

it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat, in which I promise myself to realize without alloy the sweet enjoyment of partaking in the midst of my fellow citizens the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from South Dakota is recognized.

IRAQ

Mr. THUNE. Mr. President, as I listened this last week to media reports about a reported plan by Senate Democrats to deauthorize the Iraq war resolution, my first reaction was that they cannot be serious; they cannot want to have Senators managing the war on terror from the floor of the Senate. We would be telling our commanders and our troops how to do their jobs.

Under the latest Democratic proposal—which, incidentally, is now the fifth resolution that they have brought forward—that was unveiled last week, there would be no combat role for our troops in Iraq. Yet we would still allegedly have some number of troops there for training, support, and logistics.

I think the question you have to ask with a policy such as that is, What if those troops are fired upon? Can they not return fire because the Senate says they are not to have a combat role?

Just when I thought this debate had reached the low point on the depth chart, the Senate Democrats have drained a little more out of the pool. For weeks now, they have been attacking Republicans for blocking a debate on Iraq when nothing could be further from the truth. Republicans welcome a debate about Iraq. The only difference is we believe it should be a full, fair, and open debate. The Democratic leaders tried to prevent that by blocking any Republican amendments. The Democrats want a rigged, one-sided debate that has nothing to do with substance and everything to do with political theater. That is wrong, and it is wrong for a couple of reasons.

Firstly, it is wrong because it undermines the unique role our Founders designed for the Senate, a place where debate is welcome, a place that is deliberative, and a place where the power to amend is recognized. Under the Democrats' rigged approach, only their proposal gets heard. Republicans asked for just one alternative, one amendment, and it was rejected by the Democratic leadership. Now, I would ask, where is the fairness in that? Where is the openness in that?

Secondly, and more importantly, it is wrong because it sends entirely the wrong message to our troops and to our enemies. Our troops need to know that they are supported and that their mission is supported. Our enemies need to know we are serious about winning. The action taken by Senate Democrats on this issue has trivialized this very serious debate, and I believe we owe it to those who have sacrificed so much, and to their families, to give this new strategy a chance to succeed.

I visited a number of soldiers last week at Walter Reed Hospital. I think that is my fourth trip up there. I have also had the opportunity to visit with soldiers injured on the battlefield at the hospital in Landstuhl, Germany, at Ramstein Air Force Base. These are men who have lost limbs due to IEDs and EFPs. They are an amazing group of people, an amazing inspiration, and they want to know their sacrifice has not been in vain.

This strategy which has been proposed is a change. It originated with our commanders, and it is supported by our commanders. It calls for several things. It calls for some additional troop strength in the region, primarily in Baghdad and also some out in Anbar Province. It calls for different rules of engagement in that fight, and it calls for more Iraqi involvement in several different ways:

Militarily. It gets the Iraqis more into the fight. They take the lead, and the United States takes more of a support role.

Economically. There are requirements that the Iraqi Government invest in infrastructure in their country and that they come up with a way of dividing the oil revenues so that all the different locations in the country can benefit from this great resource they have available to them.

It puts in place political benchmarks as well. They need to hold provincial elections.

All these things—military, economic, and political benchmarks—are things the Iraqis have to meet. I believe we will know in a matter of months whether this new strategy is working. I want it to work. I want to see our troops succeed, and so do most Americans.

A nonbinding resolution signaling a lack of support was bad enough, but now the Democrats in Congress have taken what in my view is a far more dangerous turn. They have embarked on a course which is binding, which has the force of law, and which would have Congress managing a war. That is a very frightening prospect, but that is exactly what this latest Democratic proposal would do.

In fact, listen to what was said yesterday by the chairman of the Armed Services Committee. He was asked on "Meet the Press" by Tim Russert about how many troops would be left behind under their proposal, and he said a limited number. Mr. Russert said: 10,000, 20,000? The distinguished Senator, chairman of the Armed Services Committee, said:

I don't want to put a specific number on it because that really should be left to the commanders, who decide how many would be needed to carry out those limited functions.

I am glad there is going to be some role for General Petraeus. I am glad he will be deciding some things in the theater over there.

When the question was asked later on by Mr. Russert: Aren't you tying the hands of the Commander in Chief, the chairman of the Armed Services Committee, Senator LEVIN, said:

Well, we hope to put a cap on the number of troops. If I had my way, I would cap them. Of course, if I had my way, we would never have gone there to begin with. But of course we are trying to tie the hands of the President and his policy.

I want my colleagues to listen to the proposal that has been offered in the House of Representatives and just recently, this last week, was discussed and debated over there. Essentially, what that plan would entail is that the Congress would decide the particulars when it comes to which troops can go on combat tours and which ones can be extended beyond the year. To be sent into battle, troops would have to have a year's rest between combat tours, and soldiers in Iraq could not have their tours extended beyond a year. The Pentagon's stop-loss policy, which prevents some officers from leaving the military when their service obligations are up, would end.

These are very troubling developments and proposals, particularly when they are considered in light of what the constitutional role of the Congress is when it comes to these types of matters. Congress does not have the expertise or the constitutional authority to micromanage tactics in a war.

I want to read something for my colleagues from an op-ed in the Wall

Street Journal from a few weeks back. It was written by David Rivkin and Lee Casey, and it says this:

The Constitution vests Congress with formidable authority to affect how the President fights wars. Congress has the power to declare war, formally rupturing international legal relations between the U.S. and a belligerent enemy nation, and to prescribe rules governing military discipline and regulating the capture of military property. If it determines to withhold funding for an ongoing conflict, it can compel the President to withdraw U.S. forces. What Congress cannot do, however, is direct how a President prosecutes a particular war, including decisions about how many of the available forces to introduce into a theatre of conflict.

Would someone on the other side of the aisle please step forward and remind me that there is logic and common sense and that liberal interest groups have not taken over our colleagues on the Democratic side. These actions are stunningly transparent, designed to embarrass the President and to woo liberal interest groups. Let us not go down that road. Our troops and their families and the American people deserve better.

There are a number of Members of the Senate who have served their country and who are veterans. I have the highest respect for the distinguished Presiding Officer, who is among those who have seen combat and understands what it entails and the chain of command. I can't imagine any Member of the Senate who has been involved in combat who would condone having politicians here in Washington, DC, Members of the Senate, no matter how well intended, directing and managing military conflict and getting in the way of our commanders and our troops and their ability to conduct and perform their mission and to do their job.

I think it terribly unfortunate what has happened here in the Senate. I do believe it has trivialized what should be a very serious debate. I have maintained all along that this is a debate we ought to have because this is the dominant issue of our time about which people across this country have incredibly strong feelings. Irrespective of how we got there and what one thinks about that, it is important now that we evaluate seriously, that we examine, and that we analyze how best to proceed and move forward.

There is a plan. It is being implemented. I want to see it succeed. I hope and pray, for the sake of our troops in the theater, that it does succeed. What we cannot afford to have happen in this Congress is to go down this path where one side is trying to one-up the other side and frame the debate, to define the terms of the debate in a way that is politically advantageous to them. That is wrong.

That is why I am here today, to say we ought to have a debate. It ought to be a full, fair, and open debate, in keeping with the tradition and the history of the Senate and in keeping with the commitment we have made to the men and women we have put in harm's way

and who wear the uniform of the United States of America. They deserve to have our support not only of them but of the mission they are undertaking. They need to know that we believe they can succeed, that we believe they can win, that we believe they can achieve victory. If we fail in that important mission, future generations are going to pay a dear price. The global war on terror is not going away. It is important that here in the Senate we dignify the great service of those great Americans by having a dignified debate that is full, that is fair, that is open, and that is not intent on micro-managing and directing the affairs of our military leadership and telling our commanders what they can and cannot do when it comes to winning this very important war.

Mr. President, I yield back the remainder of my time, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WEBB). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NOMINATION OF CARL ARTMAN

Mr. DORGAN. Mr. President, as of this month, it has been 2 full years that the position of Assistant Secretary for Indian Affairs at the Department of the Interior has been vacant—2 full years. There has been a Federal position specifically assigned for the responsibilities for Indian affairs since the year 1806.

In the year 1849, that position was transferred from the Defense Department—or then the Department of War—to the Interior Department. The Assistant Secretary for Indian Affairs and the Department of the Interior is responsible for managing the BIA, the Bureau of Indian Affairs, and all of the programs that are important to the trust responsibilities and the fiduciary obligations the U.S. Government has to tribes. We do indeed have obligations to tribes through treaties and through other approaches, trust responsibilities. This Congress, and previous Congresses, and future Congresses, have obligations to tribal governments that we must meet. Those obligations are important.

As I said, it has been 2 full years since we have had a person in the position of the Assistant Secretary for Indian Affairs in the Interior Department. For 2 years it has been vacant, which is unbelievable to me.

We have a man who has been nominated now named Carl Artman, who is a member of the United Tribe of Wisconsin. Mr. Artman is a very capable, distinguished person. I met with him a couple times. President Bush sent his nomination down to the Congress last year. Apparently, a hold was put on his

nomination and it did not move. The President re-sent the nomination recently. I chaired the hearing, and we moved his nomination out of the Indian Affairs Committee and now it is before the full Senate.

My understanding is it has not moved because there has been a hold put on it once again. I spoke to the Secretary of the Interior today again about that subject, and my hope is—I indicated to him, and I think his hope is—this week we can find a way to resolve these issues and get Mr. Carl Artman confirmed by the Senate for the position of Assistant Secretary for Indian Affairs. It is a very important position.

We have a full-blown crisis in health care, housing, and education on Indian reservations. I have been doing listening sessions with Indian tribes. With respect to education, as an example, they tell about a young schoolkid who is living in a house, a 3-bedroom home with 23 people. That describes the housing conditions on some of the reservations.

But what about a young kid who is living in a 3-bedroom home with 23 other people? What kind of homework do you think gets done there? What kind of opportunity is it for that young child to quietly be able to open a book and to learn a lesson?

We have a crisis in housing. I have described it many times on the floor of the Senate. We have a crisis in health care. It is almost unbelievable to me, but we had a hearing recently in which a doctor described a woman who had a very serious knee injury who required surgery. She went to the doctor on the Indian reservation and was told: Wrap it in cabbage leaves for 3 or 4 days. That is right: Wrap it in cabbage leaves for 3 or 4 days. It needed to be operated on. It was a torn ligament. "Wrap it in cabbage leaves"—that is health care? Not where I come from.

Or a man who had a bad arm, a bad shoulder, a torn ligament, and for 4 years he could not get it fixed on the Indian reservation because it was not "life or limb"—4 years. This was a rancher. What do you think a one-armed rancher is able to do on a ranch? Haul hay? I do not think so.

I told the story on the floor about the woman who was having a heart attack—an Indian woman—and was transported by ambulance to a hospital. She was hauled into the hospital on a gurney—having a heart attack—and they discovered there was a piece of paper taped to her thigh. What the paper said was: You should understand, hospital administrators, this person is not covered under the Indian Contract Health Services. We are out of money. So, therefore, if you admit this person, you are on your own.

Imagine that: a woman having a heart attack, brought in on a gurney to a hospital with a piece of paper taped to her thigh that says: Beware. We won't pay for this treatment. That is unbelievable.