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Senate

The Senate met at 10 a.m. and was called to order by the Honorable JON TESTER, a Senator from the State of Montana.

PRAYER

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

Let us pray.

Gracious God, who reveals Yourself gloriously in the rising and setting Sun, make us good stewards of Your blessings. Give us opportunities to help solve the problems in our world by using our minds to produce creative solutions.

Inspire our Senators. As they abide in Your presence, make them receptive to Your guidance. Fill their minds with insight and wisdom, their hearts with resiliency and courage, and their bodies with vigor and vitality. Today, give them the grace to think not of what they can get but of what they can give. Empower them to practice conciliation without compromise. Place Your arms of protection around them and their loved ones.

We pray in Your all-powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JON TESTER 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 assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 6, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON TESTER, a Senator from the State of Montana, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, today the Senate will be in morning business. During the period of morning business, the first 30 minutes will be controlled by the majority, with Senators LEAHY, MIKULSKI, and KENNEDY each controlling 10 minutes. The next 30 minutes will be controlled by the Republicans. Following that division, the remaining time until 12:30 will be equally divided and controlled between the minority and the majority.

The Senate will be in recess this Tuesday, today, for a longer period of time than normal, from 12:30 to 3:30. The recess is longer because we have a 2:30 p.m. briefing in room 407 on the National Intelligence report we just received.

ORDER OF PROCEDURE

I ask unanimous consent that the time from 3:30 to 6:30 today also be equally divided and controlled between the majority and minority.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each, with the first half hour under the control of the majority and the next half hour under the control of the minority.

RECOGNITION OF MINORITY LEADER

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

IRAQ FUNDING

Mr. McCONNELL. Mr. President, at this time there is no more important issue facing our country than the mission and the fate of the American service men and women in Iraq. This means, of course, that the men and women of this body have no higher duty than to express ourselves openly and honestly on this issue—to take a stand on where we stand.

The only truly meaningful tool the Framers gave us to do this was our ability to fund or to not fund a war. That is it. And this is what Republicans are insisting upon: that the Members of this body express themselves on the question of whether to fund or not fund the war in Iraq.

By blocking a vote on the Gregg funding resolution, our good friends on the other side are blocking a vote on this most essential question—the only question that ultimately matters. Do we oppose this war to the point of action or do we simply want to make a point?

Our colleagues say they want progress in Iraq, but by blocking a vote

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



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on the McCain benchmarks resolution, they are blocking a vote that would actually set concrete goals.

So let's be very clear about what happened last night. Our colleagues on the other side do not want to vote on whether troops should be funded—period. There is no more critical question at this moment. We have the duty to take it up, and we will continue to fight for that right.

Mr. President, I yield the floor.

RECOGNITION OF THE MAJORITY LEADER.

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

IRAQ ESCALATION

Mr. REID. The issue before the American people that relates to Iraq is the surge—the escalation of the war in Iraq. That is the debate that should be before this body, and last night that was prevented. An up-or-down vote on McCANN, who is supporting the surge, or a vote in opposition to the surge, the escalation sponsored by WARNER and LEVIN—that is the issue before this body today.

This is a diversion. This is a diversion. We finished the Super Bowl. This is a trick play by the Republicans. The real issue before this body is surge or no surge, escalation or no escalation. That is the debate the American people deserve.

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

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The ACTING PRESIDENT pro tempore. The Senator from Vermont is recognized for 10 minutes.

Mr. LEAHY. I thank the distinguished Presiding Officer.

I heard what the distinguished majority leader said. I agree with him. The Senate, as I have often said, should be the conscience of the Nation. There are only 100 of us to represent 300 million people. Americans expect us to speak up on the war. Americans expect us to vote on the war. Americans expect us to vote on the issue of the surge.

Now, I understand some Senators will support the surge, some will oppose it, but allow us to have those votes. Allow us to express the conscience of this Nation.

I ask unanimous consent that a column by E.J. Dionne entitled "The War To Save The Surge" from today's Washington Post be printed in the RECORD.

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

[From the Washingtonpost.com, Feb. 6, 2007]

THE WAR TO SAVE THE SURGE

(By E. J. Dionne, Jr.)

When political opponents tell you that to approve your seriousness you need to pursue a

strategy they know is doomed to failure, shouldn't you be skeptical of their advice?

As the Senate considers a resolution to put itself on record opposing President Bush's escalation of the Iraq war through a "surge" of troops, Bush's backers are saying one thing and doing another.

They are saying that the resolution is meaningless and that true opponents of the war should prove their sincerity by cutting off funding altogether. But they are doing all they can to keep the Senate from even voting on a bipartisan anti-surge resolution that would send a powerful message to Bush that most Americans have lost faith in his bungled war policy.

If you doubt that the war's supporters would love its opponents to put all their eggs in the fund-cutoff basket, consider what it means for them to sound as if the administration's only serious foes were the likes of Dennis Kucinich and Cindy Sheehan.

"I don't think these resolutions, non-binding resolutions, are going to accomplish anything," Sen. John Cornyn, a Texas Republican and a Bush loyalist, told Gwen Ifill on PBS's "NewsHour" last week. "If we really had the courage of our convictions," Cornyn said, the "we" referring to the war's opponents, "if people said, 'You know what? This is an immoral task we've asked our troops to do because we don't believe in the mission, we think they're going to fail.' They ought to cut off funds. But to have this sort of—this debate without any real consequence, I just don't think is the best use of our time."

So Cornyn wants to block a vote on a supposedly unimportant anti-surge resolution, but he would be happy to entertain a debate on a funding cutoff. Does that not send a message to the war's critics?

And it's not just Cornyn. It is now a standard talking point for supporters of this war, from the editorial pages of the Wall Street Journal and the Weekly Standard to Vice President Cheney himself, to try to block any statement by Congress of its views, except through a vote to block funds for Iraq.

"The Congress has control over the purse strings," said Cheney, who on most other occasions insists upon the executive's supremacy over Congress. In an interview with CNN's Wolf Blitzer last month, Cheney added: "They have the right, obviously, if they want to cut off funding, but in terms of this effort the president has made his decision. . . . We'll continue to consult with the Congress. But the fact of the matter is, we need to get the job done."

In other words: Even if a substantial majority of Congress that includes many Republicans demonstrates a lack of confidence in the Bush-Cheney surge, the administration will feel free to ignore the other elected branch of our government—and the more recently elected branch (remember November, anyone?) at that.

Oh, and if an anti-surge resolution were trivial, why would William Kristol, editor of the Weekly Standard and one of the war's most passionate advocates, devote a long and angry editorial in the latest issue of his magazine to attacking Sen. John Warner (Va.) and other Republicans as "ignominious" for their support of an anti-surge measure? Kristol knows that every Republican vote against escalation carries special weight in speeding this war to an end. So does the Senate's Republican leadership, which used a procedural vote yesterday evening to impede the majority's will on the surge.

Supporters of Bush's war policy would love a vote on a full funding cutoff right now because they know that, at this moment, they could win it. They would love responsibility for the failures in Iraq to fall not on an administration that planned its policy so badly

and carried it out so incompetently. Far better for them to heap blame on the war's opponents for "losing faith."

And they know, as the war's opponents should, that in a democracy whose constitution accords so much power to the president, turning around even a failed war policy takes time, persuasion, organizing, legislative strategizing and pressure.

The impatience of the administration's critics is entirely understandable. But it would be a shame if impatience got in the way of a sensible long-term strategy to bring America's engagement in this war to as decent an end as possible as quickly as possible—even if not as quickly as they'd like. The anti-surge resolution is a necessary first step, which is why those who are against a genuine change in our Iraq policy are fighting so hard to stop it.

(The remarks of Mr. LEAHY pertaining to the introduction of S. 495 are located in today's RECORD under "Statements on Introduced Bills and Resolutions.")

Mr. LEAHY. Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

IRAQ

Ms. MIKULSKI. Mr. President, to my colleagues, my constituents, and the American people, I rise today to absolutely say without any equivocation that I do support the Warner-Biden-Levin resolution on Iraq opposing the escalation of our troops. I also stand in the Senate to say: We were robbed! We were robbed of our ability to be able to vote on this resolution!

The American people, on November 7, sent a message to Congress and to the President of the United States: Change the tone in Washington, change the direction in Iraq, and change the priorities of this Nation. We, on this side of the aisle, got the message. The other side does not seem to have. This parliamentary maneuver to block a vote on the Warner-Biden-Levin resolution, to allow us to vote up or down on approving the escalation, shows that it is the same old tone. Please, let's give the process a chance.

Second, it also robs us of the ability to begin to express our vocal support for changing the direction.

This bipartisan resolution is a first step. It is not going to be the last word in bringing our troops home safely and swiftly. The Warner-Biden-Levin resolution affirms clearly and unequivocally a commitment to our men and women in uniform: Congress will not abandon you while you are in Iraq and when you come home. We stand by our troops. However, this resolution says "no" to the President's reckless plan to escalate troop presence in Iraq. The bipartisan resolution insists that the Iraqi Government stand up for its own people to provide security, services, and an agreement on oil revenue sharing.

I am not new to this position. I never wanted to go to war in the first place. I was 1 of the 23 who voted against this war on October 11, 2002—4 years ago. I will never forget it. I didn't believe the administration's arguments then, and I