

like someone getting ready to hit you in the head with a hammer, deciding not to hit you, and then telling you that he is doing you a favor.

What she gives with one hand, this mother takes away with the other, by assuming the 2001 and 2003 tax cuts, so essential to our economic growth, will expire.

The mother ship already comes fully loaded with the largest tax increase in history. Allowing the 2001 and 2003 tax cuts to expire would dwarf even that.

This is not a recipe for happy taxpayers, this is bitter and unnecessary medicine. The majority of Democrats in the Congress seem prepared to make the American taxpayer take the dose. You can see, it is not very tasty.

We do not need to go down this track. To borrow from an old movie, we should "Throw Momma"—this mama—"From The Train." It would be a real mistake to continue the practice of paying for fake, temporary tax cuts with real and permanent tax hikes.

Contrary to the assertions of some of my colleagues on the other side of the aisle, the only responsible and the only realistic action we can take is to repeal the AMT in its entirety right now. We should do so without raising taxes.

We are going to have a debate in the next few years over fundamental tax reform and we are going to have debates over fundamental health care reform. We should do so without the specter of the AMT hanging over this Chamber.

I urge my colleagues to repeal it in its entirety, right now, without raising taxes. You cannot be fiscally responsible without being fiscally honest. This phantom income should play no part in broader debates over tax reform. At the very least, we should not pass permanent tax hikes that would have ugly economic ramifications in order to pay for 1 year of AMT relief. We are putting off disaster 1 more year by doing that, at a cost of \$50 billion in tax increases.

There are some ways we can do this. There are no good ways we can do this. But I know one thing, the worst way is to do it by increasing taxes to pay for it, and stifling the economy that has enough on its plate with the high cost of energy, to mention one item.

To go to approximately 24 million people from 155 people is more than absurd. That is where we are going. If we take this mother of all tax reforms seriously, and if we were able to pass that—and I hope we are not—I have to say there is going to be a great increase in taxes, a great stifling of the economy, and much more difficulty for this country in the coming years.

One reason I am giving these remarks is I know there are people on the Democratic side who do not like this, who are responsible and who do want to do what is right, who basically know there are no good options here. Raising taxes is one of the worst options we can do. I appeal to them to stand up now and not let this happen

because if it does, this economy is going to pay a tremendous price. I think in the end, as bad as it will be no matter what we do, there are better ways of doing this than increasing taxes, doing it the way that has been suggested.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. SESSIONS. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business.

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

### IRAQ

Mr. SESSIONS. Mr. President, we are facing a number of challenges in the Senate and in the Congress, but none is more important than our willingness and our responsibility to properly support the men and women in our Armed Forces who are serving us today in Iraq and Afghanistan; serving us because we voted to send them there, doing the policy of the United States that has the support of the President, the Chief Executive, the Commander in Chief, and that has been supported by the Congress.

Yes, we have had a lot of debate, a lot of dissension, and a lot of complaints, but when the chips have been down, time and time again we have authorized and funded the activities that are going on now in the name of the United States of America in Iraq and in Afghanistan.

We had an election last fall. We have heard people talk about that. But the American people did not say: We want to pull out of Iraq regardless of the consequences. They said they were not happy, and none of us were happy with the way things were going.

It seemed to be drifting in a bad way, and there seemed to be no positive results coming. So we had, after this election, last spring, April and May, a big debate about it. And President Bush said: We need to change policy. I am going to send a new general over there, General Petraeus, and we are going to change tactics, and I am going to ask you to approve additional troops. I am asking for a surge in troops.

So we talked about it. We debated it right here in the Senate. This great Nation's legislative branch responded to the President's call and had a debate on it. We had no obligation to fund that. None whatsoever. But earlier in the summer, we voted 80 to 14 to fund the surge in Iraq and to send General Petraeus and to give him a chance to utilize a new tactic and a new strategy for confronting the terrorist forces we

were facing there, in particular al-Qaida, which was a strong entity at that time.

I have got to tell you, I was worried things had not gone as well as we had expected. We had had a bad year, and casualties were up and attacks were up and it was a tough time. But as part of that debate, we asked General Petraeus to come back in September and give us a report. My Democratic colleagues and others, all of us were concerned. We wanted a report to see how things were going because we were not going to have a blank check and unended obligation to Iraq if things were not going to work.

That is a fundamental synopsis of the situation. I believe that is a fair analysis. So General Petraeus came back and gave us his report. General Jimmy Jones had been sent and a group of other independent evaluators with experience in military matters.

That commission was sent over there at the direction of Congress. When we passed the supplemental to fund General Petraeus and the surge, we required another report, not just General Petraeus, but the Jones Commission to come back and make a report. We asked the General Accounting Office to do an evaluation also, the independent GAO.

So they all came back in September. We had hearings and debate and suggestions and we continued to go forward. We voted, in essence, to continue to allow General Petraeus to pursue the plans he was carrying out. Some progress had been made. It was notable, but it was not sufficient for us to say with certainty that a major change positively had occurred. We could not be certain of that. But it looked as if some progress was being made with more troops and new tactics.

So we said then: Let's go forward. And we did. Now we have seen some very dramatic positive developments in Iraq. The Iraqi people, by all accounts, I think few can dispute this, have believed the American troops are reliable allies. We have changed our tactics in how we deal with the local Iraqi officials and tribal leaders and mayors and chiefs of police.

We are doing a much better job—General Petraeus is—of partnering with them. They have turned against al-Qaida, Osama bin Laden's troops, that terrorist group they thought was going to take over Iraq. And Al Anbar, the worst area in Iraq for al-Qaida, has made a transformation. Al-Qaida is on the run throughout Iraq. Violence is down substantially.

Can I guarantee you it will continue to go down? I cannot. I can tell you that deaths of American soldiers are down by two-thirds this last month; and attacks on Iraqi civilians, which always cost more lives than attacks on our American soldiers, are down by a similar margin. Attacks on Iraqi soldiers are also down.

Al-Qaida has virtually been removed. Sadr's group has quieted down and

seems to be working with the Government. The Government has not performed like we would like it to. The Parliament, they have not performed like I would like to see them perform. I think they deserve criticism for that. But it is not an easy thing for them to do, just to walk in and reach agreements that affect the future of Iraq and the oil revenue and military power within Iraq for generations to come.

It is understandable they would be somewhat reluctant. But they need to do better. But, fundamentally, as of this date, things are so much better than they were in April and May, and so much better even than they were in September. That is quite remarkable. No one, I think, can deny that.

We are a great nation. We have a great Congress. And we went through a national post-election discussion about what to do. Were we just going to pull out regardless of the consequences? Were we going to give General Petraeus a chance to employ new tactics? We voted to give him a chance. It is beginning to work better than I think any of us would have predicted so far. It is rather dramatic.

So I would say to my colleagues, at this point in time, for goodness' sake, let's not now start cutting back on the ability of our soldiers to have the resources they need to continue what they are doing. Let's not try to pass legislation that directs General Petraeus how to conduct operations in Iraq.

What do a group of politicians in a dysfunctional Congress have to offer to one of the most brilliant generals this Nation has ever produced, General Petraeus? In a few short months he has achieved dramatic progress there.

We are committed there. Our soldiers are committed. They are serving us now. I had an e-mail the other day sent to me from a relative of a soldier in Iraq. He was saying things are better. The only concern he had was what the Congress would do, whether we would pull the rug out from under them, if we are going to deny them the resources they need to continue the progress. After all this effort, to walk away from what we have done is, to me, unthinkable.

We are at a point now where instead of giving a supplemental that will allow the military to plan the year's activities, plan to go forward with, as you know, General Petraeus's commitment to reduce troops by next summer, we are talking about a \$50 billion supplemental with all kinds of strings attached to it. The President is not going to accept it. He cannot accept it. He is not going to accept it. So for us to continue to pursue a supplemental with excessive strings attached that is too small, leaves the military uncertain of the support of the American people and the Congress is a bad thing for us to do. It really is. It is not good.

Well, they say, let's keep the military out there. Let's let them know we are watching them. We are going to

keep control of them instead of giving them the funding they need for a year or more. Let's do it a few months at a time. Then we can bring them in here, and we can beat them up. We can appeal to our antiwar people out in the country and let them know we are fighting for them, and we will do all these things. And it won't hurt anything.

But it does hurt. If you were walking the streets in Baghdad right now attempting to execute the policy of the United States, placing your life at risk, does it not make any difference to you whether Congress is behind you? I think it does make a difference. While questioning General Casey yesterday, the chief of staff of the Army, former commander in Iraq, I said, I am concerned that what we are doing is going to undermine the confidence American soldiers have in the support they have at home. It will embolden the enemy and make our allies less certain of our commitment. I said, I know you don't want to be drawn into a political debate, but that seems to be the situation. He summed it up this way. He said: Senator, as I said in my opening statement, it sends the wrong message.

Doesn't it send the wrong message that we can't, after a full debate this summer, now continue for a few months to support our troops? They are in the field now. Why stand we here idle? Why are we not doing our part to show them the support they need? We will watch this situation in Iraq. If it gets worse and things are not moving effectively, then we ought to, as a Congress, continue to consider whether to remove our troops, to cut off funding. But that is not what we are going to do. We are not going to cut off funding for our troops while they are making the kind of progress they are making. It is not going to happen. So if we are going to actually follow through eventually and give this money to them, why don't we do it in a way that helps them to be even more successful instead of doing it in a way that makes it more difficult for them and places our soldiers and troops at greater risk?

This is what the Deputy Secretary of Defense wrote a few days ago, November 8, about the budget situation we are now in. Yes, we did pass a Defense appropriations bill. But we funded the military effort in Iraq and Afghanistan by separate supplemental appropriations. It allows us to have more control over what is actually being spent on the war effort to do it separately. He wrote this letter. This is Secretary Gordon England:

I am deeply concerned that the . . . Defense Appropriations Conference report under consideration does not provide necessary funding for military operations and will result in having to shut down significant portions of the Defense Department by early next year.

He goes on to say:

Without this critical funding, the Department will have no choice but to deplete key appropriations accounts by early next year.

In particular, the Army's Operation and Maintenance account will be completely exhausted in mid-to-late January, and the limited general transfer authority available can only provide three additional weeks of relief. This situation will result in a profoundly negative impact on the defense civilian workforce, depot maintenance, base operations, and training activities. Specifically, the Department would have to begin notifications as early as next month to properly carry out the resultant closure of military facilities, furloughing of civilian workers, and deferral of contract activity.

If you were Secretary of Defense, what would you do if you have soldiers in the field authorized by the Congress, authorized by the Commander in Chief, and you run out of money? You have to lay off your civilian personnel, and you have to get the money to the soldiers whose lives are at risk.

Secretary England goes on to say:

In addition, the lack of any funding for the Iraqi Security Forces and the Afghanistan National Security Forces directly undermines the United States' ability to continue training and equipping Iraqi and Afghani security forces, thereby lengthening the time until they can assume full security responsibilities.

These are not idle threats. The money is running out. We ought not to be dangling the Defense Department out there, leaving them hanging with uncertainty, having them spend hours and hours figuring out how they are going to juggle personnel, developing plans to lay off nonessential civilian personnel, although I suppose in some sense are all essential, but laying off civilian personnel and canceling contracts. It will result in substantial expense to the Government for penalties and that kind of thing. We ought not to be doing that.

This is what Secretary of the Army Geren said yesterday at the Armed Services Committee hearing:

Let me just conclude with a brief comment on the supplemental.

Very quickly we run through the resources that are available to us.

Dr. Gates has told us to start planning for what we're going to do when we—if we reach the point where we do run out of our O&M funding and start making plans for what we as an army would do with that eventuality.

He pleaded with us:

Last year, we had bridge funding that helped us through this period. This year, we don't have that funding. So we just ask that—we know there are many issues you all are working on and working through regarding that supplemental. But it's very important for us to be able to provide the orderly and reliable support to our soldiers, for us to get that funding.

Isn't that a reasonable request for him to make? I know moveon.org doesn't want us to fund the military. But we voted 80-14 to do this as a Senate, and the House also supported it. Why are we putting the military in a position to go through incredible gymnastics to try to manage this effort, because we are leaving them hanging about whether we are going to give them the money to support our troops?

Senator JOHN THUNE of South Dakota, a member of the Armed Services

Committee, asked this of General Casey. General Casey is the chief of staff of the Army. He asked:

And I want to ask General Casey, if I might, a question because earlier this year the Army—it was at an Army posture hearing, I believe, that your predecessor, General Schoomaker, raised concerns about the effect of not delivering adequate and predictable funding, particularly in the form of supplemental funding for the war effort.

We're 46 days into the first quarter of fiscal year 2008. We don't have an authorization bill. We don't have a bridge funding bill for the [Department of Defense]. And we don't have an [fiscal year 2008] global war on terror supplemental.

Senator THUNE goes on:

We recently sent a defense appropriations bill to the president which he has signed into law, but that has little effect on the war effort.

So my question is what will be the effect of no timely bridge funding or supplemental funding. Will you have to cancel service contracts, lay people off, slow down work at depots, those sorts of thing? If you could, address that subject.

This is what General Casey said, a career military man:

Secretary [of Defense] Gates has instructed us to begin planning for that possibility. The signing of the appropriations bill did two things. One, it gave us money for our base budget, but it also stopped the continuing resolution funding that was going to support the war.

So now we're faced with having to fund the war without a bridge out of the base budget. Our Army O&M account is about \$27 billion. When you look at our Army base budget . . . you're talking about \$6.5 billion, \$6.6 billion a month.

If the Army is asked to fund this without any type of bridge or without any additional resources, we're going to run through that \$27 billion . . . around mid February. And we cannot wait until then to start making some of the decisions that will have to be made.

Our employment contracts, many of them, require 60 days' or 45 days' notice before you can furlough somebody. We have many of the services that are provided by civilians, by contractors, and it would have a hugely detrimental effect on the home base.

We will beggar the home front to make sure our soldiers that are in theater have everything they need, and it will put a terrible burden on our soldiers, on families, on the institutional Army, our ability to train.

Timely funding is absolutely essential. An organization of our size cannot live effectively with unpredictable funding. And we need that supplemental passed soon, or we're going to have to start planning for the possibility that we're not going to have it.

Can anybody dispute that General Casey is exaggerating about that? Can anybody dispute that uncertainty in funding has a terrible impact on the Pentagon?

Senator THUNE asked another question:

General Schoomaker also testified that the Army was forced to cash flow itself through the first quarter of . . . 2006. Could you explain what that means? And will the Army have to do that again?

General Casey:

We're in that position now. The O&M account is our account that offers us the greatest flexibility. Most of the other accounts are constrained by specific—we call the term color of money.

But we would find ourselves having to spend the O&M money not only to support the Army but to support also the war effort. So we are in that position today and using up the funds at a rate of \$6.5 billion a month against a \$27 billion total.

So I hope in the weeks to come our leaders in the Senate will begin to work together in a way that can allow us to approve this funding—that I think with certainty we will ultimately approve—sooner rather than later and not go through this painful exercise.

I have to say, I really think it would be a lot better for our country, I think it would be a lot better for our military, I think it would be a lot better for our allies, and I think it would put us in a much better position against our enemies if the leader of the Senate, the majority leader, would quit saying this is a doomed, failed effort. It is not helpful.

We have voted to support this effort, and we do not need to be saying publicly it is not going to work when, in fact, we are achieving more success today than any of us would have thought possible just a few weeks ago.

I thank the Chair and yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### MORNING BUSINESS

Mr. WEBB. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business.

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

#### RECESS APPOINTMENTS

Mr. REID. Mr. President, the Senate will be coming in for pro forma sessions during the Thanksgiving holiday to prevent recess appointments.

My hope is that this will prompt the President to see that it is in our mutual interests for the nominations process to get back on track.

While an election year looms, significant progress can still be made on nominations.

I am committed to making that progress if the President will meet me halfway.

But that progress can't be made if the President seeks controversial recess appointments and fails to make Democratic appointments to important commissions.

As Democratic leader, I recommend nominees to the President for many important commissions like the Federal Communications Commission, Federal Energy Regulatory Commission and the Nuclear Regulatory Commission.

These independent agencies are required by law to have Democratic representation.

As a result, the President has a statutory obligation to honor my recommendations and move on them in good faith.

And, up until recently, the President has generally discharged that obligation.

In the last several months, however, the administration has been stalling progress on Democratic appointments.

This problem existed before the August break.

In an effort to solve it, I worked hard to confirm over 40 administration nominees in exchange for a commitment by the President to make progress on a number of important commissions.

When we reconvened after the August break, I also worked to quickly move on the President's new Attorney General.

I did this despite my own opposition to that nominee.

Even with all this hard work on our side, the commitments the administration made to me before the August break were not met.

In the almost 3 months since that break, we have received no Democratic nominees to full-time commission positions.

For some, in fact, absolutely no discernible progress has been made.

With the Thanksgiving break looming, the administration informed me that they would make several recess appointments.

I indicated I would be willing to confirm various appointments if the administration would agree to move on Democratic appointments.

They would not make that commitment.

As a result, I am keeping the Senate in pro forma to prevent recess appointments until we get this process back on track.

#### RECOGNIZING NATIONAL AMERICAN INDIAN HERITAGE MONTH

Mr. REID. Mr. President, on October 31, President Bush proclaimed November 2007 as National American Indian Heritage Month.

American Indians influence and enrich our culture. I am proud of the contributions that Nevada's tribes have made and continue to make in my home State. The 26 tribes, bands, and colonies support their tribal and surrounding communities with their diverse tribal enterprises. Working on a government-to-government basis, they join Federal and State agencies to protect many of Nevada's natural resources and the environment—our wildlife habitats in mountains and valleys and our lakes and waterways for fish and fowl. The tribes in my State, like tribes throughout the country, provide education and health services to their children, elders, and members.