

he is trying to blame them for everything that is going on in Iraq. That is not credible.

Am I saying Iran is the good guy on the block? Of course not. But let's not say they are the cause of all the trouble in Iraq because they are not.

The National Intelligence Estimate:

A number of identifiable developments could help to reverse the negative trends driving Iraq's current trajectory. They include, again, military solutions. Broader Sunni acceptance of the current political structure and federalism, significant concessions by the Shia and the Kurds, a bottom-up approach, mend frayed relationships between tribal and religious groups.

Mr. President, we need to work to come to a political solution for the problems in Iraq.

Surging U.S. military forces is not a development that is going to help in Iraq. That is because there is no military solution. Military escalation would not end this conflict that is more complex than a civil war. Military escalation would not make it easy for Iraqi leaders to achieve political reconciliation. Military escalation would not bring an end to Iraq's internal sectarian struggle.

Mr. President, as I said when I started, all over America today people are talking about what is going on in Iraq—every place you want to talk about, whether it is the water cooler at the office or truck drivers on their CBs talking back and forth to each other. It is in schools all over America, from elementary to college, talking about what is going on in Iraq. But in the Senate, are we going to have a debate on it? We have been told “no.”

The problems in Iraq are long term. Yet military escalation is a strategy that is shortsighted. This is the message President Bush has heard from the generals, the people, the Iraqi Prime Minister, the Iraq Study Group, and now he must hear from Congress. I hope this afternoon my Republican colleagues will do what is right and allow this important debate to go forward.

I don't know if the Republican leader wishes to be recognized, but I ask unanimous consent that the Senator from Illinois, Mr. DURBIN, be recognized for up to 10 minutes.

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

Mr. DURBIN. Mr. President, I yield to the minority leader, if he wishes to speak first.

IRAQ DEBATE

Mr. MCCONNELL. I thank my friend from Illinois. Mr. President, this whole discussion can best be described as a bump in the road. The majority leader and I had a number of discussions last week about how to proceed with the Iraq debate. There is no reluctance on this side of the aisle to have that debate. In fact, we had a number of different Republicans who had different approaches to offer in anticipation of

the Iraq debate this week. We hear there are different approaches on the Democratic side as well.

In an effort to reach a unanimous consent agreement, we pared down our requests to two resolutions, one by Senator MCCAIN and Senator LIEBERMAN that basically embodied benchmarks for the Iraqi Government and one by Senator GREGG, a very important resolution that should be voted on in the Senate that deals with the issue of whether the Senate believes we should cut off funds for the troops. This vote this afternoon should not be misunderstood. This is a fairness vote. This vote this afternoon is a vote to insist that the minority have a fair process in going forward to this very important debate. I think I am safe to say every single Republican shares the view it is not requesting too much of the majority to have a fair process. We could have asked for many more than two resolutions. There were several other Members of the Senate on this side of the aisle who had what they thought were good ideas that should have been put in the queue.

With regard to what the vote should be, this is the Senate. With the exception of the budget resolution, I can't think of anything in the Senate we have dealt with in my memory, except some kind of consent on a non-controversial matter, that didn't require a 60-vote threshold. That is routine in the Senate. That is not extraordinary; that is ordinary. So what could be done and should be done—and I hope will be done sometime today—is the majority leader and myself will sit down and come up with a reasonable list of resolutions, all of them, as everything else in the Senate, subject to a 60-vote threshold. In fact, our good friends on the other side of the aisle in the previous Congress went to great lengths to establish that there even ought to be a 60-vote threshold for judges, something that had not been the norm in the Senate. So it looks to me like where we are today is that everything in the Senate requires 60 votes. Why would we not have a 60-vote threshold for the most important issue in the country right now: The Iraq war? So, of course, we think it should be dealt with in the same way that other issues are dealt with in the Senate.

So make no mistake about it. This vote at 5 o'clock doesn't have anything whatsoever to do with scuttling the Iraq debate. We welcome the debate. We are happy to have it. But the minority will insist on fair treatment, and our definition of fair has been pared down to two resolutions. And all of the resolutions, as everything else we consider in the Senate, would be subject to a 60-vote threshold.

Mr. President, I yield the floor.

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

Mr. REID. Fairness. You start throwing the 60-vote number around when

you have something to hide or you want to stall, and it appears that is the case here. We have offered the Republicans an up-or-down vote on Warner, an up-or-down vote on McCain, and an up-or-down vote on the matter relating to Senator GREGG. How much fairer could you be on that? We have heard in this body from the Republicans for years now: Up-or-down vote, up-or-down vote. We want an up-or-down vote.

That is what we want. Why should there be an arbitrary ruling by the minority that this take 60 votes as to how people feel about the Warner amendment or the McCain amendment?

Mr. MCCONNELL. Would the majority leader yield for a question?

Mr. REID. Sure.

Mr. MCCONNELL. Isn't it true that any one Member of the Senate, just one Member of the Senate could insist that there be a 60-vote threshold on this issue?

Mr. REID. Mr. President, nearly everything we do in this body—and I will be happy to respond to the distinguished Republican leader—nearly everything we do in this body is determined by unanimous consent. We have matters that come before this body—and that is how we get here, is with unanimous consent. I can't imagine why there would be anyone who would require 60 votes unless they didn't want us to go forward—unless they didn't want us to go forward. That obviously is the message we are giving around the country. Look at any newspaper: “GOP Threatens to Block Vote on Resolution.” That, Mr. President, is USA Today. That is only one newspaper. They are all over America, the same thing.

This is an effort to stop. For every day we are not able to debate the Iraq resolution means one less day, and maybe we would not be able to get to it because of the continuing resolution. As I said earlier, we have been told by letters I received from Republicans that they are going to filibuster the continuing resolution. Today, starting today whenever we came in—and we came in late because we knew we had this procedural vote—we should have been debating Warner and McCain, but we are not. And now, if cloture is invoked, there is 30 hours after that before we can get to debating this and by then, frankly, it is too late. We will not be able to do it because of the continuing resolution.

Mr. MCCONNELL. Would the majority leader yield for a question?

Mr. REID. Of course.

Mr. MCCONNELL. Let me repeat my question. Isn't it true, I say to my good friend, the majority leader, that any one Member of the Senate could ensure that a matter has to receive 60 votes?

Mr. BYRD. Could do what, may I ask?

Mr. REID. Could ask for 60 votes. I say to my friend, hypothetically that is true, but that is the way it is with many things in this body. But that person would have to come forward, identify themselves, and stand up and say:

I do not want the debate on Iraq to go forward. This is a little difficult to do with the situation where, as I said before, everybody in America wants this debate to go forward. So let's hear somebody on the other side stand up, akin to a Senator who believes in something, and say: I don't want this debate to go forward.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. McCONNELL. Mr. President, let me say that there are many Members on my side who would argue we should not be having this debate this week at all. I hope none of those watching this on C-SPAN or any people in the gallery are confused. A 60-vote threshold is routine in the Senate. It is the ordinary, not the extraordinary. There was really only one exception to that, and that was the consideration of judicial nominees. My good friends on the other side of the aisle spent an enormous amount of time in the last couple of years trying to establish a 60-vote threshold for that as well.

There is nothing the minority is asking for that is in any way extraordinary, nothing extraordinary about it at all. It is really quite ordinary. We are prepared to have a debate on Iraq this week. We look forward to having a debate on Iraq this week. What should happen is the distinguished majority leader and myself should agree, by consent, to a reasonable number of resolutions. As I have indicated, some of the Republican Senators have given up their opportunity to offer proposals in deference to my request that we narrow down the number of resolutions to a reasonable number for consideration this week.

I hope that one of two things would happen: Either we vitiate the vote this afternoon because it is completely unnecessary or we will defeat cloture and the majority leader and I, hopefully, will be able to sit down and reach agreement for a fair consideration of alternate proposals that could have been reached last Friday and I had hoped would have been reached last Friday.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, keep in mind what I offered the minority: up-or-down votes on Warner and McCain; up-or-down vote on Judd Gregg. I also offered a 60-vote on Warner and a 60-vote on McCain. That was also turned down.

This thing about 60 votes is exaggerated. I have been in the Senate 25 years. I have been involved in two filibusters, and that is two more than most anyone in the Senate has been involved in. Filibusters are just talk. Rarely are filibusters ever necessary or do they occur.

Therefore, this "everything is 60 votes" is simply not valid.

They want a fair process? Up-or-down vote on McCain, up-or-down vote on Warner, up-or-down vote on Judd Gregg. Okay, don't want that? I tell

you what, this has been stated publicly and privately long before today: We will give you a 60-vote on Warner, we will give you a 60-vote on McCain. Nope. Turned down.

Where does this fairness come in? Is fairness in the eye of the beholder? They have to get everything they want? I cannot imagine how we could be more fair. The American public would see a debate on Warner, see a debate on McCain. One is for the surge, one is against the surge. Why not have that debate? There will be lots of other times to debate other issues dealing with Iraq. We have the September 11 recommendation coming up; we have the supplemental coming up. Iraq is not going to leave the Senate. But it will leave this Senate if we are not allowed to proceed in this manner because—again I say that is because of bad housekeeping and the Republicans just simply leaving town after they lost the majority—we have to pass a continuing resolution. We have to. We have no alternative. We have to start on that by Wednesday.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. McCONNELL. Mr. President, first, with regard to the 60-vote threshold, the majority leader and I both praised the bipartisan cooperation we had in the Senate on both the ethics bill and the minimum wage bill, both of which had a 60-vote requirement. That demonstrates how extraordinary 60-vote requirements are. These were two bills which were widely praised by both the majority leader and myself as examples of bipartisan cooperation.

I heard the majority leader say up-or-down votes on McCain and on Warner. If he would throw in the Gregg amendment for an up-or-down vote—I am sorry, what was his offer?

Mr. REID. My offer has always been an up-or-down vote on McCain, on Warner, on Judd Gregg, and the Democratic alternative which basically says we are against the surge. It has always been the same. And the 60-vote would be on McCain and on Warner.

I would also say I appreciate my friend talking about the ethics in lobbying reform and the debate we had on minimum wage. However, I don't want to start a battle that is already over. But one reason we were able to get those two bills passed—we thought stopping debate on these was not the right thing to do. We spoke out loudly, and the American people said: Let's get on with those two issues. They held it up for a little while but not for very long.

Mr. McCONNELL. A further illustration of how ordinary it is to get 60 votes around here, there have been 9 cloture motions filed in this Congress alone, and we are now finally starting the second month. It is really not in dispute that a 60-vote threshold is quite common around here. It is ordinary rather than extraordinary.

I yield the floor.

Mr. REID. Mr. President, I have offered 60 votes on McCain and Warner.

The ACTING PRESIDENT pro tempore. The minority leader.

Mr. McCONNELL. I understand he has offered 60 votes on McCain and Warner. The Gregg amendment is also important and would have to be included in any such negotiation which, hopefully, we will get back to having later today.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business until 4 p.m., with Senators permitted to speak therein for up to 10 minutes each, with up to 60 minutes under the control of the Senator from West Virginia, Mr. BYRD.

Mr. WARNER. Reserving the right to object, I inquire, at what point can other Senators speak? I presume at the conclusion of the distinguished Senator from West Virginia; is that correct?

The ACTING PRESIDENT pro tempore. We have—

Mr. WARNER. Might I make that a unanimous consent, that I can be recognized following the distinguished Senator from West Virginia for 10 minutes?

The ACTING PRESIDENT pro tempore. The order is first the assistant majority leader gets 10 minutes.

Mr. WARNER. All right. That is fine. And I notice the presence of the assistant Republican leader, so I would want to accommodate the assistant Republican leader.

At some point, I am just asking, as a matter of courtesy, at what time may I speak? The Senator from Maine, Senator HAGEL—there are several Members who would like to speak. If the Chair could help us, recognizing the leadership precedes.

Mr. BYRD. What is the order that has been previously entered?

The ACTING PRESIDENT pro tempore. There is no order in effect except for Senator DURBIN and Senator BYRD.

Mr. WARNER. Could I then ask unanimous consent at the appropriate time that the Senator from Virginia be recognized for 10 minutes, the Senator from Maine and the Senator from Nebraska for 10 minutes?

Mr. LOTT. Reserving the right to object, Mr. President, I believe if Senator DURBIN and Senator BYRD speak before we get into the rest of the lineup, I would like to have an opportunity to have at least 5 minutes to speak after Durbin and Byrd but then go forward with the unanimous consent request of Senator WARNER for himself and others.

The ACTING PRESIDENT pro tempore. The assistant majority leader.

Mr. DURBIN. I am not sure a unanimous consent has been propounded, but