

Word has reached me that George will soon be leaving the Postal Rate Commission, where he has been serving as Chairman since November 2001. His leadership at the helm of that agency, which oversees the revenues and expenses of the U.S. Postal Service and recommends the appropriate postage rates, has done much to restore financial confidence in the Postal Service.

September 11 and the accompanying anthrax attacks rocked our U.S. Postal Service with unplanned for expenses to such a degree that an increase in rates were badly needed to offset those expenses without reducing services to the American people. When the Postal Service made their request to the commission on September 24, 2001, George made history by thinking truly "outside the box" and proposed something never done before but was highly needed at the time: a "settlement agreement" of a major rate case. No small task as it required the Postal Service, the Postal Rate Commission and almost 100 interested parties and representatives of the mailing industry to agree to forgo lengthy litigation of the pending case and meet and work out differences together.

He was told it was "impossible" there was too much money at stake for parties to waive a good portion of their due process rights to achieve such an agreement. But, he felt strongly that September 11 was an extraordinary event and it called for extraordinary thinking on everyone's part, so on the first day of the hearings in that case after he had read his opening statement, he added these remarks:

I have often heard it said that there could never be a settlement in an omnibus rate case. There are too many conflicting interests, and too much money is at stake. But it seems to me that if there was ever a time when 'business as usual' was not an attractive course of action, and when cooperative efforts to promptly resolve issues through settlement might be the right course of action, that time is now.

To everyone's surprise, even their own, the parties responded. In approximately two and a half months the many diverse interests that frequently bitterly contest multiple issues in postal rate cases were able to negotiate, revise, and submit a stipulation and agreement as a proposed settlement. Instead of the normal 10 months, the entire case was initiated, negotiated and agreed to within 6 months.

In the 2002 Annual Report of the Postal Service, the Postmaster General and the Chairman of the Board of Governors explained the effect of those momentous remarks:

And, following a suggestion by the chairman of the Postal Rate Commission, we approached our major stakeholders and took a bold step that enabled us to implement new postage rates in June, 2002, rather than in the fall. This gained us an additional \$1 billion in revenue. As a result, and despite the impacts of the recession and the terror attacks, we were able to close the year with a loss that was almost \$700 million below original projections and half of last year's. None of the \$762 million the Administration and

Congress generously appropriated to the Postal Service to protect the security of the mail was used for operations.

George took the success of that effort and encouraged the Postal Service to look beyond the historical friction existing at their two agencies and focus on new ways to help the Postal Service continue to be successful. The Postal Service initiated a number of so-called negotiated service agreements and the commission and interested parties processed such agreements that brought in new volumes of mail and additional revenues to the Postal Service thus, extending the time needed between rate increases.

George has been a very successful chairman at the commission and I want to note his departure. I hope the legacy he leaves behind in the postal community and indeed, throughout government, is one of innovative thinking and the knowledge that working together can solve seemingly insurmountable problems.

So now that I have told you about George and the good things he has done, as a good Senator, I want to take credit for his good work by saying that I have known George since our days together at The University of Mississippi and that he served on my staff at various times in my career, including my time on the former House Committee on Post Office and Civil Service. When President Clinton nominated George as Postal Rate Commissioner in 1997, I was very pleased to introduce him at his confirmation hearings and give him my support. Needless to say, I was even more pleased when President Bush designated George as chairman of the commission in 2001.

George comes from good folks; his sister and her husband Bernadine and Ralph Marchitto, his niece Debra Lynn Wren, her husband John and George's grand niece Rebecca Elizabeth Wren still reside in the Biloxi area. Almost everyone who lived in Biloxi in the 1950s to the 1980s knew his parents, Violet and Pete Omas.

I will add that while George may be leaving the Postal Rate Commission, I don't believe he will going far, he has too much left to offer and I look forward to continuing to follow his future successes.

IRAQ

Mr. FEINGOLD. Mr. President, I have listened intently over the past few weeks as the President, members of his Cabinet, and Members of this Chamber have discussed Iraq, the war on terror, and ways to strengthen our national security.

For years, now, I have opposed this administration's policies in Iraq as a diversion from the fight against terrorism. But I have never been so sure of the fact that this administration misunderstands the nature of the threats that face our country. I am also surer than ever—and it gives me no pleasure to say this—that this

President is incapable of developing and executing a national security strategy that will make our country safer.

Unfortunately, Mr. President, because of our disproportionate focus on Iraq, we are not using enough of our military and intelligence capabilities for defeating al-Qaida and other terrorist networks around the world, nor are we focusing sufficient attention on challenges we face with countries such as Iran, North Korea, Syria, or even China.

While we have been distracted in Iraq, terrorist networks have developed new capabilities and found new sources of support throughout the world. We have seen terrorist attacks in India, Morocco, Turkey, Afghanistan, Indonesia, Spain, Great Britain, and elsewhere. The administration has failed to adequately address the terrorist safe haven that has existed for years in Somalia or the recent instability that has threatened to destabilize the region. And resurgent Taliban forces are contributing to growing levels of instability in Afghanistan.

Meanwhile, the U.S. presence in Iraq is being used as a recruiting tool for terrorist organizations from around the world. We heard the testimony of Dr. Paul Pillar, former lead CIA analyst for the Middle-East, a few weeks ago in front of the Foreign Relations Committee. He said, and I quote:

The effects of the war in Iraq on international terrorism were aptly summarized in the National Intelligence Estimate on international terrorism that was partially declassified last fall. In the words of the estimators, the war in Iraq has become a "cause celebre" for jihadists, is "shaping a new generation of terrorist leaders and operatives," is one of the major factors fueling the spread of the global jihadist movement, and is being exploited by Al-Qa'ida "to attract new recruits and donors." I concur with those judgments, as I believe would almost any other serious student of international terrorism. [January 10th, 2007]

Retired senior military officers have also weighed in against the President's handling of this war. Retired commander of Central Command, General Hoar, testified in front of the Foreign Relations Committee last week. This is what the general said:

Sadly, the new strategy, a deeply flawed solution to our current situation, reflects the continuing and chronic inability of the administration to get it right. The courageous men and women of our Armed Forces have been superb. They have met all the challenges of this difficult war. Unfortunately, they have not been well served by the civilian leadership. [January 18th, 2007]

If we escalate our involvement in Iraq or continue the President's course, that means keeping large numbers of U.S. military personnel in Iraq indefinitely. It means continuing to ask our brave servicemembers to somehow provide a military solution to a political problem, one that will require the will of the Iraqi people to resolve.

Escalating our involvement in Iraq also means that our military's readiness levels will continue to deteriorate.

It means that a disproportionate level of our military resources will continue to be focused on Iraq while terrorist networks strengthen their efforts worldwide. The fight against the Taliban and al-Qaida in Afghanistan, too, will continue to suffer, as it has since we invaded Iraq. If we escalate our involvement in Iraq, we won't be able to finish the job in Afghanistan.

Finally, the safety of our country would be uncertain, at best. Terrorist organizations and insurgencies around the world will continue to use our presence in Iraq as a rallying cry and recruiting slogan. Terrorist networks will continue to increase their sophistication and reach as our military capabilities are strained in Iraq.

These are only some of the costs of this ongoing war in Iraq. I have not addressed the most fundamental cost of this war: the loss of the lives of our Nation's finest men and women, and the grief and suffering that accompanies their sacrifice by their families. We have lost 3,075 men and women in uniform, and that number continues to rise.

These losses, and the damaging consequences to our national security, are not justified, in my mind, because the war in Iraq was, and remains, a war of choice. Some in this body, even those who have questioned the initial rationale for the war, suggest that we have no choice but to remain in Iraq indefinitely. Some here in this Chamber suggest that there is no choice than to continue to give the President deference, even when the result is damaging to our national security. Some argue it isn't the role of Congress to even debate bringing an end to this war.

That argument is mistaken. Congress has a choice, and a responsibility, to determine whether we continue to allow this President to devote so much of our resources to Iraq or whether we listen to the American public and put an end to this war, begin repairing our military, and devote our resources to waging a global campaign against al-Qaida and its allies. We cannot do both. The Constitution gives Congress the explicit power "[to] declare War," "[to] raise and support Armies," "[to] provide and maintain a Navy," and "[to] make Rules for the Government and Regulation of the land and naval Forces." In addition, under article I, "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law." These are direct quotes from the Constitution of the United States. Yet to hear some in the administration talk, it is as if these provisions were written in invisible ink. They were not. These powers are a clear and direct statement from the Founders of our Republic that Congress has authority to declare, to define, and ultimately, to end a war.

Our Founders wisely kept the power to fund a war separate from the power to conduct a war. In their brilliant design of our system of government, Con-

gress got the power of the purse, and the President got the power of the sword. As James Madison wrote, "Those who are to conduct a war cannot in the nature of things, be proper or safe judges, whether a war ought to be commenced, continued or concluded."

The President has made the wrong judgment about Iraq time and again, first by taking us into war on a fraudulent basis, then by keeping our brave troops in Iraq for nearly 4 years, and now by proceeding despite the opposition of the Congress and the American people to put 21,500 more American troops into harm's way.

If and when Congress acts on the will of the American people by ending our involvement in the Iraq war, Congress will be performing the role assigned it by the Founding Fathers defining the nature of our military commitments and acting as a check on a President whose policies are weakening our Nation.

There is little doubt that decisive action from the Congress is needed. Despite the results of the election and 2 months of study and supposed consultation—during which experts and Members of Congress from across the political spectrum argued for a new policy—the President has decided to escalate the war. When asked whether he would persist in this policy despite congressional opposition, he replied: "Frankly, that's not their responsibility."

Last week Vice President CHENEY was asked whether the nonbinding resolution passed by the Foreign Relations Committee that will soon be considered by the full Senate would deter the President from escalating the war. He replied: "It's not going to stop us."

In the United States of America, the people are sovereign, not the President. It is Congress's responsibility to challenge an administration that persists in a war that is misguided and that the country opposes. We cannot simply wring our hands and complain about the administration's policy. We cannot just pass resolutions saying "your policy is mistaken." And we can't stand idly by and tell ourselves that it is the President's job to fix the mess he made. It is our job to fix the mess, and if we don't do so we are abdicating our responsibilities.

I have just introduced legislation, co-sponsored by Senator BOXER, which will prohibit the use of funds to continue the deployment of U.S. forces in Iraq 6 months after enactment. By prohibiting funds after a specific deadline, Congress can force the President to bring our forces out of Iraq and out of harm's way.

This legislation will allow the President adequate time to redeploy our troops safely from Iraq, and it will make specific exceptions for a limited number of U.S. troops who must remain in Iraq to conduct targeted counterterrorism and training missions and protect U.S. personnel. It will not hurt

our troops in any way—they will continue receiving their equipment, training, and salaries. It will simply prevent the President from continuing to deploy them to Iraq and will provide a hard deadline for bringing them home. By passing this bill, we can finally focus on repairing our military and countering the full range of threats that we face around the world.

There is plenty of precedent for Congress exercising its constitutional authority to stop U.S. involvement in armed conflict. Just yesterday, I chaired a Judiciary Committee hearing entitled "Exercising Congress's Constitutional Power to End a War."

Without exception, every witness—those called by the majority and the minority—did not challenge the constitutionality of Congress's authority to use the power of the purse to end a war. A number of the witnesses went further and said that Congress has not only the authority but the obligation to take specific actions that are in the interest of the nation.

I would like to read one quote by Mr. Lou Fisher of the Library of Congress. He said, and I quote:

In debating whether to adopt statutory restrictions on the Iraq War, Members of Congress want to be assured that legislative limitations do not jeopardize the safety and security of U.S. forces. Understandably, every Member wants to respect and honor the performance of dedicated American soldiers. However, the overarching issue for lawmakers is always this: Is a military operation in the nation's interest? If not, placing more U.S. soldiers in harm's way is not a proper response. Members of the House and the Senate cannot avoid the question or defer to the President. Lawmakers always decide the scope of military operations, either by accepting the commitment as it is or by altering its direction and purpose. Decision legitimately and constitutionally resides in Congress.

There are significant historical precedents for this type of legislation that I have introduced today.

In late December 1970, Congress prohibited the use of funds to finance the introduction of ground combat troops into Cambodia or to provide United States advisors to or for Cambodian military forces in Cambodia.

In late June 1973, Congress set a date to cut off funds for combat activities in South East Asia. The provision read, and I quote:

None of the funds herein appropriated under this act may be expended to support directly or indirectly combat activities in or over Cambodia, Laos, North Vietnam, and South Vietnam by United States forces, and after August 15, 1973, no other funds heretofore appropriated under any other act may be expended for such purpose.

More recently, President Clinton signed into law language that prohibited funding after March 31, 1994, for military operations in Somalia, with certain limited exceptions. And in 1998, Congress passed legislation including a provision that prohibited funding for Bosnia after June 30, 1998, unless the President made certain assurances.

Many Members of this body are well aware of this history. Unfortunately,

many Members of the Congress are still concerned that any effort to limit the President's damaging policies in Iraq would have adverse consequences.

Let me dispel a few myths that have been generated as a result of the discussion about the use of the power of the purse.

Some have suggested that if Congress uses the power of the purse, our brave troops in the field will somehow suffer or be hung out to dry. This is completely false. Congress has the power to end funding for the President's failed Iraq policy and force him to bring our troops home. Nothing—nothing—will prevent the troops from receiving the body armor, ammunition, and other resources they need to keep them safe before, during, and after their redeployment. By forcing the President to safely bring our forces out of Iraq, we will protect them, not harm them.

Others have suggested that using the power of the purse is micromanaging the war. Not so. It makes no sense to argue that once Congress has authorized a war it cannot take steps to limit or end that war. Setting a clear policy is not micromanaging; it is exactly what the Constitution contemplates, as we have heard today. Congress has had to use its power many times before, often when the executive branch was ignoring the will of the American people. It has done so without micromanaging and without endangering our soldiers.

Some have argued that cutting off funding would send the wrong message to the troops. Our new Defense Secretary even made this argument last week with respect to the nonbinding resolution now under consideration. These claims are offensive and self-serving.

Congress has the responsibility in our constitutional system to stand up to the President when he is using our military in a way that is contrary to our national interest. If anything, Congress's failure to act when the American people have lost confidence in the President's policy would send a more dangerous and demoralizing message to our troops—that Congress is willing to allow the President to pursue damaging policies that are a threat to our national security and that place them at risk.

Any effort to end funding for the war must ensure that our troops are not put in even more danger and that important counterterrorism missions are still carried out. Every Member of this body, without exception, wants to protect our troops, and our country. But we can do that while at the same time living up to our responsibility to stop the President's ill-advised, ill-conceived, and poorly executed policies, which are taking a devastating toll on our military and on our national security. It is up to Congress to do what is right for our troops and for our national security, which has been badly damaged by diverting so many resources into Iraq.

As long as this President goes unchecked by Congress, our troops will remain needlessly at risk, and our national security will be compromised. Congress has the duty to stand up and use its power to stop him. If Congress doesn't stop this war, it is not because it doesn't have the power; It is because it doesn't have the will.

COMMITTEE ON VETERANS' AFFAIRS RULES OF PROCEDURE

Mr. AKAKA. Mr. President, the Committee on Veterans' Affairs has adopted rules governing its procedures for the 110th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator CRAIG, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

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

COMMITTEE ON VETERANS' AFFAIRS RULES OF PROCEDURE 109TH CONGRESS

I. MEETINGS

(a) Unless otherwise ordered, the Committee shall meet on the first Wednesday of each month. The Chairman may, upon proper notice, call such additional meetings as deemed necessary.

(b) Except as provided in subparagraphs (b) and (d) of paragraph 5 of rule XXVI of the Standing Rules of the Senate, meetings of the Committee shall be open to the public. The Committee shall prepare and keep a complete transcript or electronic recording adequate to fully record the proceedings of each meeting whether or not such meeting or any part thereof is closed to the public.

(c) The Chairman of the Committee, or the Ranking Majority Member present in the absence of the Chairman, or such other Member as the Chairman may designate, shall preside at all meetings.

(d) Except as provided in rule XXVI of the Standing Rules of the Senate, no meeting of the Committee shall be scheduled except by majority vote of the Committee or by authorization of the Chairman of the Committee.

(e) The Committee shall notify the office designated by the Committee on Rules and Administration of the time, place, and purpose of each meeting. In the event such meeting is canceled, the Committee shall immediately notify such designated office.

(f) Written or electronic notice of a Committee meeting, accompanied by an agenda enumerating the items of business to be considered, shall be sent to all Committee member at least 72 hours (not counting Saturdays, Sundays, and Federal holidays) in advance of each meeting. In the event that the giving of such 72-hour notice is prevented by unforeseen requirements or Committee business, the Committee staff shall communicate notice by the quickest appropriate means to members or appropriate staff assistants of Members and an agenda shall be furnished prior to the meeting.

(g) Subject to the second sentence of this paragraph, it shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless a written or electronic copy of such amendment has been delivered to each member of the Committee at least 24 hours before the meeting at which the amendment is to be proposed. This paragraph may be waived

by a majority vote of the members and shall apply only when 72-hour written notice has been provided in accordance with paragraph (f).

II. QUORUMS

(a) Subject to the provisions of paragraph (b), eight members of the Committee shall constitute a quorum for the reporting or approving of any measure or matter or recommendation. Five members of the Committee shall constitute a quorum for purposes of transacting any other business.

(b) In order to transact any business at a Committee meeting, at least one member of the minority shall be present. If, at any meeting, business cannot be transacted because of the absence of such a member, the matter shall lay over for a calendar day. If the presence of a minority member is not then obtained, business may be transacted by the appropriate quorum.

(c) One member shall constitute a quorum for the purpose of receiving testimony.

III. VOTING

(a) Votes may be cast by proxy. A proxy shall be written and may be conditioned by personal instructions. A proxy shall be valid only for the day given.

(b) There shall be a complete record kept of all Committee action. Such record shall contain the vote cast by each member of the Committee on any question on which a roll call vote is requested.

IV. HEARINGS AND HEARING PROCEDURES

(a) Except as specifically otherwise provided, the rules governing meetings shall govern hearings.

(b) At least 1 week in advance of the date of any hearing, the Committee shall undertake, consistent with the provisions of paragraph 4 of rule XXVI of the Standing Rules of the Senate, to make public announcements of the date, place, time, and subject matter of such hearing.

(c) The Committee shall require each witness who is scheduled to testify at any hearing to file 40 copies of such witness' testimony with the Committee not later than 48 hours prior to the witness' scheduled appearance unless the Chairman and Ranking Minority Member determine there is good cause for failure to do so.

(d) The presiding member at any hearing is authorized to limit the time allotted to each witness appearing before the Committee.

(e) The Chairman, with the concurrence of the Ranking Minority Member of the Committee, is authorized to subpoena the attendance of witnesses and the production of memoranda, documents, records, and any other materials. If the Chairman or a Committee staff member designated by the Chairman has not received from the Ranking Minority Member or a Committee staff member designated by the Ranking Minority Member notice of the Ranking Minority Member's nonconcurrence in the subpoena within 48 hours (excluding Saturdays, Sundays, and Federal holidays) of being notified of the Chairman's intention to subpoena attendance or production, the Chairman is authorized following the end of the 48-hour period involved to subpoena the same without the Ranking Minority Member's concurrence. Regardless of whether a subpoena has been concurred in by the Ranking Minority Member, such subpoena may be authorized by vote of the Members of the Committee. When the Committee or Chairman authorizes a subpoena, the subpoena may be issued upon the signature of the Chairman or of any other member of the Committee designated by the Chairman.

(f) Except as specified in Committee Rule VII (requiring oaths, under certain circumstances, at hearings to confirm Presidential nominations), witnesses at hearings