

some of the things he said in thinking about how to move forward with this funding. Representative Gingrich said that to some extent the debate we are having right now is the wrong debate about what is necessary to defeat our enemy and win the war against the terrorists. The bottom line is, it cannot be done on the cheap. War is kill or be killed. You risk everything in war. As a result, what we have to do is think anew about the kind of bold effort and difficult undertaking this really entails. It does entail real risks, and we have to recognize that there are significant requirements for change in the way we operate.

Congress can't continue to provide money, just dole it out a few weeks at a time, hoping that will be sufficient for the troops. They have to be able to count on Congress to back them when we send them on a mission.

To some extent, as Representative Gingrich said, it is important to adopt a spirit that in some cases it is better to make a mistake of commission and then fix the problem than it is to avoid achievement by avoiding failure. In this regard, we have to have a national dialog about the true threat we are facing from this irreconcilable wing of Islam and what is necessary for us to defeat it, both in the ongoing conflicts in Afghanistan and Iraq as well as other places around the world where intelligence becomes our key tool in helping to defeat the enemy.

One of the things Speaker Gingrich did was to refer to some remarks Daniel Pipes, an expert on the Middle East, made about Islamists. He made it clear that they have significant assets at their disposal. They have potential access to weapons of mass destruction, a religious appeal that provides deeper resonance and greater staying power than the artificial ideologies of fascism and communism. They have an impressively conceptualized and funded and organized institutional machinery. They have an ideology capable of appealing to Muslims of every size and shape anywhere in the world. This is problematic. Finally, these militant Islamists have a huge number of committed cadres, some estimate as many as 10 percent of the Muslim population of the world, which, of course, is a far greater total than all of the fascists and communists combined who ever lived. As Daniel Pipes would say, this is a significant and impressive array of assets and potential against the Western world against which these Islamists have declared war.

Specifically, with reference to the intelligence I mentioned we have to focus on, the CIA Director, GEN Michael Hayden, testified a couple of months ago about his own judgment of these strategic threats facing the United States. Among the things he said was that our analysis with respect to al-Qaida is that its central leadership is planning high-impact plots against the U.S. homeland. They assess this with high confidence. So this is not just a

guess about what might happen. With high confidence, they believe al-Qaida is planning high-impact plots against our homeland, focusing on targets that would produce mass casualties, dramatic destruction, and significant economic aftershocks. So our very survival as a free people is challenged by this large threat, and defeating it on a worldwide basis is inherently going to involve a very large effort, a degree of change we have yet to face.

We need a debate about the genuine risk to America of losing cities to nuclear attack or losing millions of Americans to engineered biological attacks. We also need a very calm dialog about the genuine possibility of a second Holocaust if the Iranians were to get nuclear weapons and use them against Tel Aviv or Haifa or Jerusalem.

All of these larger issues are sometimes lost in the debate about arcane provisions of something like the Foreign Intelligence Surveillance Act that we are seeking to reauthorize. We have to keep in mind what the object is. We have to defeat a very capable enemy which not only has the means but the will to defeat us in a war literally to the end.

We also need some realistic examination of the progress—or lack thereof—we are making in the larger war. I think we have to realistically assess where we are with respect to that. In the last year or so, Hamas has won an enormous victory in Gaza; Hezbollah has won a substantial victory in south Lebanon; Iran, Syria, Lebanon, Afghanistan, the Taliban sanctuary in the Waziristan, substantial instability in Pakistan, even in the Philippines and, to some extent, even in Great Britain. The estimates of terrorist sympathizers and potential sympathizers are far greater than the resources being applied to monitor them.

Again, to summarize this point with respect to intelligence surveillance, we have, even here in the United States, the spread of a militant extremist radical vision. It is funded by money from the Middle East, including Saudi Arabia. It is on the Internet, on television, it is in extremist mosques and schools. This advocacy of martyrdom, of jihad, suicide bombing, and violence against a modern civilization is not restricted to places abroad; it exists even in the United States.

At the end of our conflict in Iraq and of the debate about our intelligence collection activities, there is a simple test, and that is whether a free people are celebrating because the American people have sustained freedom against evil or, God forbid, violent evil enemies of freedom are celebrating because Americans have been defeated. Life would be easier if there was a more modulated answer, but there is not.

In war, there is a winner and a loser. If the American people will sustain this effort, we will win. But if American politicians decide to legislate defeat, then, of course, America could be defeated.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

UNANIMOUS-CONSENT REQUEST— H.R. 2771

Mr. SANDERS. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of H.R. 2771, the legislative branch appropriations bill; that the only amendment in order be a substitute amendment at the desk which is cosponsored by Senators LEAHY, COLEMAN, KLOBUCHAR, SNOWE, OBAMA, DOLE, BAUCUS, SUNUNU, CANTWELL, COLLINS, CASEY, LIEBERMAN, LANDRIEU, KERRY, KENNEDY, and CLINTON—this amendment provides for \$800 million in additional LIHEAP funding—that there be a time limitation of 30 minutes for debate equally divided in the usual form on the amendment; that upon the use of that time, the amendment be agreed to, the bill be read a third time, and the Senate, without any intervening action or debate, vote on passage of the bill, as amended.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object, I say to my friend from Vermont, I support this issue. All you have to do is look in the Washington Post today at their editorial. It says, among other things:

This could be the start of an epic winter. If the past few winters here in the northeast have taught us anything, it is to be prepared to do whatever winter allows at the moment it allows.

We have to be prepared for a cold winter. We have some money in this bill that we hope to pass sometime in the next several hours to take care of some of the needs of the problems relating to the issue of LIHEAP; that is, money for people who are desperately poor and need help to keep their homes warm. That is what this is all about. I have told the Senator from Vermont that I am going to do everything within my power to get this issue before the Senate as soon as possible. Winter is not going to end at Christmastime. Winter is going to be here. We can move to enlarge the funding for this bill. That is a commitment I have. I think with the list of cosponsors he has on this proposed unanimous-consent request, it is something we should be able to get done.

The problem the distinguished Senator finds himself in, it is late in the year. This is the first year of this session of Congress. There are always a lot of reasons for not doing things this late in the year.

I have admired this fine Member of Congress for many years, being with the people he best represents, people who don't have any representation. I admire what the Senator has done. I hope we can move forward on this now.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, on behalf of several Republican Senators, I object.

I would also note that I believe there may be one other unanimous-consent request, and I would be happy to suspend while that is made and then conclude my remarks in 3 minutes. I think the Senator from Rhode Island would like to speak, or I can go ahead and conclude, and then the Senator from Ohio could make his request—whatever the pleasure of the leader is.

Mr. REID. Has there been objection? The PRESIDING OFFICER. Objection is heard.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I ask unanimous consent that the Senator from Arizona be recognized for up to 5 minutes to finish his statement, and then I would like to be recognized.

The PRESIDING OFFICER. The Senator from Arizona.

TROOP FUNDING

Mr. KYL. I will conclude in about 3 minutes.

Mr. President, the point I was making is this: It is easy to lose sight of the larger objective when we get down into the details of specific legislation, as we must do. It is important to understand it and to get it right, but we also have to keep our eye on the ball. To mix metaphors, you have to look at the forest and not get drawn down into the trees too much. The forest here is a very dangerous enemy which means to do us harm. They have the means to do it. They have the will to do it. We are fighting them in two different kinds of conflicts. We are fighting them in hot war in Afghanistan and Iraq. It is a serious proposition. Young men and women have been sent to these places to do battle, to lay their lives on the line to carry out the mission on behalf of the American people to secure those places for liberty. Not all of them will come home. Not all of them will come home without casualty. This is serious business. It requires our full attention, with a knowledge of the nature of the threat.

We cannot send them to do this job without being willing to provide them the funding they need to sustain their effort. Part of the debate today is ensuring that at least for the next 4 months, they will have enough money to get the job done.

By the same token, we have an enemy all over the world, including in the United States, which is plotting, our intelligence community assesses with high confidence, to carry out a devastating attack if they have the opportunity to do so. It is critical that we use the assets we have available to

collect intelligence against these organizations and people wherever they are. The best way to defeat the radical Islamists who mean to do us harm is to prevent it in the first place. That is what good intelligence allows us. That is why it is important for us to reauthorize the Foreign Intelligence Surveillance Act.

My point is, on two of the great issues that are before us today, we have a violent enemy that needs to be defeated. The best way to do that is to support our troops and our intelligence agencies and the men and women who are carrying out the missions we have asked of them in defeating this enemy.

We have to understand the threat and understand that in America, in this great democratic Republic of ours, the American people are the center of gravity in any war. It is their support that is needed in order to achieve victory.

Our young men and women on the battlefield and our people serving us in the intelligence community are counting on us, the representatives of the American people, to see to it that they have what they need to carry out their missions.

The PRESIDING OFFICER. The majority leader is recognized.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that if this consent is granted, the first person recognized be Senator JACK REED, who wants to talk about a staffer, someone who works for him.

Mr. MCCONNELL. Will the leader yield? I did not hear him.

Mr. REID. If the consent is granted, I want Senator REED to be recognized for up to 8 or 10 minutes, let's say 10 minutes. Following that, I ask unanimous consent that the Senator from Ohio, Mr. BROWN, be recognized for up to 5 minutes.

UNANIMOUS CONSENT AGREEMENT—H.R. 2764

Mr. REID. Mr. President, I ask unanimous consent that when the Senate begins consideration of the message from the House on H.R. 2764, the Foreign Operations bill, there be 1 hour for debate equally divided between the two leaders or their designees on invoking cloture on the motion to concur in the House amendments; that the Senate vote on that cloture motion upon the use or yielding back of that time; that the mandatory live quorum be waived; that if cloture is not invoked, the Senate then proceed to amendment No. 2 of the House; that Senator MCCONNELL be recognized to offer a motion to concur in that amendment, with an amendment; that Senator FEINGOLD then be immediately recognized to offer an amendment to that motion; that there be 1 hour for debate equally divided in the usual form in relation to Senator FEINGOLD's amendment; that if

his amendment does not attain 60 votes in the affirmative, it be withdrawn; that upon the disposition of his amendment, Senator LEVIN be recognized to offer his amendment to the motion; that there be 1 hour for debate equally divided on his amendment prior to a vote on his amendment; that if it does not attain 60 votes, it be withdrawn and the Senate immediately, without any intervening action, vote on Senator MCCONNELL's motion to concur; that if his motion does not attain 60 votes in the affirmative, it be withdrawn; that upon the disposition of House amendment No. 2, the Senate proceed to House amendment No. 1; that Senator REID then be recognized to move to concur in the amendment of the House, with an amendment containing the text of the House-passed AMT bill, H.R. 4351; that there be 1 hour for debate on his motion equally divided between the two leaders or their designees; that upon the conclusion of that time, the Senate vote on the motion; that if the motion does not attain 60 votes in the affirmative, it be withdrawn; that if it is withdrawn, Senator REID then be recognized to offer a motion to concur in the House amendment; that there be 2 hours for debate equally divided between the two leaders on that motion; that no other motions to concur or amendments be in order prior to the disposition of Senator REID's motions to concur.

The PRESIDING OFFICER. Is there objection?

The Republican leader.

Mr. MCCONNELL. Mr. President, with regard to the 2 hours so designated for the AMT debate, I request the opportunity to modify: that Senator ISAKSON have 5 minutes, Senator CHAMBLISS have 5 minutes, Senator DEMINT have 15 minutes, Senator ENZI have 5 minutes, Senator GRASSLEY have 15 minutes, and Senator COCHRAN have 15 minutes—that is for the final vote, Mr. President, not the AMT vote.

The PRESIDING OFFICER. Is there objection to the request, as modified?

Hearing none, it is so ordered.

Mr. REID. Mr. President, speaking on behalf of—and Senator MCCONNELL certainly can speak on behalf of himself—I appreciate the cooperation of everyone. These are very difficult issues, and there is a lot of work we have not done. But that is the way it always is at the end of a session like this. So I appreciate everyone's cooperation. I hope no one has been offended with my being a little pushier than usual, but I had a little pushing on my side anyway, pushing me to get this done. Everyone has a lot to do.

We have one Senator who needs to get things done tonight. She has a sick daughter. She has to go home. We have a lot of issues we need to address.

So we will now hear from Senator REED and Senator BROWN, and then we will be on the bill.

The PRESIDING OFFICER. The Senator from Rhode Island.