way. They are looking at their alternatives and saying: OK, a federal system in an Iraq that is united is a whole lot better than a de facto independent state.

The Iranians. The Iranians have a dilemma. The Iranians have at least five major militia forces among the Shia of Iraq. Some they like, some they do not like. As my friend from Indiana knows, you have a group down around Basra, as the British are pulling out, who are organized pretty well.

As the British two-star said to me: They are like Mafia dons waiting for us to leave to see who claims the territory—who actually argued that Basra should be an independent country because they have access to the gulf, they have oil, and they have four provinces they can put together.

Well, guess what. That is not very well regarded by the Badr Brigade, folks, and Sadr is going: Whoa, whoa, wait a minute.

So this creates a dilemma. The splintering of Iraq creates a dilemma for even the Iranians who do not want to do us any favors at all. The generic point I am making is, as time has passed, and I will use Bosnia as an example, when we first started off talking about what, in essence, became of the Dayton Peace Accords, you did not have any takers. And it only got to the point where you had the Croats and the Serbs concluding they could not dominate. They could not control Bosnia-Herzegovina.

That is when they all began to think, you know, the blood and treasure that was—exceedingly what has happened, once they got to the point where they realized the gun was not going to get their solution, they became, very reluctantly, but they became much more acclimated to the notion of what the Dayton Peace Accords did.

The bottom line is, asking me that question a year ago, I would not have said to you that internally the leaders among the Shia, the Kurds, and the Sunnis will be more inclined to accept this, but they are because reality has set in. The Kurds have figured out they cannot and do not want to be totally independent because the Turks will take them out.

The Shia have figured out, generically, the leadership, that they may have 62 percent of the population or thereabouts and control the political apparatus, but they cannot stop their mosques from being blown up. They cannot physically control the country.

And the Sunnis have figured out that they are not going to run the country again in the near term. So it is a little bit like coming face to face with the reality of one circumstance.

As I said at the outset to my friend, a lot of this relates to people arriving at this conclusion, even in Iraq, by default. The Sunnis would much rather dominate the country again. The Shia would much rather keep the Sunnis out, as Maliki in his heart would like to do, but he cannot because he cannot control them.

The Kurds would love to be independent totally but for the fact that they understand it may be their very demise. So reality is sinking in. The larger point, I say to my friend from Virginia is this: The dilemma I hear, and I hear it from my Democratic colleagues, I imagine I will hear it from some of my Republican colleagues, and it is legitimate. They say: BIDEN, we cannot force a political solution any more than we can force a military solution.

Well, I would argue that it is true we have lost our credibility to be able to do what I believe we could have done 5 years ago or 4 years ago. But that is why part of this amendment calls for internationalizing the political solution.

I know my friend from Indiana believes, whether it is the same objective, that there is an overwhelming necessity to engage major powers in the world, to engage regional powers so that, as he says, there are fora; every single day they are sitting down rubbing shoulders trying to figure out an accommodation.

It cannot be done in the abstract. It cannot be done by President LUGAR sitting in the White House dealing with Maliki sitting in Baghdad. It cannot be done by bringing in the regional players in Sharm El Sheikh, with us convening it and thinking that will get it done. It requires something heavier, deeper, more substantial because one of the things that will get people's attention, that will get the attention of the Sunni leaders and Shia leaders and Kurdish leaders, the international community led by the major five powers, is if the Security Council says: Hey, look, we are gathering up the team—Iran, Turkey, Saudi Arabia, et cetera, et cetera—and here is what we think your constitution says, and this is what we are prepared to support.

What that does, that not only has implied sticks, it has significant carrots. Significant carrots. That organizational structure can say: We, from the outset, will be the guarantors that none of the regional powers will conclude they must be involved militarily or in a disruptive fashion because the truth is, what I try to do is think of myself as, OK, I am a real bad guy, Iranian leader who hates the United States.

What benefits me the most? What benefits me the most is occupying 10 of our 12 divisions in Iraq posing no

threat to them, seeing American blood and treasure spilled. But what I do not want to see is America, notwithstanding all of the bravado of Ahmadinejad, that: We will fill the vacuum; we, the Iranians, will fill the vacuum. That is not a vacuum they are looking to fill. If they could fill it, they would. But their ability to fill that vacuum is marginal at best. Their influence is degraded when there is continuing sectarian violence. It diminishes in the context of an international settlement.

So the truth is, it requires the national leadership to agree on a regional solution. A national leadership will be unable, in the lifetime of any one of us on this floor, to agree to a central solution; a unity government from the capital city of Baghdad, having military and police authority over the entire country.

Can anyone imagine the possibility, even the possibility, that you will see a Shia-dominated police force patrolling in Fallujah? As the old joke goes, raise your hand if there is a remote possibility of that.

Already you cannot send into what is now Kurdistan, three governments, you are not even allowed to fly the Iraqi flag without permission. You cannot send the Iraqi Army there without their permission. You cannot send any national police force there without their permission.

So what makes us think there is anything—let me make an analogy for you. When Washington accepted the surrender documents signed by Cornwallis at the end of our Revolutionary War, I say to my friends from Virginia and Massachusetts, what chance do you think there would have been if we had to vote within 6 months on the Constitution that was ratified in Philadelphia?

Do you think Massachusetts and Virginia would be in the same country? I respectfully suggest, from a historical standpoint, you would not be. So what did we do? We did what I am proposing. You essentially set up Articles of Confederation.

You said: We are going to let Massachusetts and Delaware, the first State, Massachusetts, and Delaware and New Jersey and Virginia, have considerable autonomy. There was no President. There was a Continental Congress, a decentralized federal system.

It took us 13 years to get to our Philadelphia moment. Wherein does the arrogance emanate from that we think by putting 160,000 troops in Iraq, we can, over a 4-year period, in a country that was made by the stroke of a diplomat's pen, where France and Britain divided up the spoils of the Ottoman Empire, what makes us think that we can expect them to do something that we were unable to do? So, folks, this is pretty basic stuff. I know everybody knows that. I am beginning to sound like I am lecturing. I do not mean to do that. This is pretty simplistic in a sense; it is not rocket science.

Mr. WARNER. If I can interrupt my good friend, the central issue is, we are losing, as you pointed out, our greatest national treasure: our youth, killed and wounded. How much longer? You are talking about indefinite periods of time. What do we do now by which to give a greater measure of protection to them while this process that you indicated is very slow can evolve, and what pressures are we going to put on the greater international community, the top five, to do what you have defined?

Mr. BIDEN. I say to my friend: Ask. Let me give you an example. I will be concrete. It is like pushing an open door. I asked for a meeting, I say to my friend, in the tradition of Senator LUGAR when he was chairman of the Foreign Relations Committee.

I asked for a meeting, a private meeting with the Permanent Five of the Security Council, who, as my good friend knows, is: China, Russia, England, France, and the United States.

All five of those Ambassadors, including our own, Khalilzad, agreed to meet with me and two other members of the Foreign Relations Committee privately 5 weeks ago—on Monday I think it was 5 weeks ago. We sat in a conference room overlooking the East River for about an hour and a half.

I asked the question to all five, including our Ambassador. I said: What would you do, gentlemen—one lady; the British Ambassador is a woman. I said: What would you do, gentleman and lady, if the President of the United States asked each of your countries to participate in convening an international conference on Iraq?

One of the Ambassadors—since this was a private meeting I will not name him—said: Senator, I would ask your President: What took you so long to ask?

Then I can refer to the French Ambassador. The French Ambassador pointed out that there is an inevitability of us leaving. And if, in fact, we leave a shattered Iraq, his country is in trouble. Remember, last August we were reading about automobiles being torched from Marseilles to Normandy. Why? Over head scarves. Between 10 and 14 percent of the French population is Muslim. The last thing the French need is a radicalized, cannibalized Iraq. It went on from there.

My point is, the President—I promise you—has not asked. He has not asked. I think my friend from Indiana knows, at least indirectly—because Ambassador Khalilzad, I believe, spoke to him; he was there with me—there is a consensus among many in the administration to ask, but there is still this overwhelming reluctance that we don't need anybody's help; we can do it. Let me tell you, that is a vanity which is a burden, a significant burden.

There are three things we should be doing immediately. And I know we have a disagreement on this, in my view, redefining the mission of Americans who are there being killed and wounded. We are not going to settle

this civil war by remaining on the faultlines. It is not going to happen. Even to totally quell it, you know—as a military expert, I defer to you—we don't have enough troops with the surge. If you have 500,000 troops, you could sit on the faultlines. It wouldn't solve the problem, but you could send it underground. But we don't. I wouldn't even advise it if we did because there is no underlying political rationale.

My point is, redefine the mission. Were I President today, which is a presumptuous thing to say, I would be doing exactly what General Jones recommended. I would be pulling back to the borders. I would be dealing with force protection. I would be focusing on al-Qaida of Mesopotamia. I would be focusing on training Iraqi forces. I would not be focused on going door to door in Sunni or Shia neighborhoods in a city of 6.2 million people. I would not have an American convoy traveling the streets with roadside bombs being blown up.

The second thing we need to do, but it is not required to support this amendment, there is an incentive to the world, to the region, and to the recalcitrant leadership in Baghdad to say: Hey guys, we are drawing down. For the mission I just stated—and I defer to my friend—you don't need 160,000 troops for the Jones mission, for lack of a better way of phrasing. You need closer to 50,000. Guess what. That is going to get the attention, as my friend CARL LEVIN has been saying for some time, of the Iraqis. They may have their altar call. I am not counting on it, but they may.

The third thing we should be doing is, if you look at the David Ignatius piece in the Post today, what Senator LUGAR and I and others and maybe my friend from Virginia have been talking about for 4 years—we talked about it before we went in. Who is talking to the tribal chiefs? Who is talking to the local folks? Who is engaging them? What are we finding out now? Just read the Ignatius piece. All of a sudden, it is like, my goodness, maybe we should be talking to these guys. So here is the deal. When you get to this, you say: Look, here is what your Constitution says, and here is what you voted on in your Parliament to implement articles 15, 16, 17 and 18, which allows you to become a region, essentially a state like the United States. Write your own Constitution. It can't supersede the federal one. Allow you to own your local security.

Why is it working in Anbar to the extent it is? It is working because we said: Look, we promise you, tribal leaders, nobody is going to send anyone from Baghdad for you. There ain't going to be any Kurds or Sunnis in here. You set up your own police force. Cut through all the diplomatic jargon. That is what we did. That is it. Guess what. Once we did that, the tribal sheiks whistled and said: Boys, you can join. They had 10,000 people show up



who wanted to be cops or police. Why? Because Sunnis were going to be guarding Sunnis.

So this stuff about political movement is a joke. Not a joke—that is the wrong way to say it. It is a fiction. There is nothing unity about that.

I sat next to Abdul Sattar for 2 hours, the guy who got blown up last Thursday, the tribal sheikh who led the insurrection against al-Qaida Mesopotamia, told me how safe everything was in Ramadi. They land me and my staff and the Senator from Arkansas in a Blackhawk helicopter with two Cobra gunships. We go inside the city. We are told how safe it is. I can walk down the street; that is true. We have a sandstorm. I say: No helicopters coming. Can you drive to Baghdad? No, no, no. It ain't that safe. Then 7 days later I get a call from a reporter from the Washington Post: Senator, didn't you spend a lot of time with the same tribal chief the President was with at the airbase? I said: Yes. In this safe city that he runs, with an American tank sitting in front of his house, with bodyguards, he got blown to smithereens.

The generic point I am making here is the idea that somehow we are going to be able to negotiate these faultlines is beyond our ability. But it is possible, working with Sunni, Shia, Kurd, we may be able to augment their physical security as they make this transition.

What did we do in Dayton? It is not precisely analogous, but it is analogous. There was more sectarian violence from Vlad the Impaler to Milosevic than in 5,000 years of history of what we now call Iraq. That is a fact. That is a historical fact. What did we do? As my friend from Indiana knows, I was deeply involved in pressuring President Clinton from 1993 on to take action in the Balkans. What did we finally do in Dayton in a bipartisan way? We called in Russia, the European powers. We then brought in the Serbs, Milosevic, the Croats, Tudjman—who, as my friend knows, was no box of chocolates—and Izetbegovic. We got them all in one room. We essentially locked the door. We said: Figure it out, folks.

What did they figure out? Separate the parties. Even I was a little concerned about the Republika Srpska within Bosnia. What did we do? We said: Your militia can now become your police force. That is, in essence, what we did. We said to the Croats and the Bosnians, who were Muslims: You have to coexist in this other place. This place called Sarajevo is going to be a capital city, but it ain't going to govern the whole country in the way in which the capital of Washington, DC, has influence over the rest of America.

Guess what. To truncate this, the West has had an average of roughly 20,000 troops there for 10 years. What has been the result? Knock on wood—not one has been killed, not one has been shot dead. The ethnic cleansing has stopped. What are they doing now? Attempting to amend their Constitution to become part of Europe.

I asked my staff to go back. I said: Tell me how the repatriation is going on. People are returning. Of the 2.2 million refugees in Bosnia, internal or external, 1.1 million have returned to their homes. Almost half a million have returned as minority returns, Serbs moving back into predominantly Croat neighborhoods, Croats moving back into predominantly Bosniak or Serb neighborhoods. It is painful. It takes time. But what did we do? We got them all in a room, figuratively speaking.

We have to get them in a room, Senator LUGAR. We have to get them in a room. Because let me tell you something, some in the administration privately say to me: Joe, you are right. There is an inevitability to a federal system. The difference between an inevitability and us being the catalyst to bring it about may be years. That is thousands of deaths, maybe tens of thousands, counting Iraqis and American. We don't have that time. And look, I don't want to criticize the President. I don't. God love him, I don't care whether he gets credit or blame at this point. But let me tell you one thing for certain: What Presidential leadership is about is a change in the dynamic of situations that are admittedly out of control. It requires taking risks. Thus far, the only risk we have taken is the lives of our troops. We have taken virtually no diplomatic risks.

I say to my friends, there is a reason why, although what I am proposing here is not ideal, I think there is a reason why so many people—left, right and center—have come to this conclusion. One thing about us Americans is, we have ultimately led the world as a consequence of two traits we possess, in my opinion, that exceed that of any other country. It is not just our military power; it is our idealism coupled with our pragmatism. It gets down to a very pragmatic question: If you don't like Biden et al.'s political solution, what is yours? What is yours?

The world is waiting. They are literally waiting. No one has the capacity, absent our active cooperation and engagement, to do anything to better the situation. We do. The potential power is in our hands. But I respectfully suggest that we can't do it by ourselves. We have lost the credibility to do that, rightly or wrongly.

So it takes me to the essence of this amendment. The amendment simply says—and I will not take the time to read it; I know other people wish to speak. I might add, this is the first and only time in the last 3 months I have spoken on the floor. I apologize for the time, but I think it is the single most critical issue we face. I know my friends think that too.

Regardless of your political persuasion, how do you attend to the agenda each of us has, from the right or the left, to deal with the social ills and concerns of America until we end this

war? We are going to spend, counting it all, \$120 billion a year. How do you deal with that—the Republican approach to dealing with generating economic growth or the Democratic approach? How do you deal with tax structure and tax policy? How do you do this?

Look, it is the ultimate preoccupation, with good reason, of the American people. Again, I know no one more loyal or knowledgeable about the U.S. Armed Forces whom I have served with in the Senate than my friend from Virginia. He knows there is only one group of Americans making a sacrifice now—it is the thousands of families, thousands, 166,000 families. It is those families. They are the only ones. But guess what. It is against the Senate rules to refer to the Gallery by pointing to them. But I will refer to previous Galleries. Everyone who sits in this Gallery, they get it. They get it, whether they have a child, son, daughter, husband or wife there.

(Ms. KLOBUCHAR assumed the Chair.)

Mr. BIDEN. So folks, I must tell you, I am getting frustrated with all the tactical—not strategic—suggestions that have been made with how to deal with this war. Because if you put together a basic syllogism, the basic premise is what? There is no military solution; only a political solution.

So what yields that political solution? Can I guarantee the Senator from Minnesota, the Presiding Officer, that my solution will work? No. But I can guarantee—I will rest my career on what I am about to say—that there is no other political solution being proffered that has any—period; not one “being offered”—and none of the tactical solutions offered will, in fact, solve this problem, none.

I know you are all afraid. I know everybody who is running is afraid to sign onto a specific proposal. “Afraid” is the wrong word—reluctant. Because then you become the target. You become the target. You offer a specific alternative, and it is easy to focus on whether your solution can work. If it is tried and failed, then you made a mistake. As the old saying goes: What do they pay us the big bucks for? Why are we here? Why are we here?

Let's stop pussyfooting around. Either vote for this political solution or offer another one or say you think there is a military solution or say you think it is totally hopeless, there is no resolution. Let's leave and hope for the best. But don't tell me you have a plan if it does not fall in one of those four categories. Don't tell me. That is disingenuous.

So, again, can I guarantee this will work? No. Every single day that goes by, absent an attempt to implement what I am proposing, or something similar to it, without it being attempted, makes it harder. Look, it is not often that Thomas Friedman, David Brooks, Charles Krauthammer, Henry Kissinger, Madeleine Albright, Les Gelb—I will go down the list—

agree on the same principle about the most fundamental, immediate foreign policy issue facing the United States of America.

I am open—I have no pride of authorship—I am open to amending, tweaking, changing, but I will end where I begin. The central, fundamental, animating principle of this concurrent resolution is: Iraq will not be governed from the center anytime soon, and I am not prepared for my son and his generation to continue to shed their blood in an effort to do that. I will not do that.

As we leave—and we will leave, as my friend from Virginia knows—as we leave, the only honest question that any President or Senator must ask himself or herself is: Do we have any ability to affect what we leave behind? If we do, we have a moral overriding, overarching obligation to the next generation to try to do it.

Because let me tell you something, I am out there, as the old saying goes, on the trail. The easiest thing to say is: I wash my hands, man. Out. It is—let me choose my words correctly—it is not an answer. It is not an answer. It is not an honest answer.

So I ask unanimous consent that recent supporting ideas relating to federalism—whether or not they use the Biden language—be printed in the RECORD.

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

#### RECENT SUPPORT FOR FEDERALISM IN IRAQ

The Kurdish autonomous zone should be our model for Iraq. Does George Bush or Condi Rice have a better idea? Do they have any idea? Right now, we're surging aimlessly. Iraq's only hope is radical federalism—with Sunnis, Shiites and Kurds each running their own affairs, and Baghdad serving as an ATM, dispensing cash for all three. Let's get that on the table—now.—Thomas Friedman, *New York Times*, August 29, 2007

Most American experts and policy makers wasted the past few years assuming that change in Iraq would come from the center and spread outward. They squandered months arguing about the benchmarks that would supposedly induce the Baghdad politicians to make compromises. They quibbled over whether this or that prime minister was up to the job. They unrealistically imagined that peace would come through some grand Sunni-Shiite reconciliation.

Now, at long last, the smartest analysts and policy makers are starting to think like sociologists. They are finally acknowledging that the key Iraqi figures are not in the center but in the provinces and the tribes. Peace will come to the center last, not to the center first. Stability will come not through some grand reconciliation but through the agglomeration of order, tribe by tribe and street by street.

The big change in the debate has come about because the surge failed, and it failed in an unexpected way. The original idea behind the surge was that U.S. troops would create enough calm to allow the national politicians to make compromises. The surge was intended to bolster the “modern”—meaning nonsectarian and nontribal—institutions in the country. But the surge is failing, at least politically, because there are

practically no nonsectarian institutions, and there are few nonsectarian leaders to create them. Security gains have not led to political gains.—David Brooks, *New York Times*, September 4, 2007

A weak, partitioned Iraq is not the best outcome. We had hoped for much more. Our original objective was a democratic and unified post-Hussein Iraq. But it has turned out to be a bridge too far. We tried to give the Iraqis a republic, but their leaders turned out to be, tragically, too driven by sectarian sentiment, by an absence of national identity, and by the habits of suspicion and maneuver cultivated during decades in the underground of Saddam Hussein's totalitarian state. . . .

We now have to look for the second-best outcome. A democratic, unified Iraq might someday emerge. Perhaps today's ground-up reconciliation in the provinces will translate into tomorrow's ground-up national reconciliation. Possible, but highly doubtful. What is far more certain is what we are getting: ground-up partition.—Charles Krauthammer, *Washington Post*, September 7, 2007

It is possible that the present structure in Baghdad is incapable of national reconciliation because its elected constituents were elected on a sectarian basis. A wiser course would be to concentrate on the three principal regions and promote technocratic, efficient and humane administration in each. The provision of services and personal security coupled with emphasis on economic, scientific and intellectual development may represent the best hope for fostering a sense of community. More efficient regional government leading to substantial decrease in the level of violence, to progress towards the rule of law and to functioning markets could then, over a period of time, give the Iraqi people an opportunity for national reconciliation—especially if no region is strong enough to impose its will on the others by force. Failing that, the country may well drift into de facto partition under the label of autonomy, such as already exists in the Kurdish region.—Henry Kissinger, *Washington Post*, September 16, 2007

Mr. BIDEN. I would assert I am confident there are some major players in this administration who agree with the tact I am taking, and I would invite—that is not why he is on the floor, I know—I would invite any advice or suggestions—not at this moment—from my friend from Indiana or my friend from Virginia as to how to deal with this.

But, ladies and gentlemen, it took us—it took us—13 years to get to our Philadelphia moment. It is going to take the Iraqis a lot longer. I do not want to see a regional war in the meantime because every one of us knows, whether we are here 3 years from now, there will not be 133,000 troops in Iraq. That will not be the case no matter who is President. The American people will not stand for it, and we will respond.

I yield the floor.

Mr. WARNER. Madam President, I, for one, will accept the challenge to carefully go back and look at the Senator's amendment and the foundation documents which he has described, and I look forward to Monday and Tuesday, perhaps, reengaging the Senator.

I say to the Senator, I think it is a very heartfelt expression of your own views that you have shared with us this

morning. I think it is a constructive contribution to this debate.

Mr. BIDEN. Madam President, I thank my friend and I appreciate his kind remarks.

Madam President, I also ask unanimous consent that the article in Thursday's *Washington Post*, dated September 20, by David Ignatius, entitled “Shaky Allies in Anbar” be printed in the RECORD.

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

#### SHAKY ALLIES IN ANBAR

(By David Ignatius)

The Bush administration has been so enthusiastic in touting its new alliance with Sunni tribal leaders in Anbar province that it's easy to overlook two basic questions: Why did it take so long to reach an accommodation with the Sunnis? And is Anbar really a good model for stabilizing the rest of Iraq?

First, the what-took-so-long issue: The fact is, Sunni tribal leaders have been queuing up for four years to try to make the kind of alliances that have finally taken root in Anbar. For most of that time, these overtures were rebuffed by U.S. officials who, not inaccurately, regarded the Sunni sheiks as local warlords.

This disdain for potential allies was a mistake, but so is the recent sugarcoating of the tribal leaders. They are tough Bedouin chiefs, sometimes little more than smugglers and gangsters. The United States should make tactical alliances with them, but we shouldn't have stars in our eyes. The tendency to overidealize our allies has been a consistent mistake.

Like other journalists who follow Iraq, I began talking with Sunni tribal leaders in 2003. Most of the meetings were in Amman, Jordan, arranged with help from former Jordanian government officials who had perfected the art of paying the sheiks. One contact was a member of the Kharbit clan, which had long maintained friendly (albeit secret) relations with the Jordanians and the Americans. The Kharbits were eager for an alliance, even after a U.S. bombing raid killed one of their leaders, Malik Kharbit, in April 2003. But U.S. officials were disdainful.

During a visit to Fallujah in September 2003, I met an aging leader of the Bu Issa Tribe named Sheik Khamis. He didn't want secret American payoffs—they would get him killed, he said. He wanted money to rebuild schools and roads and to provide jobs for members of his tribe. U.S. officials made fitful efforts to help but nothing serious enough to check the insurgency in Fallujah. Back then, you recall, the Bush administration was playing down any talk of an insurgency.

A Sunni tribal leader who pushed bravely for an alliance with the Americans was Talal al-Gaod, a leader of one of the branches of the Dulaim tribe. Looking back through my notes, I can reconstruct a series of his efforts that were mishandled by senior U.S. officials: In August 2004, he helped arrange a meeting in Amman between Marine commanders from Anbar and tribal leaders there who wanted to assemble a local militia. Senior U.S. officials learned of the unauthorized dialogue and shut it down.

Gaod tried again in November 2004, organizing a tribal summit in Amman with the blessing of the Jordanian government. Again, the official U.S. response was chilly; the U.S. military launched its second assault on Fallujah that month, and the summit had to be canceled. In the spring of 2005, the tireless Gaod began framing plans for what he

called a "Desert Protection Force," a kind of tribal militia that would fight al-Qaeda in Anbar. The proposal was gutted by U.S. officials in Baghdad who derided it as "warlordism."

A despondent Gaaod e-mailed me in July 2005: "Believe me, there is no need to waste anymore one penny of the American taxpayers' money and no more one drop of blood of the American boys." His despair roused the new American ambassador to Baghdad, Zalmay Khalilzad, who began meeting with Gaaod and other Iraqi Sunnis in Amman in hopes of brokering a deal with the insurgents. Gaaod died of heart failure in March 2006.

What finally happened in Anbar was that Sunni tribal leaders—tough guys who have guns and know how to use them—began standing up to the al-Qaeda thugs who were marrying their women and blocking their smuggling routes. The initial American response in mid-2006, I'm told, was ho-hum. More warlords. But Green Zone officials began to realize this was the real deal, and a virtuous cycle began. The tragedy is that it could have happened much earlier.

The American plan now, apparently, is to extend the Anbar model and create "bottom-up" solutions throughout Iraq. For example, I'm told that U.S. commanders met recently with the Shiite political organization known as the Supreme Islamic Iraqi Council and gave a green light for its Badr Organization militia to control security in Nasiriyah and some other areas in southern Iraq and thereby check the power of Moqtada al-Sadr's Mahdi Army. We're interposing ourselves here in an intra-Shiite battle we barely understand.

These local deals may make sense as short-term methods for stabilizing the country. But we shouldn't confuse these tactical alliances with nation-building. Over time, they will break Iraq apart rather than pull it together. Work with tribal and militia leaders, but don't forget who they are.

Mr. BIDEN. Madam President, I yield the floor and thank my colleagues.

Mrs. FEINSTEIN. Madam President, expectations were high on Capitol Hill and the rest of the Nation this month.

We were all hoping to hear a major new strategy on how to forge political accommodation in Iraq from General Petraeus and Ambassador Crocker, and most importantly from President Bush.

We did hear of some limited, tactical success in improving security, but we learned nothing new on how the Bush administration would bridge the yawning political gap between Shia and Sunni.

In fact, the President in his speech last week to the Nation offered no change in policy and no strategy for reaching the political accommodation that is necessary in Iraq.

In his eighth prime-time address on Iraq, the President again made the case that his policy will bring success in Iraq.

We have heard "mission accomplished," we have heard calls for patience, and innumerable claims that we are winning. We have heard that more troops will lead to political progress.

We have heard that "when they stand up, we stand down," but there is no clear plan to get them to stand on their own.

And, this time we received yet another slogan—"Return on Success" a

new name for staying the course, keeping the status quo.

So, even though for months we have been told by the White House and many of my colleagues on the other side of the aisle to wait until September for a new strategy, we are still told to wait—again—but for what?

Neither General Petraeus nor Ambassador Crocker could provide answers to how long a U.S. troop presence will be in Iraq. As Ambassador Crocker said, "No timelines, dates, or guarantees." Yet we are told to embrace their recommendations and continue more of the same.

This will do nothing to force Prime Minister Maliki to take the necessary actions to bring political stability to that nation.

Sadly, we are left with no conclusion but this—the upcoming year will result in little change in the political stalemate that marks Iraq's Government today.

This, I believe, is a missed opportunity for telling the American people how political progress would be made in Iraq, for describing how and when the vast majority of our troops would come home, and for charting a new strategy and finding a way out of Iraq.

No, this President and his military and political advisors seemed determined to keep a high level of U.S. forces in Iraq for the foreseeable future.

It was clear from the President's speech that he fully intends to maintain his failed Iraq policy through the end of his administration and then lay the problem at the feet of his successor.

The President would also like to take credit for drawing down our troops when the reality is that he is willing to go no further than presurge levels through next July. The same troop levels in Iraq 10 months from now as we had 10 months ago. This is not change; this is not a plan.

In fact, this was always the expectation, because simply put, the Army is on the verge of breaking. Troop rotation limitations make it imperative that we draw down troop levels by this April to avoid extending our soldiers' 15-month tours further.

Only a token contingent—about 5,000—will come home by the end of this year.

Clearly, a choice has been made by this White House to leave the difficult decisions to the next administration; that is, unless Congress acts. So Congress, once again, has an opportunity, an opportunity to do what this administration will not—to bring about major reductions in troops, and to begin the process of bringing our troops home.

I hope Democrats and Republicans can find common ground in the coming weeks to transition the mission and remove our troops from the midst of a civil war that only the Iraqis can solve.

We must forge a bipartisan plan to move our troops out of Iraq.

That is what the American people want.

Improvements in security are welcome, but by themselves, they do nothing to answer the difficult questions facing the nation. I do not doubt that the surge has had a positive effect on security.

When you add 30,000 U.S. forces into a region, you are going to have an impact on the area. I would be surprised if it were otherwise.

And it is clear that there have been improvements in security in Al Anbar province. Sunni sheiks are working with U.S. forces against brutal foreign fighters. But we must also acknowledge that many of these improvements started to take place before the surge even began. And levels of violence in other areas of Iraq have receded from the December 2006 peak. Yet, these levels of violence, it should be noted, still remain high compared with 2004 and 2005 levels.

Every recent report admits that the security progress has been uneven. In fact, the latest Pentagon Quarterly assessment released just this week points out that even as Iraqi civilian deaths fell to their lowest level in 5 months in June, attacks against coalition forces reached record levels that same month.

Civilian casualties, in fact, rose again in July, and a telling chart in that Pentagon report shows the average daily casualties in Iraq—including coalition forces, civilians, and Iraqi security forces—increasing to about 150 per day in July and August.

Moreover, we face a growing humanitarian crisis in Iraq as the number of displaced Iraqis is increasing by 80,000 to 100,000 a month. To date, at least 2.2 million Iraqis have fled their country, and another 2 million have been forced to leave their homes to escape the sectarian violence.

There continue to be IED explosions, suicide bombings, sectarian killings on a daily basis.

So violence continues, even if by some measures there have been indications of a decline in the last several weeks.

But the point is this—the surge is not an end in itself. It is not a strategy. It is a tactic to achieve a purpose.

The purpose of the surge was meant to give politicians the breathing space needed to make the tough choices necessary to forge a stable government.

Yet, according to independent analysis, there has been little progress in meeting the key benchmarks.

The Iraqi Government has met only 3 of 18 benchmarks—not including major political action on an oil law, constitutional reform, and deBaathification.

These benchmarks, by the way, were commitments made by the Iraqi Government itself, not the U.S. Congress. They were put forward to the Nation by President Bush in January as critical indicators of political progress in Iraq that would come about as part of the surge. Yet, this did not happen.

And recent reports all raise stark doubts about the likelihood that we

will see any significant political progress on the part of the Iraqi government in the coming months.

Even Ambassador Crocker showed deep pessimism that meeting these benchmarks and achieving major political progress would be possible in the next month or year.

He said, "I frankly do not expect us to see rapid progress through these benchmarks" and suggested that progress would take months if not years to achieve.

So the American people are being asked for more patience at a time when it is clear that we do not have a strategy in place to remedy the situation in the immediate future.

While this administration continues to endorse an open-ended commitment of our presence in Iraq, our brave service men and women are caught in the middle of a situation that everyone agrees can only be resolved with a political solution. This is deeply troubling to me. Our nation has been in Iraq for 4½ years. We have spent \$450 billion and the President will soon ask us for \$200 billion more.

We have lost nearly 3,800 American troops, over 400 from my home State of California. Almost 28,000 have been injured in Iraq.

We entered the country thinking that we would be met as liberators, and had no contingency plans in place if we were not.

The borders weren't secured, leading to an inflow of foreign fighters.

Debaathification was put in place on all levels of civil society, leading to resentment and widespread unemployment.

The army was disbanded, creating a disaffected, trained insurgency.

The munitions dumps weren't secured, essentially arming the insurgency.

There has never been a clear-eyed strategy to resolve the major difference between Shia and Sunni.

In a case of truly open candor, General Petraeus even admitted that he did not know if the U.S. presence in Iraq had made America "safer."

And now the American people are being asked for more of the same.

More time, more patience, more of our blood and treasure—all without a strategy. I cannot support this view.

I have said for a long time now that I believe that we should transition the mission in Iraq and begin to move our troops home. I am more convinced of that today.

Our forces only buttress the Maliki government and shield them from making the tough decisions.

If our President will not hold the Iraqis accountable, then Congress must.

Bush's plan means a large number of American troops in Iraq for years to come—an undefined commitment to Iraq.

Is it right to ask for a commitment from our troops when the Iraqis won't commit themselves? Clearly no.

So I believe that Members of Congress on both sides of the aisle should come together in support of a plan to start bringing our troops home. They should not be in the middle of an ethno-sectarian civil war.

We need an answer to the one question which General Petraeus famously asked as commander of the 101st Airborne in Iraq in 2003, "Tell me how this ends."

Mr. DODD. Madam President, I wanted to take a moment to explain why I voted against the Levin-Reed amendment on Iraq.

Let me say at the outset that I am second to none in this body in my opposition to the President's failed policy in Iraq. Yesterday I spoke in strong support and voted for the Feingold-Reid amendment that would have set forth a clear and enforceable deadline for ending our military involvement in the unwinnable civil war in Iraq. Sadly, only 27 of our colleagues joined with me in voting for the Feingold-Reid amendment.

I do not doubt the sincerity of Senators LEVIN and REED in offering their amendment. These have been two articulate voices in the Senate calling for a change in our policy in Iraq for some time now. They like many of our colleagues have spoken out strongly about the failure of the President's policy and highlighted the fact that this policy has made our Nation less safe and has broken our military. But I believe this President will not admit failure or change policy unless we force him to, and the only effective instrument available to this Congress to do so is to exercise its power of the purse and cut off funding for this war, once our men and women in uniform have been safely withdrawn from Iraq. That is what the Feingold amendment would have accomplished, and that is what any amendment that I will vote for henceforth must do.

We all know this President doesn't understand subtlety. He has demonstrated time and time again that he doesn't respect this Congress or even the law. How many signing statements has this President issued in which he outlines ways to ignore or circumvent the laws written by this Congress? Too many. How many innocent Americans have been subject to illegal, warrantless wiretaps authorized by this President? Too many. How many falsehoods and deceptions have been perpetrated by this President to justify his disastrous war of choice in Iraq? Too many.

There is only one way to force this President to change course in Iraq and that is to take away the money required for him to conduct that war. Iraqi officials need to be convinced as well that we truly mean it when we say it is time for them to take responsibility for their country and not count on us indefinitely to fight their fight for them.

If we are truly being honest with the American people when we say we are

fighting to end this failed policy, we must do everything possible to do so. That is why while I respect the efforts of my colleagues Senators LEVIN and REED, I felt compelled to vote against their amendment.

I hope the next time this body debates the war in Iraq, many more of our colleagues will join with Senator FEINGOLD and me in voting for a clear and enforceable deadline to end our military involvement in Iraq and set on a new course that makes our Nation more secure and allows our broken military to begin to rebuild.

Too many days have passed and too many lives have been lost while this Congress has stood by and not acted. That must end.

Mr. AKAKA. Madam President, yesterday I offered, along with my colleague Senator WEBB, an amendment to the National Defense Authorization Act for Fiscal Year 2008 that would require the Secretary of the Army and the Secretary of Veterans Affairs to prepare a report on plans to replace the monument at the Tomb of the Unknowns at Arlington National Cemetery.

Our amendment seeks to clarify the plans of the Secretaries to replace the monument at the Tomb of the Unknown due to cosmetic cracks that have appeared over time in the facing of the monument. It would require the Secretaries to provide Congress with a description of the current efforts to maintain and preserve the monument and an assessment of the feasibility and advisability of repairing rather than replacing it. The Secretaries would also be required to report on their plans to replace the monument and, if replaced, how they intend to dispose of the current monument. Our amendment would prevent the Secretaries from taking action to replace the monument until 180 days after the receipt of the report.

The Army contends that the cracks in the monument diminish the aesthetic value of the monument and that the cracks justify the monument's replacement. The Army's position is that the cracks in the monument cannot be fixed and that it will continue to deteriorate. The Army also contends that the surface of the monument has weathered to the point that, within the next 15 years, the details of the carving are expected to be eroded to the extent that the experience of visiting the tomb will be adversely effected. They justify its replacement by asserting that the Tomb of the Unknowns has significance beyond its historic origins and therefore should be maintained in as perfect of a state as possible.

This position is not shared by many civic and preservation groups who believe the monument can and should be preserved and repaired. This view is also shared by the preservation architects who completed the last formal study of repairs to the Tomb of the Unknowns in 1990. Supporters of preserving the current monument view it

as something that cannot be replicated. They do not believe the experience of visitors will be diminished by the weathering and deterioration that come over time. They believe it is a symbol that should be considered in the same vein as other imperfect symbols of our heritage such as the Liberty Bell and the Star Spangled Banner, the flag that inspired our national anthem.

It is important to note that the Capitol Building and the White House are other well-known and well-loved American icons that have developed cracks and other flaws in their building materials, but no one is suggesting that they be torn down and replaced with replicas.

It is also important that, as we consider replacing the monument at the Tomb of the Unknowns, we acknowledge that it is the stated position of our Government under Executive Order 13287, signed by President Bush on March 3, 2003, that the Federal Government will provide leadership in the preservation of America's heritage.

Our amendment does not preclude the Secretaries from replacing the monument at the Tomb of the Unknowns in the future, but seeks to ensure that we move with great caution before making any decisions that would irrevocably affect this national treasure. I urge all of my colleagues to support this amendment.

Mr. WARNER. Madam President, I believe our colleague from Indiana, under the UC, has now some 30 minutes; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. WARNER. Madam President, I see our colleague from Massachusetts. Does he wish to put a formal request before the Chair with regard to his desire to address the Senate?

The PRESIDING OFFICER. The order is to recognize the Senator from Massachusetts following the Senator from Indiana.

Mr. KENNEDY. Madam President, I thank the Senator from Virginia. I see the Senator from Indiana on his feet, as well as my friend and colleague from Wyoming. I know the Senator from Indiana is eager to continue the discussion on the substance that has been raised this morning. I was wondering if we might have a very brief period of time, Senator ENZI and myself, to describe an extremely important piece of legislation that passed last evening, on a voice vote. It is very important in terms of the health of the country. We want to be able to speak briefly on that issue.

I am wondering if the Senator from Indiana would yield 5 minutes to the Senator from Wyoming and myself.

Mr. WARNER. Madam President, first, we would want to consult before that UC is given—

The PRESIDING OFFICER. An order already exists.

Mr. WARNER. With the Senator from Indiana, who I think has been waiting about an hour and a half.

Mr. LUGAR. Madam President, I thank the distinguished Senator from Virginia for raising the question. As a courtesy to my distinguished colleagues, I will be pleased to yield for the time requirements they have and then I will proceed after they have concluded.

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

Mr. WARNER. Madam President, I thank the Chair's inviting comment. Let us make it clear that I believe the UC, as structured, would be the Senator from Massachusetts will have 5 minutes, the Senator from Wyoming will have 5 minutes, and then the 30 minutes allocated to the Senator from Indiana will start.

The PRESIDING OFFICER. That is the Chair's understanding.

Mr. WARNER. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. First of all, Madam President, I thank my friend from Indiana, who is so typically gracious and understanding to his colleagues. We will be very brief. If the matter was not of such importance, we would not trespass on the Senator's time.

Madam President, I ask the Chair to let me know when I have 1 minute left.

The PRESIDING OFFICER. I will, Senator.

Mr. KENNEDY. I thank the Chair.

#### FOOD AND DRUG ADMINISTRATION REFORM LEGISLATION

Mr. KENNEDY. Madam 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 two cents a day for each citizen.

An agency that does so much so well deserves to be supported and strengthened. Yet too often, the opposite has been true. FDA's vital mission has been jeopardized by inadequate resources, occasionally insufficient legal authority, and absent leadership.

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 the Senate has approved.

The prestigious New England Journal of Medicine editorialized earlier this

year that the bill was “the most important drug-safety legislation in a century.”

Earlier this week, the House of Representatives approved this bipartisan measure by a broad bipartisan margin 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. I am pleased that the Senate did the same, sending that bill to the President with a unanimous voice of approval.

The stakes could not be higher. Funding for the FDA's vital safety mission has reached the breaking point. If we had not acted, the FDA Commissioner would have sent a letter today to over 2,000 employees informing them that their jobs were slated for termination.

Each of those individuals is a trained and experienced professional with many career options in academia or industry—yet each of them has made the decision to devote themselves to public service. If those talented public servants had left the agency, the consequences would have been with us for years—in terms of slower access to medicines for patients, weaker safety oversight and loss of America's competitive edge in the life sciences.

FDA has an urgent need for these funds. Its workload has increased massively in recent years but its resources have not kept pace. Since 1990, the number of adverse events submitted to the FDA has increased by over 1,300 percent, but the agency's resources have increased only 130 percent. The legislation provides over \$400 million this year for the review of drugs and medical devices at FDA, and over \$50 million for needed safety reforms to give these talented professionals the tools they need to do the job we are counting on them to do.

The bill before us is not just about resources—far from it. It is a strong and comprehensive measure to improve the safety of the medicines we rely on, and it takes important steps toward a safer food supply and less expensive prescription drugs.

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. For drugs that pose little risk, these actions might be as simple as a program to report side effects and a label with safety information—items that are currently required for all drugs. Drugs that raise major potential safety concerns might require additional clinical trials, a program to train physicians in using the drug safely, or a requirement that the prescribing physician have special skills.

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