

to and the motion to reconsider be laid upon the table; that the only other amendments in order be the following: the Kyl amendment regarding the nomination and confirmation of U.S. attorneys; the Sessions amendment regarding appropriate qualifications for interim U.S. attorneys; that debate on each amendment be limited to 3 hours equally divided and controlled in the usual form; that the amendments have to be offered and debated during Monday's session, except as noted below; that on Tuesday, the Senate resume consideration of the bill immediately after the opening proceedings and there be 90 minutes of additional debate time on the bill and the amendments are to run concurrently with the time equally divided and controlled between the two leaders or their designees; that upon the use or yielding back of time, but not later than 11:30 a.m., without further intervening action or debate, the Senate proceed to vote in relation to the Kyl amendment, to be followed by a vote in relation to the Sessions amendment; that upon disposition of the amendments, the bill be read a third time, and the Senate proceed to vote on passage of the bill, as amended; that the text of these amendments be printed in the RECORD once this consent is granted.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The amendments (Nos. 459 and 460) are as follows:

AMENDMENT NO. 459

(Purpose: To ensure that United States attorneys are promptly nominated by the President, and are appointed by and with the advice and consent of the Senate)

On page 2, strike line 1 and all that follows and insert the following:

SEC. 2. PROMPT NOMINATION AND CONFIRMATION OF UNITED STATES ATTORNEYS.

Section 541 of title 28, United States Code is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following:

“(b)(1) Not later than 120 days after the date on which a vacancy occurs in the office of United States attorney for a judicial district, the President shall submit an appointment for that office to the Senate.

“(2) Except as provided in paragraph (3), not later than 120 days after the date of the submission of an appointment under paragraph (1), the Senate shall vote on that appointment.

“(3) If the President fails to comply with paragraph (1) with regard to the submission of any appointment for the office of United States attorney, paragraph (2) of this subsection shall have no force or effect with regard to any appointment to the office of United States attorney during the remainder of the term of office of that President.”.

SEC. 3. REPEAL OF INTERIM APPOINTMENT AUTHORITY.

Section 546 of title 28, United States Code, is repealed.

AMENDMENT NO. 460

(Purpose: To require appropriate qualifications for interim United States attorneys)

On page 2, line 23, strike the quotation marks and the second period and insert the following:

“(e)(1) A district court appointing a United States attorney under subsection (d) shall not appoint a candidate—

“(A) unless that candidate is an employee of the Department of Justice or is a Federal law enforcement officer (as that term is defined in section 115 of title 18); or

“(B) if the court learns that candidate is under investigation or has been sanctioned by the Department of Justice or another Federal agency.

“(2) Not less than 7 days before making an appointment under subsection (d), a district court shall confidentially inform the Attorney General of identity of the candidate for that appointment.”.

Mr. REID. Mr. President, in view of the agreement just entered, I now ask unanimous consent that the cloture motion be withdrawn.

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

ORDER OF PROCEDURE

Mr. REID. Mr. President, let me say these few minutes Senator McCONNELL and I have spent on the floor have been just a brief interlude, but getting to this point has taken hours and hours of people's time. I think we are at a point now where we have had a good debate over the last several days and we will have one today. We are moving into another contentious issue, which will be resolved Tuesday morning. So I think we have made great progress. I think it speaks well of the Senate, in spite of the closeness of the margin between Democrats and Republicans, that we are able to get things done. Sometimes it is a slow process in getting things done, but I am confident this is good for the body and the country.

Mr. President, also it is important that everyone be notified—we were scheduled to have a vote Monday at 5:00 or 5:30—that it is not necessary. We have a lot of work going on. We have the debate on the budget that will take some time. We are going to complete this U.S. attorneys issue and we are going to complete three judges today. So in short, there is no need to have a judge's vote, though we have two remaining on the calendar, and I think we will accomplish what we need to do. So there will be no votes on Monday night.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. McCONNELL. Mr. President, let me echo the remarks of the majority leader with regard to the painstaking process he and I have been through over the last day and a half trying to reach an agreement on the Iraq debate. I think it is an agreement that is satisfactory to both sides. It gives Senators an opportunity to express themselves on what is clearly, arguably, the most important issue on the minds of the American people at this particular juncture in our history, and we look forward to the debate starting shortly.

Senator INHOFE will be here to control the time on our side, so let the debate begin.

Mr. REID. Mr. President, I ask unanimous consent that the final 20 min-

utes of the debate relating to matters regarding the Iraq resolutions, the first 10 minutes of the 20 minutes be for Senator McCONNELL, the second 10 minutes right before the vote be under my control.

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

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

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

UNITED STATES POLICY IN IRAQ
RESOLUTION OF 2007—S. J. RES. 9

EXPRESSING THE SENSE OF THE SENATE THAT NO ACTION SHOULD BE TAKEN TO UNDERMINE THE SAFETY OF THE ARMED FORCES OF THE UNITED STATES OR IMPACT THEIR ABILITY TO COMPLETE THEIR ASSIGNED OR FUTURE MISSIONS.—S. RES. 107

EXPRESSING THE SENSE OF CONGRESS THAT NO FUNDS SHOULD BE CUT OFF OR REDUCED FOR AMERICAN TROOPS IN THE FIELD WHICH WOULD RESULT IN UNDERMINING THEIR SAFETY OR THEIR ABILITY TO COMPLETE THEIR ASSIGNED MISSIONS.—S. CON. RES. 20

The PRESIDING OFFICER. There will now be 4 hours of debate equally divided between the parties.

Mr. INHOFE. Mr. President, it is my understanding the debate will start with our side. I encourage all Members who wish to be heard on our side on any of these resolutions to come to the floor and be heard.

Let me share some thoughts. This is a rather awkward situation we find ourselves in because we are debating three resolutions concurrently. Frankly, one of the three I have not even seen yet, so it is very difficult to debate something you have never seen. But I do know from the past discussions the type of concerns people have, the differences between, quite frankly, the Republican side and the Democratic side. I know it is not right down party lines, but let me share some concerns I have and some thoughts I have.

We heard from several Senators who expressed their concern over our micro-managing the war from this body and from the body of the other side. Five hundred and thirty-five people cannot be Commanders in Chief. It seems as if that is what is happening. Also, I observe, and I am only speaking for myself, that this thing has become highly politicized. When the war first started,

the whole idea of weapons of mass destruction was the media trying to make us believe that is what it was all about, but that isn't what it was all about.

I was on the Senate Armed Services Committee during that time, both before and after 9/11, and I observed what was going on. I observed what was going on in Iraq for a long period of time. I had the honor back in 1991 of going to Kuwait on what they called at that time the "First Freedom Flight." There were Democrats and Republicans on that flight. We were the first ones to land in Kuwait. The Iraqis didn't even know the war was over at that time, and the oilfields were burning in Kuwait. I remember Tony Coelho was one of the Democrats who was on the trip, and Alexandria Hague was one of the Republicans on the trip.

He also had the Ambassador from Kuwait to the United States and his daughter on the trip, going back for the first time to Kuwait to see what damage was done by Saddam Hussein in Kuwait City. I remember so well—I don't recall the age of the daughter; maybe she was about 8 years old. I remember so well that when we landed, the oil fields were burning, Iraqis were still fighting, not knowing there had been an agreement and fires should have ceased by that time. They were still shooting at each other. When it calmed down, we went to their home.

Keep in mind the Ambassador to the United States from Kuwait was of nobility and he had a daughter with women. They had a mansion on the Persian Gulf, a beautiful place. We got there in time to see that their house had been used as one of the headquarters of Saddam Hussein. His young daughter wanted to see her bedroom, her stuffed animals and things girls want to see. We found out her room had been used for a torture chamber. There were body parts stuck to the walls, human hair and hands, where the torturing had been taking place.

I think sometimes people forget about how bad this guy was. We hear a lot about Adolf Hitler, and this guy was certainly the worst since the brutality of Auschwitz and Hitler and, of course, the Holocaust. If you had been there and looked down and seen the bodies in the open graves, if you heard the testimony from others whose daughters could not get married because they could not have weddings on the streets of Baghdad because, if they did, people would come in, the Iraqis, and Saddam Hussein's sons would come in and mob everybody and they would kill people and take the pretty girls and rape them and bury them alive. These atrocities that took place were inconceivable to people.

You don't hear about this in the media. They say they didn't find weapons of mass destruction. Well, you know, that is a moot point. There were weapons of mass destruction because they used weapons of mass destruction. They used them in the northern parts

of Iraq. Saddam Hussein brutally, painfully murdered his own people, and the types of gases used in these weapons of mass destruction were the most painful kind that would torture people to death, burn them from the inside out. All the time this was happening, we heard testimonials about how Saddam Hussein was treating his people he thought perhaps were his enemies and didn't follow him after the war in 1991, and how they would put people to death, torture them, and drop them into vats of oil. The victims would be praying that they would put them in head first because their life would be over sooner. It was the same with the massive machines—like what we call shredders in this country—where they would shred the live bodies of these individuals. They used the most brutal types of torture imaginable.

I thought once they get Saddam Hussein and once he is disposed of and is dead, people will realize this monster is not coming back. Unfortunately, there are other monsters who would take up the mantle. These things have gone undiscussed, unnoticed. Even if there had not been weapons of mass destruction—which there were, because they used them, either chemical or biological, which is just as cruel as nuclear, and effective, and it kills many people. Even if that had not been the case, America could not stand by and watch that type of thing happening.

I have had the honor of going back more times than any other Member of the Senate. I will be going next week. It will be my 13th trip to the area of responsibility in Iraq. Each time I come back, after seeing the progress that is being made, I read the newspapers, the press accounts, and there is no relationship between reality and the press accounts we get.

I had the honor of being in Fallujah during a couple of the elections. The Iraqi security forces—people are not aware of this, but they allowed them to vote a day in advance of the normal voting that took place. I was purposely at a couple of these elections in Fallujah because that was where the problems were supposed to exist. That is where our marines were. They conducted door to door and they did incredible and great work at that time. The Iraqi security forces were the first to go down and vote. I remember one night having them come back and talk about the threats that had been made on their lives. Some were shot during the process. They were willing to risk their lives to vote and then to help the people vote the next day. The next day, the other Iraqis came to vote. We all heard about the fingerprinting and holding up with pride their stained finger, which would be a death sentence on individuals. In this country, when such a small percentage of the people vote, and we look at those who are willing to risk their lives, I think how dear that privilege is and how we do not appreciate it as we should.

Anyway, they voted and, of course, they knew when they were going to

vote, they would be in harm's way, and many were shot. There are heroic stories of Iraqis going to vote where they would lay down their lives and get in the line of fire to save somebody else. So these were experiences that we had, the real reasons for being there.

As we approach these resolutions—I see my friend from Missouri is here and I will soon yield to him whatever time he asks. As we discuss the resolutions, I want people to keep in mind the one thing those of us who believe the generals are more capable of running this war than are the individuals in this body, the 535 Members of the House and Senate—and of the 535, many of them want to be Commander in Chief; many are running. The generals make these decisions.

At this time, I ask my friend from Missouri how much time he wishes.

Mr. BOND. I would like 15 minutes.

Mr. INHOFE. I yield 15 minutes to Senator BOND.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BOND. Mr. President, I thank my colleague from Oklahoma. I appreciate the opportunity to talk about this very important subject. Some have said we don't want to debate the war in Iraq, but we have been doing that and I am happy to debate it.

We are at war. One of the jobs of this body is to support our troops when we are at war. As such, we should be taking up the supplemental war funding bill that will directly support and aid our service men and women and support the efforts underway in Iraq and Afghanistan.

I regret the Democratic leadership has chosen to delay acting on funds our troops in the field need and must have by the 1st of May. Here we go, talking about resolutions. We are taking up nonbinding resolutions. The key one is nonsensical; it would serve only to undermine the morale of our service men and women and boost the morale of our enemies. S.J. Res. 9 has a clear message, if not to Americans reading the news, certainly to our enemy: America has been defeated. America does not have the will to win. Or we cannot defeat American troops on the streets of Iraq, but we can defeat America in the halls of Congress. That is what they will be saying.

Out of the 17 different resolutions the majority has worked with and introduced, they have decided to debate S.J. Res. 9—one in a litany of defeatist, micromanaging resolutions that have been offered by the other side.

Like so many of the others, it calls for a retreat and it ensures defeat. Such a retreat, in its wake, would create a bastion of instability, violence, regional conflict, and a launching point for future attacks on our allies and this Nation such as that witnessed after 9/11. The intelligence community, in public testimony before our committee in January, publicly stated that the very real three-pronged threat of turning Iraq over to the chaos is a serious challenge we all should consider.

Fortunately, those of us who believe the generals ought to run the war have the Constitution on our side, which specifies that the President—not those of us in the 535 Members of Congress—is Commander in Chief. The proponents of S.J. Res. 9 to set deadlines must now believe they are more equipped, better informed, and have better judgment than the leaders and military commanders they recently and unanimously confirmed.

Is the American public to believe that the legislators in these beautiful halls, 8,000 miles away from the front, are better equipped to develop strategies than General Petraeus, whom this body confirmed unanimously to lead U.S. forces?

I think the Founding Fathers were right at the time and they are right now. We do not fight wars in the Halls of Congress. We cannot win this war by resolutions we pass, but we can lose the war in the Halls of Congress. My colleagues on the other side of the aisle continue to cite public opinion polls about Iraq as well as a reason why we should pull out. What may be perceived to be popular in the short run, regrettably, will in the long run compound into an even bigger problem that will end up costing us and our allies far more blood and treasure.

Further, when it comes to national security, we ought to be governing on principles, not on public opinion polls.

The American people want victory, not defeat. They are demanding progress, which the new security plan was designed to produce. Incidentally, this new plan fits almost exactly with the recommendations of the Baker-Hamilton committee, which so many people on both sides of the aisle said would be the ultimate solution. Well, General Petraeus and the administration are carrying out the details of the Baker-Hamilton plan, and now we are changing our mind. Why? Well, some, I fear, may be inspired by a loathing of President Bush. But even to those of you who do, I appeal to you to recognize the President is not the enemy. The enemy is ruthlessly chopping the heads off innocent civilians in front of cameras, blowing up schoolchildren, blowing up places of worship. One Army officer recently e-mailed me and said:

I proudly served in Iraq. I know who the enemies of America are. I have met them in person. Our President is not the enemy.

This would not be George Bush's defeat or victory. It will be an American defeat or victory, and the sooner we understand that, the sooner perhaps we can be united.

Robert Kagan, a senior associate at the Carnegie Endowment for International Peace and transatlantic fellow at the German Marshall Fund, recently wrote a piece in the Washington Post describing the sad state of current political affairs. It was entitled "Grand Illusion." In the piece he asserted:

Democratic and Republican members of Congress are looking for a different kind of

political solution: the solution to their problems in presidential primaries and elections almost 2 years off.

This is coming, as he indicates in his article, just as "American soldiers are finally beginning the hard job of establishing a measure of peace, security and order in critical sections of Baghdad."

He goes on to say that "they've launched attacks on Sunni insurgent strongholds and begun reining in Moqtada al-Sadr's militia."

This is appropriate advice. He says:

Politicians in both parties should realize that success in this mission is in their interest, as well as the nation's. Here's a wild idea: Forget the political posturing, be responsible, and provide the moral and material support our forces need and expect.

Despite many people's dissatisfaction with the war, I don't think a majority of Americans want us to withdraw, to retreat and admit defeat.

Throughout the debate, we have also heard references and comparisons made to Vietnam, that this is a quagmire, that the war is unjust, poorly managed, it threatens our individual liberties, it is unwinnable, and the only option is to pull out. All of the very same things were said during the campaign against President Lincoln in 1864, with well over one-quarter of a million dead Americans; after the Union suffered 7,000 casualties in 30 short minutes at Cold Harbor; and until Sherman won in Atlanta.

If you look at our history, anybody getting 24-hour television news during the battles Americans fought against the British in 1776, you would have had to say we were in worse shape than we are now.

When you look at the conditions our troops were in before D-Day and all the things that went wrong, 24-hour news coverage would have convinced an overwhelming majority of the American people to forget it, pull the plug, let the Nazis have it. But if somebody used Vietnam as a model—and it should be used completely—I think it reminds people of the image associated with Vietnam that too many ignore.

I suspect this is a historical photo that many of our murderous enemies dream would be superimposed over the rooftops of Baghdad. These are the people left behind. We left behind people. Some 2.5 million were murdered after we pulled out of Vietnam.

This is, of course, the final, classic departure, people trying to get away. Those who didn't were slaughtered.

Our enemies throughout the radical Islamist world are all too familiar with immediate withdrawal and retreat. We withdrew from Vietnam, we withdrew from Beirut, and we withdrew from Mogadishu.

These repeated withdrawals signaled to our enemies all over the world that if they inflict enough damage on our most heroic citizens, the Marines will never surrender but Washington will.

And make no mistake about it, they are watching. They are watching to see what we will do in Iraq.

These repeated withdrawals invited the 1993 World Trade Center attack, the bombings of our embassies in Africa, the USS *Cole*, the Khobar Towers, and eventually 9/11. None of these actions occurred because of our action to liberate Iraq. Five or six of these attacks occurred before President Bush took office, and George Bush did not invent the danger from radical Islam.

Further, the notion of separating al-Qaida from the sectarian killers can only be contemplated from as far away as Washington because al-Qaida is targeting the mixed neighborhoods and has overtly promised sectarian violence to undermine the Iraqi Government and to weaken U.S. Government resolve.

The Democratic resolution before us now is precisely what our enemies want to hear and, sadly, are expecting to hear.

Here are some quotes from one of the people we ought to be reading more frequently, Osama bin Laden. Osama bin Laden said:

We found that out from our brothers who fought the Americans in Somalia. They did not see it as a power worthy of any mention. . . . God gave them and the mujahideen success in Somalia and the United States pulled out, trailing disappointment, defeat and failure behind it. It achieved nothing. It left quicker than people had imagined.

That is what Osama bin Laden said on October 21, 2001.

In addition to that statement, he said on February 14, 2003:

It has been made clear during our defending and fighting against the American enemy that this enemy's combat strategy is heavily dependent on the psychological aspect of war . . . which hides the cowardice and lack of fighting spirit of the American soldier. . . . Likewise, let me remind you of the defeat of the American forces in Beirut in 1982, soon after the Israeli invasion of Lebanon, when the Lebanese resistance was personified by a truck laden with explosives that struck the main military base of the U.S. Marines in Beirut, killing 242 soldiers—towards hell was their destination and what an evil destination that is.

This is what Osama bin Laden thinks of us. He stated many times that Americans don't have the stomach for conflict and this Democratic resolution embodies that very notion.

What Osama bin Laden and the enemies we are fighting against expect to see is Vietnam. Let's give General Petraeus more confidence. General Petraeus was confirmed unanimously. He stated that the effort in Iraq will have to be sustained to achieve its desired effect and that more troops are vital to advancing security. We confirmed him unanimously. Give him a chance.

He reported last week that nine Iraqi reinforcement battalions have entered Baghdad. He pointed to a decrease in sectarian killings, the discovery of numerous weapons caches, and the capture of al-Qaida members. Al-Sadr has fled Sadr City, and al-Baghdadi was recently reported caught.

Associated Press reporter Robert Reid recently reported General

Petraeus walking through the streets of Hit, a Sunni city with a bloody past. Last month in the article, he reported:

Iraqi police backed by U.S. troops swept through the city of about 120,000 people, arresting suspected insurgents and establishing three new police stations in the downtown area. Since then, the number of violent incidents has dropped from an average of 5 per day to 1.3 per day.

Now that a relative level of security has been established, the important political and economic development work must begin.

In the past, the United States had claimed similar victories in Hit, but those gains were lost because of lack of enough troops to sustain the province.

I ask unanimous consent that this article be printed in the RECORD.

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

[From the Associated Press]
WALK DELIVERS A U.S. MESSAGE
(By Robert H. Reid)

HIT, IRAQ.—The top U.S. commander in Iraq strolled Saturday through the streets of a dusty Euphrates River city.

Gen. David Petraeus was snacking on ice cream and promoting cooperation between Americans and Iraqis in a Sunni Arab community where insurgents have been driven out before, only to return.

Petraeus visited Hit, scene of bloody fights with insurgents for the last three years, to affirm U.S. support for a nascent city administration and to deliver a message that U.S. troops will remain here until Iraqi forces are genuinely ready to provide their own security.

To demonstrate his confidence, Petraeus, accompanied by dozens of armed U.S. troops and Iraqi policemen, strolled down the main street, stopping to buy ice cream from a vendor and wandering through the city market, where snipers were taking potshots at U.S. patrols just months ago.

“Iraq presents its own complex set of challenges, and you have to do one city at a time,” Petraeus said as he beamed at hesitant crowds and delivered Arabic greetings to small groups of young boys who stared at the entourage from the curb.

Few of the Iraqis returned the greeting and most kept back, perhaps intimidated by the stern-faced, gun-toting Iraqi policemen who appeared keen to make sure nothing went awry during the visit.

Nevertheless, the fact that a senior American general could walk through the public market in a Sunni city with such a bloody past indicated a degree of progress that U.S. commanders are eager to exploit. It is key to the new U.S. strategy of clearing areas of insurgents and then remaining to promote economic and quality-of-life projects. In the past, Iraqi forces have failed to maintain control once the Americans were gone.

Last month, Iraqi police backed by U.S. troops swept through the city of about 120,000 people about 100 miles northwest of Baghdad, arresting suspected insurgents and establishing three new police stations in the downtown area.

Since then, the number of violent incidents—mostly bombings and shootings—has dropped from an average of five per day to about 1.3 a day, the lowest level since March 2006, said Lt. Col. Douglas Crissman, commander of the battalion that took part in the sweep.

The plan is for U.S. and Iraqi checkpoints around the city to turn Hit into a “gated community” free of insurgents.

To convince the locals that better days are ahead, the U.S. plans to fly in \$15 million to float the local bank, which will enable retired government employees and soldiers to start receiving pensions and provide cash to bolster the economy.

The Americans are also encouraging the Shiite-run government in Baghdad to pay more attention to mostly Sunni Anbar province, including authorizing funds to pay for the extra police. But U.S. forces have claimed similar successes in the past in Hit, only to see gains lost because of a lack of enough troops in the province.

Mr. BOND. Mr. President, while it is far too premature to declare that the new strategy has succeeded, it does indicate there is a possibility. As General Abizaid once testified, despair is not a policy. It must be given a chance to succeed, and this resolution would do nothing to achieve victory. The alternative of retreat and defeat would be disastrous.

What are my colleagues who wish to see us leave Iraq thinking will happen once we do? The arguments for retreating before relative security is established because we grow tired of the war, because mistakes were made or because Americans allegedly want us to leave all ignore what the consequences will be if we do leave precipitously on a political withdrawal timetable.

Those who are advocating for retreat and departure from Iraq absolutely must address this very difficult question. In other words, what is “Plan Bravo,” plan B, for those mandating retreat? Are we to redeploy forces back home only to have to redeploy them in much larger numbers 3, 4, 5 years from now, once Baghdad has turned into a base of operations and safe haven for al-Qaeda? Will we endure the transfer of Islamofascist terrorism and violence occurring in the Middle East back to the homeland?

Mr. President, I ask for an additional 60 seconds.

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

Mr. BOND. Mr. President, are we going to bear witness to a conflict between Sunnis and Shiites that would spread into a regional war throughout the Middle East? Will we sit idly by while a regional conflict ensues that would result in the death of thousands of civilians? What will happen when the price of oil goes up? Will we see radical Islam taking over more parts of the world? Will we hand them Iraq on a silver platter? Will we have to again deploy troops to the Middle East?

To ignore these considerations and questions simply because they are not politically palatable is shortsighted at best and dangerous at the worst. Those who are attempting to end the war don’t want to talk about the fact that the war in Iraq will do anything but end. In fact, it will only grow more dangerous.

Mr. President, I suggest that Mr. Kagan had it right. In his article, he also said there ought to be a plan B for the Washington Post and others who

have projected and counted on defeat. What is your plan B if General Petraeus’s works and you predicted so successfully it won’t work?

We need to put the money behind our troops, give General Petraeus the support for the new plan with money and support that effort underway. Our 130,000 to 150,000 American troops and their families at home are depending on us. They have a direct stake in this historic event, and I believe that fighting is necessary to prevail over evil.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER (Mr. TESTER). The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I thank the Senator from Missouri. A lot of people don’t know it, but his family has made a personal sacrifice in their efforts in this war. We appreciate that very much. The Senator from Missouri outlined the consequences of surrender in a very articulate way.

Mr. President, I ask unanimous consent that any quorum calls during the debate on the Iraq resolutions be equally divided.

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

Mr. INHOFE. Mr. President, I see no speakers on the other side, so I will elaborate on my remarks. I appreciate the fact that the Senator from Missouri talked about specifically what would be the consequences of timelines or withdrawal. I can speak from personal experience, having spent time in Iraq. As I mentioned before, I plan to take my 13th trip to AOR in a couple of weeks. I believe what is not understood by people who are debating these resolutions is some of the good things about the Iraqi security forces.

I had the honor of being in Iraq when some of the new leadership took office. I remember Dr. Rubaie, who is the National Security Adviser, and Dr. Jassim—I believe he was the Minister of Defense at that time—they articulated in a very effective way that most of the differences between the two major factors over there were Western concepts, were Western ideas. It appeared to me that was the case.

As we debate these resolutions, we need to remember how we got in there in the first place. Remember what happened prior to 1991, remember the monstrous commissions that were made by Saddam Hussein and the number of people, the volumes of people who died tragic, painful deaths.

As far as the Iraqi security forces are concerned, it is pretty obvious to me that these individuals want to be in charge. I get the idea, when I listen to some of the people on the other side, that the Iraqi security forces somehow are inferior, somehow they don’t have the knowledge and the capability, the potential to become great fighters. Yet when I talk with them, they are the ones who are anxious to get themselves in a position where they are going to be carrying the load for us.

The whole idea of the embedded training is that we put our people in

the rear to advise the Iraqis on what to do and to train them while they are actually embedded and fighting with them. This has worked very effectively. It has been effective.

I happened to be there at a time when in one of the training areas for Iraqi security forces, there was an explosion. Some 40 were killed.

What the people over here don't understand is the commitment the Iraqis have to their own security. It happens that 40 families of those who were killed in this blast all supplied another member of their family to go in and carry the load for the deceased trainee.

These individuals are committed. They are as anxious as we are to get to the point where they have the capability of offering the security against the terrorists. From time to time, they have gotten that way. There was a time when the entire western one-third of Baghdad was under security control by the Iraqis themselves. They were just not in a position to sustain that control.

We saw the commitment the Iraqis had in Fallujah, when a general who had been the brigade commander for Saddam Hussein—this guy hated Americans; he was a brigade commander for Saddam Hussein, until we went into Fallujah with our Marines and they started the embedded training, the embedded training referred to by my friend from Missouri. It was so successful and they enjoyed each other so much that this man, this general, his name is Mahdi, he looked me in the eyes and said: I hated Americans before all this happened. I certainly hated the Marines. When they came in and started embedded training, I learned to love them so much that when they rotated out, we all got together and we cried.

This is the commitment the Iraqis have. When you get into one of the helicopters and go from place to place, maybe 50 feet off the ground, and you see the commitment of these individuals in the small towns and the kids who are down there—a lot of times the people who are supporting our troops send over candy, cookies, and this type of thing don't realize that when our troops get them, they normally repack-age them, and then as they are in these helicopters going across the triangle and other places, you can see the little Iraqi kids out there waving American flags and our troops are throwing them candy and cookies. This is the type of relationship we don't see in this country.

Mr. President, while we are calling to make sure that some of them get down to the floor from both sides, let me suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. 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. SPECTER. Mr. President, the Senate is now engaged in a historic debate about what the United States of America should do with respect to the conflict in Iraq. We are scheduled to vote on three resolutions at 3:45 this afternoon. I was advised early this morning, about 8 a.m., that we would have four resolutions to vote on and that there would be a time agreement of some 6 hours, with votes to occur late this afternoon. Two of the resolutions among the four were not in existence, one of the resolutions has since been dropped, and the fourth resolution was made available less than an hour ago. This kind of a timetable, it seems to me, is not conducive to the kind of deliberation and thought necessary to make intelligent decisions on the momentous questions which we are facing.

We are asking the U.S. military to adopt a timetable to clear out of Iraq no later than a year from now, and we have a tough time establishing even a timetable as to what the Senate will do in the course of a single day.

As I review the proceedings, it seems to me that the Congress is not prepared to act on this subject on this state of the record. It may be that the Congress is not competent to act on this kind of an issue. There is a maxim that you can't manage effectively by committee, and what this concurrent resolution seeks to do is to have management by two committees—that is perhaps twice as bad as trying to manage by one committee—a committee of 435 in the House of Representatives and a committee of 100 here.

Yesterday, I spoke briefly about S. Res. 9, which has been cosponsored by 41 Democrats, no Republicans. I think it is regrettable that there appears to be a partisan divide on this subject. This matter is too important to be determined by party loyalty. Perhaps a more important aspect of noting that the resolution is supported by 41 Democrats is that it is not supported by 9 Democrats, with 50 Democrats in this body. So perhaps it is significant that it is not supported by 9 Democrats.

I would be prepared to cross party lines, as I have done in the past when I thought it warranted, if I agreed with the thrust of the resolution. Seven of us joined with the Democrats in voting for cloture several weeks ago to move ahead with the debate and try to come to a resolution on the Iraqi issue, and I was one of the seven. I would not hesitate to do so again if I agreed, but I cannot agree with the proposal which would require that not later than 120 days after enactment to have phased redeployment of U.S. forces, with the goal of redeploying by March 31, 2008, all U.S. combat forces in Iraq except for three conditions: to protect U.S. and coalition personnel, training and equipping Iraqi forces, and conducting targeted counterterrorism operations.

The thrust, however, is to leave Iraq in about 1 year, and that is to ensure defeat. Setting a timetable simply enables our opponents to wait us out.

I think beyond that, the idea of having the Congress of the United States micromanage the war is simply not realistic, and perhaps it may even be unlawful. As I noted yesterday, in the case of *Fleming v. Page*, in 1850, the Supreme Court said:

As Commander in Chief, he is authorized to direct the movements of the naval and military forces placed by law at his command, and to employ them in the manner he may deem most effectual to harass and conquer and subdue the enemy.

That is a fairly forceful statement that it is not up to the Congress to micromanage a war but that it is up to the Commander in Chief, the President of the United States.

That is not to say that the Congress does not have authority in the premises. Yesterday, I put into the RECORD a lengthy letter which I had written calling for additional hearings by the Judiciary Committee on the relative powers, authority of the Congress under the Constitution, with our power of the purse and our power to maintain and direct armies, contrasted with the President's power as Commander in Chief.

I believe, however, it is of questionable legal authority to micromanage, and it is definitely impractical for us to seek to micromanage if the consequences of giving an order to the President would just enable the enemy to wait us out. That is not to say that at some time in the future it may be necessary, and there may be a considered joint judgment by the Congress, to use the extraordinary power of the purse to implement our constitutional authority to maintain armies to effectuate a withdrawal.

Yesterday, I commented on the Senate floor that it would be most helpful to have an update from the Department of Defense and the Department of State as to whether, since General Petraeus went to Iraq, implementing a new strategy as he articulated it to many of us in the Congress in meeting with him, whether there have been improvements, so that there was some realistic prospect of victory, which is what we want. The consequences of defeat are disastrous, but that does not mean that we can be in Iraq forever.

The President, in his State of the Union speech, set two objectives for the Iraqis. One was to end the sectarian violence and, secondly, to secure Baghdad as indispensable prerequisites for maintaining U.S. forces in Iraq. The Iraqis have shown neither the capacity nor the will to carry out those objectives. In evaluating the strategy of General Petraeus, it would be helpful to know if there have been any positive signs or negative signs, giving us some clue as to the prospects of victory.

Through staff, I made an inquiry of the Department of Defense for some updated material, and none was available. Similarly, through staff, I made an inquiry of the Department of State, asking if there had been any results from the change in policy to negotiate

with Iran and Syria, at least on a multilateral basis. One part of the resolution that is supported by 41 Democrats, calling for a comprehensive diplomatic, political, and economic strategy, has been implemented by the Department of State, at least in the incipient stages. Even in the absence of any indication of any progress, it seems to me unwise, on this state of the record, to set a timetable which would just embolden and empower the enemy to win by waiting us out.

The power of the purse is the ultimate constitutional authority of the Congress. Even there, as I noted yesterday in the case of *United States v. Lovett*, in 1946, the Supreme Court held that Congress cannot use its appropriations power indirectly to accomplish an unconstitutional objective. That still leaves substantial parameters to decide what to do.

The second resolution is the one submitted by Senator GREGG, and Senator GREGG articulates a resolution that all of us agree with:

That it is the sense of Congress that Congress should not take any action that will endanger United States military forces in the field. . . .

That would be unthinkable. No one disagrees with that. Then the Gregg resolution goes on to say:

. . . including the elimination or reduction of funds for troops in the field.

That phrase could be interpreted to mean that Congress does not have the authority to stipulate an elimination or reduction of funds for troops in the field so that we couldn't say to the President to reduce the troops by a certain date. Or perhaps it should be read in conjunction with taking no action to endanger to say you have to be down to a certain number by a certain date, as Congress did in legislation in 1974, saying that when the war in Vietnam was winding down, there could be no more than 4,000 troops in the field in 6 months and no more than 3,000 troops in the field in a year. That congressional legislation was signed by President Ford, although he expressed some reservations. So perhaps the Gregg resolution does not purport to totally eliminate the authority of Congress to act by cutting off funding if it can be done in a way which does not endanger the troops in the field. Certainly the thrust, the gravamen of the Gregg resolution is one where there would be no disagreement, we simply could not endanger the troops in the field or take any action which would endanger them.

Then the third resolution—which was filed less than an hour ago by Senator MURRAY—sounds very much like the Gregg resolution. It is intended, I think, to provide an alternative to the Gregg resolution, but it is very close. The Murray resolution provides:

The President and Congress should not take any action that will endanger the Armed Forces of the United States and will provide necessary funds for training, equipment and other support for troops in the

field as such actions will ensure their safety and effectiveness in preparing for and carrying out their assigned missions.

We all agree with that. Then it goes on to say:

The President, Congress and the Nation have an obligation to ensure that those who have bravely served this country in time of war receive the medical care and other support they deserve.

No one could disagree with that. It is a reference to what has happened at Walter Reed. Then the third clause in the resolution.

Resolved: The President and Congress should continue to exercise their constitutional responsibilities to ensure that the Armed Forces have everything they need to perform their assigned or future missions.

We can't disagree with that. And then:

. . . review, assess and adjust United States policy and funding as needed to ensure our troops have the best chance for success in Iraq and elsewhere.

That also is apple pie, motherhood, and milk. There is a little implication, on “review, assess and adjust,” perhaps a change in policy, but it does not say anything definitive.

There was supposed to have been a fourth resolution offered by Senator WARNER, who had an earlier resolution which was not taken up by the Senate. Senator WARNER is to be commended for his service to the country, heading the Armed Services Committee, 28 years in this body, Secretary of the Navy, served in World War II. He was searching for some alternative. But in the absence of any resolution having been filed, the inference arises that the search continues. That is where I think we are on this issue.

The electorate spoke last November in disagreeing with United States policy in Iraq. The House of Representatives has spoken, disagreeing with United States policy in Iraq. The Senate is about to speak, but it is highly doubtful—virtually impossible that a forced withdrawal within a year will be approved by 60 Members of this body. The resolutions by Senator GREGG and Senator MURRAY are not twins, but they are first cousins. But we are still groping for what to do.

My own sense of the situation is we need to pursue some preliminary reports that things are improving and find out if in fact that is true. As I look at Iraq—and I used the metaphor yesterday—it is a tunnel and we can't see the end of the tunnel. Certainly there is no indication that there is a light in the end of the tunnel. I don't like being in the tunnel, but I don't know where else to go at the moment.

I am not going to go with a resolution to leave Iraq, micromanage the war, tell the President what to do when we frankly don't know what to do. But we are groping. Just as we are unprepared to deal with these resolutions in a limited time, by 3:45, we are unprepared to tell the military what to do in a year. So I think we need to go back to the drawing boards and I think we

need to find out more facts. It may be General Shinseki was right in 2003, that job required a lot more personnel, into the hundreds of thousands, under the Colin Powell doctrine of overwhelming force. Maybe that was the course which should have been followed. Certainly we don't want to deploy more troops now, in those quantities. For General Shinseki's brilliance, he got himself fired, ridiculed and fired. We are trying to find out what to do.

I had an opportunity to visit the Midwest and talk to President Assad of Syria last December. President Assad advanced the idea of having an international conference before the idea was advanced by Secretary of State Condoleezza Rice. I carried that message back and conveyed Assad's suggestion to Condoleezza Rice. Whether that had any impact on her idea, I don't know. But I do believe—and I said this in a lengthy speech on the Senate floor last June, and in an article which appears in the current issue of the Washington Quarterly—that dialog should be undertaken with Iran and Syria. We have seen the multilateral dialog with North Korea, supplemented by direct contracts, bilateral negotiations, produce what appears to be an answer to diffusing North Korea's possession of nuclear weapons. We don't know for sure because that is a very tentative basis, but we made a lot of progress and we appear to have an answer.

I think there is cause for hope that the multilateral talks with Iran and Syria, and perhaps bilateral talks, will produce something there. So I am going to oppose S. Res. 9 and I am going to support the first cousins, the Gregg resolution and the Murray resolution. They say something which is obvious. We are not going to take any action to endanger the American troops. But that does not mean we are without power in the future to use the appropriations power, the power of the purse, to put Congress's imprimatur and decision on what is going on.

The President said for a long time he was the decider. I think he has wisely receded a little from that assertion. It is a joint, shared responsibility between Congress and the President. There has been a lot of talk. I think the American people ought to know there has been a lot of—it is more than talk; there has been a lot of very serious thought which has been undertaken by the Members of the Congress, both the Senate and the House, trying to find a way to have a victory in Iraq. Our statements of disagreement with the President do not mean we ought to tell him what to do when in fact we do not know what to do.

For myself, I think we need to find out more about what is happening now, both militarily and diplomatically; going back to the drawing board and seeing if we can come up with a better answer than the one we are facing at the present time.

I thank the distinguished Senator from Oklahoma, who is managing the bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. I wish to inquire how much time we have remaining on our side.

The PRESIDING OFFICER. There is 64 minutes 30 seconds.

Mr. INHOFE. Fine. We are next going to hear from the Senator from South Carolina. I wish to say, after the conclusion of the remarks, I am going to be trying to line up, by unanimous consent, several speakers. It is my understanding Senator BYRD wants to come down and speak. But between the next speaker and Senator BYRD, we are going to try to get some lined up for a period of time. That will be our intention.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. GRAHAM. Mr. President, I think Senator SPECTER, has given a good overview of where the Congress finds itself, where it wants to go, and how to get there. What I wish to do is give my view for people back home and my colleagues about how what we do now, for the moment, could affect the overall war on terror, and throw out this proposition: Do we believe the outcome in Iraq affects the overall war on terror? Is Iraq a central battlefield in the global struggle? I believe the answer is clearly yes. You could debate whether going into Iraq was the right thing. Clearly that is a debate that will be resolved by historians. We are there now. What are the consequences of a failed state in Iraq and how likely is that to occur, based on what we do for the moment?

I would argue very strongly a failed state in Iraq is a tremendous defeat in the overall war on terror on several fronts. No. 1, it means moderate forces in Iraq were overwhelmed by the extremists. There are basically three groups in Iraq trying to kill this infant democracy. There is a Shia extremist group that has as its goal a theocracy for Iraq where the Shias will dominate the Iraqi landscape and they will have an Iranian style theocracy. It may be different in many ways, but it will be a religious state.

The Sunni extremists are trying to seize power and kill this infant democracy and rule by the gun, not by the rule of law. They were in power during the Saddam era and they want to get back in power. These two groups have different views of what to do with a future Iraq, but they both come together believing a democracy hurts their agenda.

Then there is the rest of Iraq, the Sunnis, the Shia, and the Kurds, which I think are the overwhelming majority—and they are struggling to create a new democracy out of the ashes of a dictatorship. I want to associate myself with some understanding of the struggle they are going through be-

cause our country went through this very same struggle. It is hard to create a democracy, but the benefits are enormous if we can pull this off.

The third group is the most dangerous of all. They are in Iraq to kill this infant democracy, not for political power within the border of Iraq as their goal but to create a movement that will sweep the Mideast. This is the al-Qaida organization within Iraq and associated Islamic extremist organizations that have a more regional view of what to do. All three groups, the Shia extremists, the Sunni extremists, and the foreign fighters, namely al-Qaida, are threatened by democracy in different ways.

Shaikh Mohammed has just admitted in open session in a military tribunal that he was in fact the mastermind of 9/11. He went on ad nauseam about all the activity he had been involved in for over a decade. The point of his testimony was he believes he is at war with us. We need to understand we are at war with him. I think for years they were fighting us and we did not quite understand they had declared war upon us. But we all agree now that al-Qaida is a force that needs to be dealt with militarily and that there is a global struggle in which they are involved, and that Shaikh Mohammed is a warrior, an illegal warrior but nonetheless a warrior. He doesn't have a criminal agenda, he has a political agenda and religious agenda, and he considers himself a warrior.

What I hope we can do in Iraq is defeat extremism on all fronts; that we could, in fact, defeat al-Qaida in Iraq, which would be a blow to their overall regional world agenda.

What to do? Senator SPECTER made a good point. Where do we go? Congress is trying to find its footing. Congress doesn't want to cut off funding. There are different reasons people don't want to cut off funding. The polls clearly show that cutting off funding is not popular, by the American people. There are Members in the body who do want to cut off funding. I respect their point of view because they have concluded Iraq is not part of the war on terror in a traditional sense; that our involvement in Iraq is doing more damage in the war than it is helping.

I just disagree. I think a loss in Iraq is a huge event in the war on terror. And they will come and cast a vote. They will vote against Senator GREGG's resolution saying the Congress should cut off funding. I respect them, but I think they are wrong.

Now as to Senator REID. His motion is that we are going to try to send a message to the Maliki Government and other political leaders in Iraq by telling them: At a date certain, we are going to start leaving if certain things are not done. I understand the point, that they are trying to get the moderate forces, the Democratic forces in Iraq, to do better and come together quicker.

My concern is pretty simple. I think Senator SPECTER expressed it very

well: The audience of this resolution is not a single audience, that the world will be listening and watching what the Senate does.

If the Senate did pass a resolution setting a specific date—March of next year—where we will begin to redeploy if certain things are not done in Iraq, then I am convinced that in the Mideast it will be taken as a sign of weakness, not strength.

It will be not a message sent to the moderates alone, it will be a message sent to the enemies of democracy. We would be, no matter how well intentioned, laying out a roadmap as to how to drive the United States out of Iraq. The resolution would have two purposes, one well intended: to get the Iraqi Government to do more to expedite the political decisionmaking that is required to lead to a successful outcome.

The other consequence would be, we would be telling our enemies in great detail: Here is what you have to do to make sure we leave at a date certain and that every benchmark we set as to a date becomes a benchmark for the enemy. If you can achieve this benchmark, the United States will leave. To me, if we ever do that, then we have made a huge mistake.

Senator SPECTER mentioned some of the mistakes. I think General Shinseki was right, we never had enough troops to provide security. We planned for the best, never assumed for the worst. On the economic projections, in terms of the cost of the war, the military understanding of what would happen after the fall of Baghdad, we missed it by a mile. We are paying a heavy price for making those mistakes.

But the biggest mistake is yet to come. If we pass the Reid resolution, it would trump every mistake President Bush's team has made by a factor of many because it would be, in fact, destroying the last best chance we have to salvage democracy in Iraq.

General Petraeus is our best hope. Reinforcements are needed in Iraq: politically, economically, and militarily. Any resolution passed by the Senate declaring this operation lost before it is implemented cuts General Petraeus's legs out from under him. It would be the biggest mistake Congress could make—I would say maybe in American history—to a commander in the field. Eighty-one to zero, we sent the general off to fight in a war anew, and now we are about to send a message to the people he is fighting that on a date certain you win if you do the following things.

This resolution empowers our enemies. It gives them a roadmap of how to drive us out of the Mideast. It weakens the ability of General Petraeus to form coalitions to give the Iraqi politicians what they need to do the things they need to do.

If you want to empower a moderate, which is key to victory in the Mideast in the war on terrorism, the last thing you need to do, in my opinion, is make a public statement that our commitment ends at a certain date if you do

not do certain things, because you are telling the enemy exactly what they have to do to win out over the moderates and the United States. It would be a huge mistake of monumental proportions. I hope this body will not allow that to happen.

What happens if we have a failed state in Iraq? Who is the biggest winner if Iraq breaks apart and democracy fails? Iran wins. In the south, the Shia south, a very oil-rich area, that most likely will become a puppet state of Iran. I cannot say for sure it will, but it is the most likely outcome. Let's start, for a change, planning for the worst.

I wish people who were introducing these resolutions would understand the consequences of a failed state and ask themselves: Does this resolution help create a democracy? Does it empower the enemy? Does it help create a failed State? What are the consequences?

Former Senator Edwards is saying we should draw 50,000 troops down today. They asked him the question: What would that mean for regional stability? I don't know. I am not sure.

Well, I can tell you what it means. It would tell the extremists we are leaving, you are winning. Every moderate in the Mideast would start hedging their bets because what kind of political solution are you going to come up with if you believe the American political and economic aid to your young democracy will vanish? You start hedging your bets.

The stronger we are, the bolder they become. The weaker we are, the bolder the enemy becomes. The stronger America, in a rational way, stands by moderate forces, the more likely they are to make the hard decisions to bring the country together. The weaker we seem, the weaker we portray ourselves, the stronger the enemy of democracy.

That is what I believe this is all about. You cannot kill the terrorists in numbers enough to win the war from an American perspective. This war will never be won by the American military killing terrorists. They are doing a wonderful job, our military. This war will be won when extremism is suppressed within the Mideast by the people who live in the Mideast.

So we have to take sides. This war is a war of religion and origin. The origin of this war is not Palestine-Israel, it is bin Laden, Shaikh Mohammed, and others who have a view of religion that has no place on the planet for the State of Israel or moderate Muslims, Christians, Jews. They have said publicly their goal is to drive us out of the Mideast, topple all moderate governments that do business with the West and essentially destroy Israel. I believe them.

Iraq is a test of us and our will versus their will. I do hope we understand the vote we are about to take will shape the fortunes in Iraq in the coming months one way or the other. The decision we take in Iraq will shape our national security interests for decades, will change the Mideast for the better

or for the worse, and will have monumental consequences on the war on terrorism.

This is not about the political moment. This is about the decades to follow. Leaving Iraq, from a national security perspective, is not the question for the country. We all want to leave sooner rather than later for the good of our own troops, and eventually the stability of the world, to allow the Iraqis to take over their own destiny.

The question for this country is what do we leave behind? I am convinced if we leave behind a failed State, where moderates are overwhelmed by extremists, the problems in Iraq spill out to the Mideast, and the war does not end when you leave Iraq, it just begins.

You need to look at Shaikh Mohammed and what he said a few days ago, and what they are saying now, al-Qaida. Understand that they believe the outcome in Iraq is part of the war on terror. I believe it. These resolutions, in my opinion, do not understand that.

As to General Petraeus, I have a lot of confidence in this new plan. It is not more of the same. It is trying to go at the problems in Iraq new and differently. There are early signs of success. There is a long way to go, but please understand the General and those who are under his command are affected by our actions in Washington. The world is watching. Please do not send a message to the wrong people, no matter how well intended.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. First of all, let me thank the Senator from South Carolina, who has been steadfast all the way through this, and who has made such great contributions. In addition to what he said, I think it is worth observing that this is working.

In this morning's Washington Post, there is an article about the successes that are taking place. The top U.S. military spokesman in Baghdad said the number of sectarian killings has dropped since the operation began in mid-February.

Then on the other side, GEN Qassim al-Mousawi, who is the Iraqi military spokesman, also offered an upbeat assessment of the Baghdad security plan and how well it is working now. So I think, frankly, this is sooner than I thought we would be getting some positive results.

Let me also make one observation before going on to the next speakers. That is, after receiving rather late the resolution by Senator MURRAY, 107, in reading it, unless I misread it, it appears to me she is outlining some things that are pretty consistent with what is in the Gregg resolution. So I do not know—with the three resolutions we have—the order. That is going to be determined, but right now we are not sure of it.

Mr. President, I ask unanimous consent that the Senator from West Vir-

ginia, Mr. BYRD, be recognized for 20 minutes, followed by Senator ENSIGN for 7 minutes, followed by Senator TESTER for 10 minutes, followed by Senator KYL for 7 minutes, then any intervening Democrat, to be followed by Republican Senators BROWNBACK, WARNER, and VITTER for 7 minutes each.

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

Mr. INHOFE. I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, along with my Democratic colleagues, I intend to vote for the Reid resolution, S.J. Res. 9. I have some concerns with the approach in this resolution—I firmly believe that the Congress must address the open-ended 2002 authorization to use force in Iraq, which is not dealt with in this resolution—but I certainly agree with the Reid resolution's intent. There is a diversity of views in both parties about our policy in Iraq, but a majority of the American people are united in the firm belief that a change of course is long overdue. Fifty-nine percent of Americans believe that the United States made a mistake in sending troops to Iraq. Sixty percent favor withdrawing all U.S. troops by the end of next year. The American people are speaking, and finally their Representatives in the Congress are listening.

Some of us may disagree about the best way to effect a change of course in Iraq, but this debate shows one thing—it is time for a new plan, time for a real discussion, not more empty rhetoric about "stay the course" versus "cut and run." This administration is fond of referring to the powers of the Commander in Chief, but surely the most important responsibility of any Commander in Chief is to provide solid leadership. As President Harry Truman said: "The buck stops here." But we are entering the fifth year of this misbegotten war, and this President has failed time and time again to articulate a plan, a plan to give a clear reason for why we are in Iraq or to outline a strategy for bringing our troops home. Stubbornly denying that Iraq is engaged in a civil war is not leadership. The White House has abdicated its leadership on this issue, so it is left to the Congress—that is us—to speak for the American people.

The hue and cry raised from my colleagues across the aisle and from the White House is that those who do not support this disastrous war do not support the troops. Three thousand one hundred and eighty-nine soldiers have now died in Iraq. Thousands more have been wounded and maimed and have come home to find outrageous and dehumanizing treatment. Truly supporting our troops means not putting them into harm's way without a clear plan for success and unless it is absolutely necessary. It means not asking our sons and daughters, our best and our brightest, to make the ultimate sacrifice without being able to articulate exactly why they are being asked

to do so and exactly what we will accomplish as a result. Supporting our troops means treating our wounded men and women with dignity. It means not sending them to recuperate in mold-filled rooms without supervision and without assistance in a morass of paperwork. It means not sending back to the front lines those too wounded to fight, as this administration is doing.

I continue to receive letters and phone calls from service men and women, troops currently serving in Iraq, thanking me for my stand—yes, my stand—against this war. The troops are not the ones criticizing our attempts to bring them home. The troops are the first to say there is no military solution to the situation in Iraq, only a political solution. The Iraqis will have to assume leadership of their own country and start making political compromises to overcome the ethnic and sectarian divisions that are splitting the country apart. There is no military solution, none, no military solution for Iraq. A national reconciliation is the only solution for that war-torn country, and we do not need another 3,000 young lives lost to learn that.

We were wrong—and I said so at the time—to invade. We were wrong to think that victory would be quick and easy. We are wrong to stay on in an occupation which earns us only hatred with no end, no end, no end in sight. Our young men and our young women now find themselves in the crossfire of a civil war. Nearly every one—nearly every one—except our Commander in Chief realizes that there is no military solution. To continue this ill-advised and demoralizing war only damages our wonderful country in the eyes of the world and chews up lives, both American and Iraqi. I have said it before—yes, I will say it again, yes—democracy cannot be force-fed from the point of a gun.

Let this debate mark the beginning of a way out, out, out of Iraq. Let this Congress begin to understand why the Framers of this Constitution gave the power to declare war to the Congress, the representatives of the people we send to fight and to die for our country. Let us begin to put some sanity—sanity—in our foreign policy again.

I yield the floor.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Under the previous order, the Senator from Nevada is recognized.

Mr. ENSIGN. Mr. President, I rise this morning to speak about S.J. Res. 9 and the consequences of failure in Iraq.

I want to begin by reviewing just how Osama bin Laden and al-Qaida see themselves achieving ultimate victory in Iraq.

You don't have to be a serious student of history to realize that as of late, America has not exactly demonstrated the kind of collective will necessary to successfully complete military missions abroad.

As a nation, it seems easy, maybe too easy, to commit ourselves, through our

military, into foreign lands in an attempt to accomplish what we believe is right, either to protect our vital national interests or to free a people from bondage, or in the case of Iraq to try to accomplish both.

Whatever the reason for committing ourselves to a noble cause overseas, America ventures into another country with only the best of intentions, and for a while the American people and her politicians overwhelmingly support our military and its mission.

Then, when we see that victory is not as easy or as immediate as we had initially hoped, we start down a road of self doubt. We convince ourselves that our military mission was probably not all that important in the first place. We somehow twist our values to accommodate an opinion that our military expedition is not worth the effort we need to expend in order to be successful. We recoil once the realization hits us that lives and treasure are the “coin of the realm” when it comes to using our military to ensure our continued national security. And for too long our adversaries have witnessed this reluctance, this lack of will, to finish the task at hand. In 1982, America deployed her military to separate warring factions in Lebanon. We went in with only the best of intentions. People were being killed and it was up to us to “do something” about it.

Then, on October 23, 1983, two truckbombs detonated in buildings housing American forces in downtown Beirut. Two hundred forty-one U.S. marines, sailors, and soldiers lost their lives that day. Six months later, America had had enough and we were out of Beirut.

The Lebanese civil war would rage on for another decade, and during that time countless Lebanese, Palestinians, and Israelis would suffer as a result of our abdication of responsibility.

As had always been the case before, our adversaries did not pursue us back to our shores to do us harm. But they did observe and they did note that the American public, led by her elected officials took the easy way out and departed before completing our intended mission.

In 1993, the United States once again sought to “do something” to end a humanitarian crisis that was taking place on the African continent. In a country with no functioning central government, warlords ruled their individual pieces of territory within Somalia as personal fiefdoms.

The Somali people were fodder as the warlords battled each other for control of land and resources. People were being killed. If they were not being killed by bullets, they were being starved to death.

Although the situation in Somalia did not directly affect our national security, American leaders at that time answered the call to “do something” to alleviate the human suffering Americans were witnessing nightly as part of their television news shows and read-

ing in the daily editorial columns of most big city newspapers.

Our leaders once again answered the call by sending our young men and women in uniform to a foreign land to “fix things.” Soon, our military had its mission expanded beyond providing humanitarian assistance.

Part of this new mission involved capturing and/or killing the Somali warlords responsible for the pain inflicted on their fellow citizens. As part of this new mission, Army Rangers conducted an assault on Somali forces in what has come to be known as the “Black Hawk Down” incident.

Here, two Black Hawk helicopters were shot down and 19 of our Rangers killed. In the days following, film footage was broadcast over and over again on television that showed the lifeless bodies of our soldiers being desecrated as they were dragged through the streets.

This footage both shocked and humbled us. The support for our mission to do good things in Somalia quickly evaporated. The costs had become too great to bear. It was no longer that important to do the right thing and we subsequently withdrew our forces from the region.

Once again, our adversaries watched as the world’s superpower retreated from the fight. Today, Somalia continues to flounder as a failed state and a haven for Islamic radicalism on the eastern coast of Africa.

In a 1998 interview with ABC’s John Miller, Osama bin Laden said that the Clinton administration’s decision to withdraw from Somalia had emboldened his burgeoning al-Qaida force and encouraged him to plan new attacks.

“Our people realize[d] more than before that the American soldier is a paper tiger that run[s] in defeat after a few blows,” the terror chief recalled. “America forgot all about the hoopla and media propaganda and left dragging their corpses and their shameful defeat.”

And those attacks promised by bin Laden did come.

On August 7, 1998, al-Qaida decided to test our mettle by simultaneously bombing our Embassies in Tanzania and Kenya, and in the process killed 257 people and wounded over 4,000.

Our tepid response once again gave Osama bin Laden comfort.

Since the Clinton administration had chosen to treat terrorist attacks as law enforcement matters, America sought to prosecute in our courts those responsible. Osama bin Laden was soon placed atop the FBI’s Ten Most Wanted List.

Along with the 1993 World Trade Center bombing, the 1996 Khobar Towers bombing in Saudi Arabia, and the 2000 attack on the USS *Cole* in Yemen, the Embassy bombing were two of the major anti-American terrorist attacks that preceded 9/11.

The United States responded to the Embassy attacks by freezing financial

assets of related parties and by firing some missiles into al-Qaida training camps in Afghanistan.

The attack in Afghanistan destroyed some physical targets. However, the operation did not accomplish the destruction of bin Laden and his operatives and did not lead to any significant changes in the al-Qaida network and leadership.

Al-Qaida grew bolder, stronger, and more capable as we sat on our hands.

And so, here we are today, facing an embolden enemy bent on our destruction who has convinced himself that he possesses the will to break our spirit. He has done it before and he is convinced he can do it again this time.

The sad part about all this is that Osama bin Laden may very well be right this time.

Today we stand here debating a resolution of appeasement that directly affects our military strategy in Iraq and, by default, our overall national security for years to come.

This resolution calls for imposing an artificial timeline to withdraw our troops from Iraq, regardless of the conditions on the ground or the consequences of defeat; a defeat that will surely be added to what is unfortunately a growing list of American humiliations.

I agree with the President's assessment that this legislation before us would hobble American commanders in the field and substantially endanger America's strategic objective of a unified federal democratic Iraq that can govern, defend, and sustain itself and be an ally in the war against Islamic fascism.

The unintended consequence of this resolution is to bring to reality Osama bin Laden's vision for Iraq; that after 4 years of fighting in Iraq the U.S. Congress loses its will to fight. We precipitously withdraw our forces and leave the fledgling Iraqi government to fend for itself; Sunni and Shia factions rip the nation apart at a scale previously unimaginable. There is a mass exodus of refugees out of Iraq, and no mechanism in place to deal with them. Iran, Syria, Saudi Arabia and other states in the region feel the need to get involved.

This is a terrible scenario, but it is not the worst of scenarios. Bin Laden's nightmare vision also involves a chaotic Iraq with Sunni dominated areas like al-Anbar Province becoming a safe haven from which al-Qaida can launch attacks against the United States.

And we could see the Shiite dominated areas, with the help of Iran, and its own oil wealth, be used as a terrorist breeding ground, as well.

Make no mistake. The Iraqi situation is vastly different from Beirut, different from Somalia, and, different from the bombing of our African Embassies.

Iraq has consequences that will surely be felt here at home and around the world. If we leave Iraq before the job is done, as surely as night follows day, the terrorists will follow us home.

I believe this.

We will be sorry and we will regret having once again left unfinished our national security obligations. But by then it will be too late for regrets.

We will find that as strong and powerful and compassionate as we think we are, we cannot "unring" the bell. The damage will have been done.

Osama bin Laden and his al-Qaida followers are convinced that America is weak and decadent and they can succeed in grinding down our resolve and forcing us to retreat.

Osama bin Laden has openly said: America does not have the stomach to stay in the fight.

He is a murderer. He is a fanatic. He is an Islamic fascist. He is determined to destroy us and our way of life.

Let us resolve today not to also make him a prognosticator of things to come.

I urge my colleagues to reject this misguided legislation. We cannot afford to leave this fight at this time. For the sake of America's future, we cannot afford to fail.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Montana is recognized for 10 minutes.

Mr. TESTER. Mr. President, I doubt I will use it all, but I thank the Presiding Officer very much.

Mr. President, I am here to address S.J. Res. 9. I am glad we have gotten to a point where we can debate this war in Iraq and vote. That is what we are all sent here to do. This war did not start yesterday. We are 4 years into this bloody war, at a cost of \$2 billion a week, monetarily, and nearly \$500 billion since we started 4 years ago. More importantly, we have lost nearly 3,200 of our Nation's best people. Soldiers, sailors, and marines have made the ultimate sacrifice; 17 from my home State of Montana. Twenty-four thousand more have been seriously wounded. An entire generation in this country has been marked by the injuries in this battlefield.

Yesterday, the Pentagon admitted something we have known for a long time: that our troops are caught in the midst of a civil war. The administration has begun to escalate this war with 21,000 more troops. This idea is not a new one. During this war, four previous surges have all failed. It is time for a different direction. It is time for a drawdown of our troops.

As unclear as the President's plan for Iraq has been, our mission for our troops is more blurred. The original mission was to find weapons of mass destruction, to topple Saddam Hussein, to train the Iraqi troops, and to turn Iraq into a model to transform the Middle East.

Our troops have done an incredible job. They and their families have given far more than most of us can imagine. It truly is time now to take a different direction. Our troops need a plan for success and a clear mission. The current plan of "stay the course" has

failed. We now have an open commitment with no end in sight. We need a new direction, and we owe it not only to our troops but we owe it to the people of this country.

I strongly support the legislation put forth by Majority Leader REID. I am proud to be a cosponsor of this measure. It is a good first step—finally—to put an end to this war. Also, it is a good first step to the political and diplomatic solution this war needs to have happen to end this war.

This measure directly addresses my biggest concerns in Iraq. I support the legislation because it is a first step. We can begin redeployment of troops with the goal of removing most of those U.S. troops by March 31, 2008. It requires Iraqis to take an active role in their future, which is critically important. Also, as was pointed out last week, we cannot win every conflict with bullets. This forces Iraq to move forward toward a political and diplomatic solution.

This legislation focuses our mission and responsibly ends the war within 1 year, and after March 31, 2008, remaining American troops will still be there to protect American and coalition interests, to still continue to train these Iraqi forces, and, most importantly, to seek out and bring the terrorists to justice.

The fact is, this war has taken our eye off the war on terror. Osama bin Laden still runs free. We do not know where he is. I wholeheartedly support this legislation and will vote for it. The combined effort of this legislation will allow Iraq to stand on its own two feet. I urge my colleagues to look beyond partisan politics and vote for a long overdue change of course for this 4-year-old war. We cannot afford this war monetarily or from a people standpoint. It is time to pass S.J. Res. 9.

Thank you, Mr. President.

The PRESIDING OFFICER (Mrs. McCASKILL). The Senator from Louisiana is recognized for 7 minutes.

Mr. VITTER. Madam President, I, too, rise to talk about this very important matter we are debating and voting on today, the situation in Iraq.

First, I want to say hallelujah, we are finally having a full, open debate and a range of votes. That is exactly what I have been pushing for, pleading for, asking for, along with so many of my colleagues on the Republican side. I am very glad finally we do have a full and fair and open debate, with the ability to cast votes on measures we deem very important, and specifically the Gregg resolution about supporting our troops in the field.

Secondly, I want to express real reservations about the Reid resolution, which we will also be voting on today.

The situation in Iraq is very tough. We need to make a final push, and certainly the biggest part of that push does need to be strong action by the Iraqi Government. We need benchmarks and pressure on the Iraqis to do the right thing. I specifically talked

about that. But the Reid resolution does some things I believe we absolutely must not do. Specifically, it sets very precise and complicated and cumbersome dates certain. I believe that is much more useful as a message to the enemy and a help to the enemy than a roadmap for us.

In addition, I think the Reid resolution clearly micromanages the war. It clearly oversteps our bounds as a legislative body by taking on the responsibilities and the management and the function of the Commander-in-Chief. Therefore, for that reason, I think that aspect of the Reid resolution is, No. 1, a bad idea, but, No. 2, very possibly unconstitutional.

I will be voting against that Reid resolution. But again, I thank everyone who finally, after weeks and weeks of talk—finally—gave us the opportunity for these votes and for a vote on the Gregg resolution and other important matters.

The third and final point I want to make goes to the path, unfortunately, I think we are headed down with some of this language. I think this is very unfortunate, and I think this path and where it is headed, in my opinion, is something we must all work to avoid. Let me explain what I mean.

Senator REID has made it perfectly clear he will put forward his resolution today with all of those complicated dates and timetables and what-ifs and benchmarks. Again, I have problems with that; I will vote no. But Senator REID has also made clear he will also put forward the exact same substance in the context of the emergency supplemental appropriations bill to fund our men and women in uniform in the field in Iraq.

Now, why is that a problem? Well, it is a problem for the following reasons: that emergency supplemental bill is needed, as I just said, to fund the men and women in uniform in the field right now, under fire, risking their lives in Iraq.

We have all said over and over and over that no matter how we feel about the war, no matter what we put forward as the proper policy on the war effort, we would give our men and women in uniform in the field what they need to do their job and defend themselves. The problem is this Reid language, particularly the threat to put it on the emergency supplemental appropriations bill, threatens to cut that funding off because that language, if it gets on the bill, will, first of all, delay debate and implementation of the bill, and secondly, if it is in the final version of that spending bill, it will absolutely—absolutely—produce a veto by the President of the United States. He cannot agree to that language because of his position on the proper path forward, and no President can agree to that language because of the constitutional power of the President as the Commander in Chief. That will further delay this emergency spending bill and further delay getting

necessary funds and equipment to troops in the field.

The military has said very clearly we need to act by April 15 so those funds and that equipment can get to the field starting in early May. Our troops are counting on it. They are waiting for it. These are men and women in uniform, in the field, under fire right now. But, again, this strategy and this language of Senator REID will make it very likely that won't happen and will make it very likely this whole matter and this whole spending to get to our troops in the field will be significantly delayed. That is not funding men and women in uniform. That is not supporting our troops in the field. What that is doing is refraining from supporting them, slowly bleeding away the resources, the equipment, and the money they need to do their job.

It is one thing to say: New troops, you are not going anywhere. You stay right here. We are having this debate. But it is quite another to slowly bleed and endanger troops in the field. Yet this is the path that I am very afraid we are embarking on with the Reid language, particularly if it is put on the emergency supplemental appropriations bill.

In closing, let me say, we have all said on this floor, virtually to a person in the U.S. Senate, that no matter what we think about the war, no matter what we think about the right path forward in the war, we will not endanger our troops in the field. We better think long and hard about the path some would adopt because they are beginning to do just that. We can't have that. We need to give our brave, smart, courageous men and women in the field already the money, the equipment, the resources they need to do their job. They are literally under fire there. We cannot bleed away what they need in the field, quickly, slowly, or anything inbetween.

Again, I am very concerned that is the path Senator REID and some others would put us on.

So, thankfully, we are having this full and open debate today. We will be having votes today. I believe the most important vote is on the Gregg resolution. I will proudly vote for that in support of our men and women in uniform in the field, and I will do everything I can to avoid slowly, quickly, or anything inbetween bleeding resources, money, and equipment away from what those brave men and women whom we have already put in the field need to defend themselves and to conduct their mission.

Madam President, I yield the floor.

The PRESIDING OFFICER (Mrs. McCASKILL). The Senator from Wisconsin is recognized.

Mr. FEINGOLD. Madam President, I spoke yesterday in favor of the resolution introduced by Senator REID, S.J. Res. 9. By bringing the current open-ended military mission to a close and requiring the funding of U.S. troops, the Reid resolution takes a significant

binding step toward ending our involvement in the war in Iraq. I am pleased that the Senate will have the opportunity to vote on that resolution shortly.

The Senate will also be voting, as the Senator from Louisiana just pointed out, on another resolution regarding Iraq sponsored by the senior Senator from New Hampshire. Unfortunately, this resolution is badly flawed, and I strongly oppose it. My chief objection is simple. The resolution rejects the idea of Congress using its power of the purse to safely redeploy our troops from Iraq. Moreover, it does so in a manner that can only be described as inaccurate and almost intellectually dishonest. By warning against “the elimination or reduction of funds for troops in the field,” the resolution fully embraces the misleading rhetoric the White House has used to try to prevent serious discussion of Congress ending the war. Those who engage in such rhetoric pretend that cutting off funds for the war is the same as cutting off funds for the troops. They raise the specter of troops somehow being left on the battlefield without the training, equipment, and resources they need.

Obviously, nothing could be further from the truth. Every Member of Congress agrees we must continue to support our troops and give them the resources and support they need. Not a single Member would ever vote for any proposal that would jeopardize the safety of our troops. Using our power of the purse to end our involvement in the war can and would be done without in any way impairing the safety of our brave servicemembers. By setting a date after which funding for the war will be terminated, as I have proposed, Congress can safely bring our troops out of harm's way.

How can I say this with such confidence? There really is plenty of precedent for Congress exercising its constitutional authority to stop U.S. involvement in armed conflict.

I recently chaired a Judiciary Committee hearing entitled “Exercising Congress's Constitutional Power To End a War.” Without exception, every witness—those called by the majority and those called by the minority—did not challenge the constitutionality of Congress's authority to end a war. Lou Fisher with the Library of Congress, one of the foremost experts on separation of powers issues, pointed out that Congress does not simply have the power, it has a responsibility, to exercise it when it is needed. He said:

The question to me, always remember, Congress, is the continued use of military force and a military commitment in the Nation's interest? That is the core question. Once you decide that, if you decide it is not in the national interest, you certainly do not want to continue putting U.S. troops in harm's way.

The argument that cutting off funding for a flawed policy would hurt the troops, and that continuing to put U.S.

troops in harm's way supports the troops, makes no sense. By ending funding for the war, we can bring our troops safely out of Iraq.

Walter Dellinger of the Duke Law School made this point when he testified about my proposal:

There would not be one penny less for the salary of the troops. There would not be one penny less for the benefit of the troops. There would not be one penny less for weapons or ammunition. There would not be one penny less for supplies or for support. Those troops would simply be redeployed to other areas where the armed forces are utilized.

So instead of allowing the President's failed policy to continue, Congress can and should use its power of the purse to end our involvement in the Iraq war, safely redeploying the troops while ensuring, as I do in my bill and as the Reid resolution permits, that important counterterrorism and other limited operations are still carried out.

Now, for those who don't believe this has ever been done or for those who say it can't be done, let me cite an example from not that long ago. In October of 1993, Congress enacted an amendment sponsored by the senior Senator from West Virginia cutting off funding—cutting off funding for military operations in Somalia effective March 31, 1994, with limited exceptions. Seventy-six Senators voted for that amendment. Many of them are still in this body, such as Senator COCHRAN, Senator DOMENICI, Senator HUTCHISON, Senator LUGAR, Senator McCONNELL, Senator SPECTER, Senator STEVENS, and Senator WARNER.

Now, did those eight Senators and many Democratic Senators who joined them act to jeopardize the safety and security of U.S. troops in Somalia? By cutting off funds for a military mission, were they indifferent to the well-being of our brave men and women in uniform? Of course not. All of these Members recognized that Congress had the power and the responsibility to bring our military operations in Somalia to a close by establishing a date after which the funds would be terminated.

Now, on that same day with regard to Somalia, several Senators, myself included, supported an even stronger effort to end funding for operations in Somalia. The amendment offered by Senator McCAIN on October 15, 1993, would have eliminated funding for Somalia right away, except for funds for withdrawal, or in the case of American POWs, MIAs not being accounted for. Thirty-eight Senators opposed a measure to table that amendment. I was joined by many Republican Senators in supporting the amendment, including none other than the current sponsor of S. Con. Res. 20, Senator GREGG. Senator GREGG suggests in that resolution that eliminating funds for troops would undermine their safety. Was he voting 14 years ago to do that? Obviously, he would not do that. In 1993, was he committing the same egregious offense

that he so strongly opposes in 2007? Could he have been so cavalier about the safety of our troops? Not the Senator I know. He would never have been indifferent to their need for guns or ammunition or food or clothing, nor would I, nor would any other Member of this body. Of course not.

Senator GREGG knew, as did I, that Senator McCAIN was proposing an appropriate, safe, responsible way to use our power of the purse to bring an ill-conceived military mission to a close without in any way harming our troops.

Unfortunately, the new Gregg resolution seems to have forgotten this point. I hope that my colleagues will think better of efforts such as that proposed by Senator GREGG today. All Senators, including the distinguished senior Senator from New Hampshire, are, of course, entitled to their opinions, and all Senators are certainly entitled to oppose my efforts to end funding for a disastrous war. But by putting forth misleading and baseless arguments, by suggesting that ending funding for the war is tantamount to ending funding for the troops, they are making it that much harder to have the open, honest, and essential debate about the Iraq war that this body and the American people so badly need.

Madam President, I yield the floor, and 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. REED. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. REED. Madam President, we are debating a serious proposal with respect to the future of our involvement in Iraq and the future of Iraq and, indeed, that region of the world. I believe the proposal Senator HARRY REID of Nevada advanced is a sensible way to begin to change our policy, so it can be sustained over time and it can lead to a successful termination of our operations in Iraq but, more importantly, give the Iraqis the opportunity to establish a stable government in a very difficult part of the world.

The elements of the proposal that Senator REID has advanced, are right on target. First, to define the mission in a way that they can be fully supported by the United States and also that they are congruent with our best interests in the region and the world. Next, obviously, is force protection. We have to be able to assure our forces that they can protect themselves at all times. Third, to continue to develop the Iraqi security forces—not just to put guns in their hands but to develop their capacity to do other things, such as civil affairs, intelligence operations, those critical military skills that will allow them to be an effective force in their country, to bring not just stability but a sense of competence, co-

herence to the operation of their Government.

The next mission is the constant attention to counterterrorism. This is a mission that I believe transcends every border in the world. Wherever there are those elements that are actively plotting to attack us or our allies, we should be prepared, together with local authorities, if they are cooperative, to take these elements out very dramatically, preemptively. That is essentially what we did in Somalia, without the presence of hundreds of thousands of American troops in Somalia. But we had the special operations capacity, intelligence, and the cooperation of local parties so we could do that.

Those are the three critical missions I believe we have in Iraq that will be longer term. But I think, also, when recognizing those missions, we can begin to recognize and begin to redeploy our combat brigades that are there. They are essentially now engaged in a civil war, a sectarian battle between the Sunnis and Shia in Baghdad, but not just there. These forces we have to begin to redeploy away from Iraq. Initially, they could be redeployed within the country, to adjacent countries, and at some time back to their home stations. I think this is the wisest course.

I hope, as the legislation suggests, we could at least have as a goal March of 2008 for the redeployment of these combat brigades, understanding that these residual missions—force protection, training Iraqi security forces, and counterterrorism—will endure. That is a wise policy that is consistent with our national security objectives and also consistent with our ability and the ability of the American people to sustain these efforts over many months.

The continued course of simply adding more troops and hoping for the best, which is the President's strategy, is not going to work. More importantly, I cannot see it being sustained indefinitely by the American people or supported by a terribly overstretched military force, particularly our Army and Marine Corps.

This whole approach to Iraq, I believe, from the very beginning, was a flawed strategy. It disregarded fundamental aspects of any coherent strategy—identify the most serious threat and apply adequate, very robust resources to the threat. Iraq wasn't the most serious threat in that region. Iran is much more powerful and much more potentially dangerous and, also, at that juncture, the most serious threat, and still lingering are the international terror cells.

But this administration, against my judgment, entered into this conflict in Iraq. Not only did they have a flawed strategy, but the execution has been horrific, incompetent. Today, we are left with very few good choices. One of the most revealing aspects of why the strategic decisions made by the administration were so faulty was given a few weeks ago when I asked Admiral

McConnell, the Director of National Intelligence: What is the most likely source of an attack on the United States, groups in Iraq or groups in Pakistan? His answer, without any delay, immediately, was: "Pakistan, of course." So we have invested billions and billions of dollars, 140,000-plus troops, over 3,000 Americans killed in action, many more seriously wounded, and yesterday, the highest intelligence official in the country says the most serious potential threat to our homeland, an existential attack on the order of 9/11, is from our ally Pakistan. That is because, once we focused on Iraq, we took our focus off Afghanistan and Pakistan. We have allowed the Taliban to rehabilitate itself. The Pakistanis have been unable to deny a safe haven to bin Laden, Zawahiri, and other key elements of al-Qaida's leadership who are not only surviving but beginning to reorganize and reassert themselves as directors or aspirers or at least co-conspirators with other terror groups around the world. That is a stunning indictment of the strategy that this administration has unveiled.

There are other costs to this strategy. You will recall the "axis of evil." The President boldly announced that it was Iraq, North Korea, and Iran. Well, frankly, after ignoring the North Koreans for many years, now the administration is seeking to cut a deal with them with respect to their nuclear weapons. But this is a much worse deal than the administration had when it stepped into office. In 2000, their plutonium was capped by international inspectors on the ground. But through a series of miscues, the administration allowed the North Koreans to take away their plutonium, create up to 10 nuclear devices, we think, test long-range missiles and, in a shocking act, detonate a nuclear device, becoming part of the nuclear club. Now we are offering them essentially the same terms that could have been had, without all this damage, many years ago.

With respect to Iran, we know one of the consequences, one of the costs of our operations in Iraq is that Iran is in a much more secure strategic position today. They have colleagues and cohorts who are integral parts of the Government in Baghdad. The people we rely on, the Maliki Government, has huge support from people who have spent years, who have fought alongside the Iranians against the Iraqis. Yet we are supporting, as we must, the Maliki Government. But we should all recognize the huge influence Iran has today as a result of this strategy.

Now, these costs are strategic costs, but there are some obvious costs in terms of dollars and cents. We are spending in Iraq about \$8.4 billion a month. That level of effort is difficult to sustain. In Afghanistan, we are spending less but still significant dollars. All these costs are being funded from the supplemental. We are borrowing the money from the next generation of Americans to pay for these efforts.

The President already set up another supplemental request that will be pending in a few days. It includes \$93 billion for operations in Iraq and Afghanistan. It will bring the total for this fiscal year—what was in the original budget, together with the supplemental—to \$145 billion. We will likely see totals such as that in succeeding years.

In the 5 years the United States has been engaged in Iraq and Afghanistan—Iraq particularly—we have spent about \$530 billion. That is a huge sum of money. That is very difficult to sustain. We can also see the cost in terms of supplying the Army. We have a situation where units are without equipment. Our National Guard is in disarray. Now we are going to, once again, put a huge demand on our military forces to support this escalation. It has been suggested to me that, shortly, upward of nine brigades of National Guard and Reserve forces will be notified for redeployment to Iraq and Afghanistan. Once again, our citizen soldiers will be taken from their homes and sent overseas. When they go this time, they will not have quite the same equipment as they did the last time because National Guard equipment is in disrepair, even worse than the regular forces. Their training will likely not be as authentic because of the difficulty in getting out to the national training centers. They might do most of the training at their home stations. We are beginning to see this accumulation of costs reflected in many ways.

A few days ago, the Boston Globe published a story in which it showed that because of the retirement and resignations of captains in the Army, senior NCOs in the Army, promotion rates have been going up astronomically to fill these vacancies. That is probably the worst potential trend for any military force, because without those capable company grade leaders, we will not be able to assure the American public we have the same level of professional skill that we have today.

I believe, for all these reasons, the resolution proposed by Senator HARRY REID is the right course of action. But there will be an alternative approach, and that is a proposal by Senator GREGG with respect to funding. A few points can be made about that. The Gregg resolution misinterprets the Constitution by saying the Congress's only role is simply to rubberstamp what the President does—or worst case, they can only take funds away. That is not the case at all.

As I mentioned on the floor yesterday, way back in 1799, the Supreme Court of the United States clearly said that Congress had the right to make decisions with respect to national policy involving foreign affairs. In fact, their decision essentially said the Congress could pass a law that would allow the President to stop ships going into certain ports but not leaving certain ports.

Many of my colleagues on the other side came down and talked about us

micromanaging. That is micromanaging. It is constitutionally permissible, perhaps, but it is not something we will do. It is not something we would want to do. We want to give the President the latter two that he needs but for missions that are consistent with our national security.

Under the Gregg resolution's interpretation of the Constitution, Congress's only responsibility seems to be to fund whatever the President asks.

That I don't think is appropriate constitutionally or with respect to our obligations as thoughtful participants in the policy process along with the President.

Senator MURRAY will offer an alternative, and that alternative strongly supports our troops but also properly interprets the Constitution by stating the President and the Congress have shared responsibilities for the decisions involving our Armed Forces.

I suspect if you took the Gregg logic to the extreme, if the President sent up a funding bill and we thought it was inadequate, then I suspect we couldn't do anything because, after all, all we can do is either agree with the President or cut off the funds. That is not the case at all.

I can recall the President sending up to the Senate budgets that did not have enough resources for armored humvees, body armor, et cetera. It was this Congress that put more money in because we have a role when it comes to funding the operations of the military.

When it comes to Presidential policy, it is not simply accepting it or taking away the money; it is altering that policy if it is wrong, it is redefining missions, and it is fully resourcing those missions which are the product of this interaction between the President and the Congress.

A quote from Senator MURRAY's resolution:

... the President and Congress should not take any action that will endanger the Armed Forces of the United States, and will provide necessary funds for training, equipment, and other support for troops in the field, as such actions will ensure their safety and effectiveness in preparing for and carrying out their assigned missions.

That I think is a much more accurate, appropriate, and sensible approach to the issue of shared responsibility.

In addition, the Murray resolution makes it clear that the Constitution gives Congress the responsibility to take actions that help our troops and our veterans. We have had a lot of talk about not funding the troops. But wait a second, it was the President who sent in forces without a plan. It was the President who sent in forces without adequate armored humvees. It was the President who sent in forces without body armor. It was the President and his Department of Defense who weren't aware of the travesties that were taking place at Walter Reed when it comes to veterans. It is the President's Veterans Administration that refused a

few years ago to ask for adequate money for the Veterans Administration hospitals because of the new demand from veterans.

If anyone over the last several years failed to fund the troops properly, it is the President. So our concerns should be directed at his failures to fund the troops rather than that of Congress.

This is a collaborative process that both the White House and the Congress have to ensure our forces have the resources they need, but we also have to make sure they are performing the missions most important to the United States. By endorsing the Murray resolution, we are sending a clear message of our joint responsibility to fully fund our soldiers in the field, and by supporting Majority Leader REID's resolution, we are sending a signal that the right policy, phased redeployment, carefully defined missions, providing a stable regional approach to Iraq and, in the long term, redeploying troops so we can face with more flexibility the challenges of a North Korea, of an Iran, of places such as Afghanistan, Pakistan, and places perhaps at this moment we are not aware of but will suddenly burst onto the front page because of the presence of terrorists or other destabilizing activities.

I urge strong support of the resolution supported by Majority Leader REID and the resolution supported by Senator MURRAY.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 7 minutes.

Mr. KYL. Madam President, there is an old joke about the definition of retreat, which is a strategic withdrawal. I note that is the phrase used in the resolution, S.J. Res. 9, to describe the process of leaving Iraq. The language effectively is: "The President shall commence the phased redeployment of United States forces from Iraq not later than 120 days," and then says:

... with the goal of redeploying by March 31, 2008, all the United States combat forces from Iraq. . . .

Except for the limited purposes of protecting forces, training Iraqi forces, and conducting targeted counterterrorism operations.

That is a very bad idea. We shouldn't be playing politics with this war, and we shouldn't be trying to micromanage the war from Congress. But setting specific dates by which the commanders are to make certain decisions, including how troops are deployed, is clearly micromanaging the war effort.

The fact there have been 17 resolutions—I believe this is the 17th resolution—on the Democratic side of the Congress, and the fact that none of those other 16 were adopted I think demonstrates the confusion on the other side as to what exactly ought to be done and the differences of opinion by Members on the other side of the aisle.

Thank goodness we didn't adopt any of the other 16, and we shouldn't adopt

this one either. This one is particularly pernicious. It actually begins the withdrawal. It sets a date, "shall commence the phased redeployment . . . not later than 120 days.

Then it uses a goal of completing that withdrawal by March 31, 2008. Some have tried to hide behind the word "goal." I think Senator FEINGOLD said it right, however, on March 8 of this year when he said:

For the first time, it—

"It" meaning the resolution—

has a timetable in place, as I called for in August of 2005. It's not as early as I would like, but it is a timetable not only to begin to get the troops out but to get the troops out except for very limited purposes.

It didn't always used to be this way. A lot of our Democratic colleagues understood that setting timetables and deadlines was absolutely the wrong thing to do.

The distinguished majority leader, for example, said:

But as far as setting a timeline, as we learned in the Balkans, that's not a wise decision, because it only empowers those who don't want us there, and it doesn't work well to do that.

Another one of the supporters of the resolution said 2 days ago:

I don't believe it's smart to set a date for withdrawal. I don't think you should ever telegraph your intentions to the enemy so they can await you.

Another cosponsor of the resolution said 3 days ago:

I, for example, am not in support of circling a date on a calendar and saying, "No matter what, we're out on that date."

One of the most thoughtful people in the Senate on matters of foreign policy has spoken a lot on this issue, and I think what he said a couple of years ago makes a lot of sense. This is the distinguished chairman of the Foreign Relations Committee. He was talking about the options. He said:

... we call it quits and withdraw, I think that would be a gigantic mistake for the reasons I stated earlier. Or we can set a deadline for pulling out, which I fear will only encourage our enemies to wait us out, equally a mistake. . . . I mean, the idea of setting a timetable to leave generally means that you have to set and train the process of leaving. It is not an easy process. And I think once that is smelld as the option, then I think you find it will degenerate quickly into sectarian violence, every man for himself. And the conclusion that will be achieved will be, I think, Lebanon in 1985, and God knows where it goes from there.

Recently, the distinguished chairman said this, unfortunately:

We should withdraw our combat troops by early 2008, except for a limited number necessary to keep training Iraqis and to deny terrorists a sanctuary.

As I said, it used to be that most Senators understood that setting a timetable in a war, a date for withdrawal was a very bad idea, not just because it tried to micromanage the conduct of the war from the Congress but because it signaled to the enemy precisely what the enemy had to do, to wait us out and then prevail in the conflict.

That is precisely what this resolution does and is the key reason why every Senator should be voting against this resolution and why those who spoke against a timetable before should remember what they said and the wisdom of those words and follow that same advice today.

This is especially pernicious because at the very time this resolution is being adopted, there continues to be news from Iraq that suggests the new strategy, the Petraeus plan, is actually beginning to work. Nobody is claiming any victory. There are going to be bad days as well as good.

I ask unanimous consent at the close of my remarks to print in the RECORD an article from the Associated Press in my hometown newspaper: "Baghdad's terror death counts are falling."

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

(See exhibit 1.)

Mr. KYL. Madam President, the article points out the fact that the death squad deaths are falling substantially, the militia activity is down substantially. While our commanders there are being cautious about declaring the operation a success, nonetheless, there are many different descriptions of events happening in Iraq that give us a lot of hope.

I was there a couple of weeks ago, and our commanders and Iraqis both were cautiously optimistic this would work.

The point is, at the very time the new plan is underway and it seems to at least show early signs of success, why would we want to declare it a failure and start the process of withdrawing at the very time these additional troops seem to be making a difference?

One of the chairmen of the Baker-Hamilton study commission, former Democratic Congressman Lee Hamilton, was testifying before the Congress about a month ago. He said we should give this plan a chance. We should give it a chance to succeed. That is exactly what we ought to do. We start by rejecting the resolution that is pending because it micromanages the war and sends a horrible signal.

We also try to support the troops by adopting as quickly as possible a supplemental appropriations bill that funds this effort without tying the strings of our commanders and without imposing so many other conditions that the President is constrained to veto it. We have to get that funding to our troops as soon as possible. That is the other message the commanders on the ground, both in Kuwait and Iraq, gave to me when we were there. They said: Please adopt the supplemental appropriations bill without strings.

I urge my colleagues to vote against the resolution when it comes up for a vote later this afternoon.

EXHIBIT 1

[From the Arizona Republic, Mar. 15, 2007]

BAGHDAD'S TERROR DEATH COUNTS ARE
FALLING
(By Robert H. Reid)

BAGHDAD.—Bomb deaths have gone down 30 percent in Baghdad since the U.S.-led security crackdown began a month ago. Execution-style slayings are down by nearly half.

The once frequent sound of weapons has been reduced to episodic, and downtown shoppers have returned to outdoor markets, which are favored targets of car bombers.

There are signs of progress in the campaign to restore order in Iraq, starting with its capital city, according to a Pentagon report released Wednesday.

But although many Iraqis are encouraged, they remain skeptical how long the relative calm will last. Each bombing renews fears the horror is returning. Shiite militias and Sunni insurgents are still around, perhaps just lying low or hiding outside the city until the operation is over.

U.S. military officials, burned before by overly optimistic forecasts, have been cautious about declaring the operation a success. Another reason it seems premature: Only two of the five U.S. brigades earmarked for the mission are in the streets, and the full complement of American reinforcements is not due until late May.

The report even used for the first time the term "civil war" to describe some of the violence. But it stressed that the term does not capture Iraq's complex situation, and its assessment was based on the final three months of 2006, which it said was the most violent three-month period since the U.S.-led invasion.

U.S. officials say the key to the security crackdown's long-term success is the willingness of Iraq's sectarian and ethnic political parties to strike a power- and money-sharing deal. That remains elusive: A proposal for governing oil, the country's main source of income, is bogged down in parliamentary squabbling.

Nevertheless, there are encouraging signs.

Gone are the "illegal checkpoints," where Shiite and Sunni gunmen stopped cars and hauled away members of the rival sect, often to a gruesome torture and death.

The rattle of automatic-weapons fire or the rumble of distant roadside bombs comes less frequently. Traffic is beginning to return to the city's once-vacant streets.

"People are very optimistic because they sense a development. The level of sectarian violence in streets and areas has decreased," said a 50-year-old Shiite, who gave his name only as Abu Abbas, or "Father of Abbas." "The activities of the militias have also decreased. The car bombs and the suicide attacks are the only things left while other kinds of violence have decreased."

In the months before the security operation began Feb. 14, police were finding dozens of bodies each day in the capital, all victims of Sunni and Shiite death squads. Last December, more than 200 bodies were found each week, with the figure spiking above 300 in some weeks, according to police reports compiled by the Associated Press.

Since the crackdown began, weekly totals have dropped to about 80, which is hardly an acceptable figure but clearly a sign that death squads are no longer as active as they were in the final months of last year.

Bombings also have decreased in the city, presumably due to U.S. and Iraqi success in finding weapons caches and to more government checkpoints in the streets that make it tougher to deliver the bombs.

Prime Minister Nouri al-Maliki, a Shiite, made a show of confidence Tuesday by traveling out of Baghdad for meetings with

Sunni tribal leaders and government officials in Ramadi, a stronghold for Sunni insurgents.

"I would caution everybody about patience, about diligence," Maj. Gen. William Caldwell, a U.S. spokesman, said Wednesday. "This is going to take many months, not weeks. But the indicators are all very positive right now."

Sunni militants, meanwhile, are believed to have withdrawn to surrounding areas such as Diyala province, where they have safe haven. The U.S. command sent an extra 700 soldiers Tuesday to protect the highways leading into the capital from there.

If militants from both sects are indeed lying low, that suggests they may have adopted a strategy of waiting until the security operation is over, then re-emerging to fight each other for control of the capital.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, in November, the American people sent a clear message to Washington. They said: Change the course in Iraq. A few weeks later, the Iraq Study Group issued its bipartisan report calling for a change of course in Iraq. Even the President's new Secretary of Defense, Robert Gates, during his confirmation hearing, acknowledged that the current course in Iraq was not working. But instead of developing a new strategy, the President has stayed on his failed course, plunging American troops deeper and deeper into a civil war on the streets of Baghdad and relying on the promises of Iraqi politicians who have not delivered on previous promises.

The question for us today is whether we will accept that failing strategy or whether we will change it. The President's deepening military involvement will not lead to a stable Iraq because it has a fundamental flaw. It tries to impose a military solution on a political crisis.

Listen to the assessment of Iraq Prime Minister Maliki of the situation in his country. This is what he said:

The crisis is political, and the ones who can stop the cycle of bloodletting of innocents are the Iraqi politicians.

Outside the White House is a consensus that a political solution among the Iraqis is required, but President Bush persists on a military deepening involvement.

The President claims that Iraqis will meet the political benchmarks that they have put forward, but the track record of Iraqi politicians indicates otherwise. On issue after issue, the Iraqi politicians have failed to keep their word, and Iraq is worse off because of those failures.

The President's course of action—deeper and deeper military involvement—sends a signal that the Iraqi leaders can continue to bicker without consequence. If the Iraqis fail to meet their own benchmarks, the President will presumably continue to bail them out by sending American troops to police an Iraqi civil war. Unless failure to meet benchmarks has consequences, those benchmarks have little meaning. We must change the course if there is going to be any hope of success in Iraq.

The best leverage we have is the presence and mission of American forces. As long as our presence is open-ended, the dynamic in Iraq will remain the same: Insurgents will target our troops, militias will cause mayhem, and the Iraqi politicians will sit in relative safety in the Green Zone, unwilling to make the compromises so essential to reaching a political settlement that can save their country. But if we send a clear message that we are ending the open-ended commitment, that will shift responsibility to the Iraqis, both politically and militarily, for their own future.

By requiring the President to change the mission of American forces to the three missions specified in the Reid resolution, by beginning a phased redeployment of American forces in 4 months, the resolution before us would force the Iraqi leaders to face reality and to understand that their future as a nation is in their own hands, not ours. The Iraqis will finally be forced to decide if they want a civil war or they want a nation. They will then understand we cannot save them from themselves.

The President and his supporters ask for patience. But asking for patience now, after all these years of asking for patience without success, is a little like Lucy asking Charlie Brown to try to kick the football one more time. We ought to be wise enough by now to know that increased military involvement won't achieve the political settlement that is needed.

General Peter Chiarelli, Commanding General of the Multi-National Corps in Iraq, said the following:

We need a commitment by all Iraqis of all the ethno-sectarian groups to commit first to nonviolence and to resolving their differences through the political process. I happen to believe that we have done everything militarily we possibly can.

General Casey made a similar point in early January when he said:

The longer we in the U.S. forces continue to bear the main burden of Iraq's security, it lengthens the time that the government of Iraq has to take the hard decisions about reconciliation and dealing with the militias.

The real battle for Baghdad is a political battle. Maximizing success in Iraq requires us to change course and to shift responsibility to the Iraqi political leaders for the future of Iraq. To paraphrase British Prime Minister Tony Blair, the next chapter of Iraq's history needs to be written by the Iraqis.

Our vote today will decide whether we will begin changing course to maximize chances of success in Iraq or whether we will remain mired in the status quo of sending more and more American troops into the middle of an Iraqi civil war.

Mr. CRAIG. Madam President, we are brought back to the floor again this week to continue the debate on Iraq and whether the United States should begin to pull our troops out of Iraq. Yet again the majority leader has

brought legislation to the floor of the Senate that will set arbitrary timelines for U.S. withdrawal, sending a signal to the Iraqi people that we are poised to abandon them; while at the same time sending a strong message to our enemies that to defeat the United States, all they need to do is wait us out. That kind of policy will allow our current and future enemies to dictate our foreign policy for us, not the other way around.

General Petraeus has now only had weeks to implement his new strategy for stabilizing Baghdad. After a unanimous vote of confirmation, the majority party now wants to send a signal to General Petraeus that we not only have no confidence in his abilities to stabilize key parts of Iraq but that we have no faith in our soldiers ability as well. That is not a statement I am willing to send to our soldiers in combat. The majority would rather see 535 generals leading the way towards stability and security in Iraq and the greater Middle East, and I do not see that strategy as an effective way to run a war.

I cannot stress enough that our conflict in Iraq does not stop at the borders. Iraq is a central country in a very dangerous region of the world. Bordered by Iran and Syria, which are both contributing to the violence in Iraq, will clearly see a premature U.S. troop withdraw in Iraq as a symbol that our resolve is not strong enough to stop their ambitions for regional dominance.

A premature withdrawal from Iraq will almost certainly lead to a massive humanitarian crisis, which would leave hundreds of thousands of Iraqi civilians at the hands of murderous militias. I would ask of my colleagues who favor immediate withdrawal from Iraq, are they willing to stand idly by as hundreds of thousands of Iraqis are raped, beaten and murdered? I would assume the answer would be no, paving the way for an even greater peacekeeping force to be deployed to Iraq, and making the work to stabilize that country infinitely more difficult.

I think it is important for the American people to know that the roadblocks put up in the Senate regarding nonbinding votes on Iraq were not put up by the Republican minority. I have stood on this floor on more than one occasion debating the war this year. We have had, and will continue to have, full debates on the floor of the Senate regarding Iraq, but it is up to the majority leader whether those debates will be fair debates. I was pleased to see that an amendment offered by Senator GREGG will be allowed an up-or-down vote. This resolution clearly states that the Congress will not cut off any funding for soldiers we send into combat. An overwhelming majority of both the House and Senate voted to send these troops into war, and we all the responsibility to ensure that any American soldier in harm's way will have the full support of their government.

The majority party continuously denies planning or calling for defunding this war, and thus the troops, but several Democratic Senators and Congressmen have spoken publicly about their desire to eliminate funding for our soldiers. That is a very dangerous game to play, when Members will allow antiwar politics to convince Members of Congress that they should cut off funding for American troops on the battlefield.

Now, it is very clear that there is no single military operation that can bring stability to Iraq by itself. We need the Iraqi government to stand up on its own two feet and lead their country. We need an Iraqi economy to be strong and viable on its own in order to give the Iraqi people a choice between turning towards insurgent militias and terrorist organization, but instead to start new businesses and make constructive contributions to their society. However, without stability in the capital city, there can be no stable government and there can be no economic stability. The reinforcements called for by General Petraeus, which will assist in stabilizing Baghdad, are working to lower the levels of violence, and will pave the way for economic and government stability.

I, like all of my colleagues, want nothing else but to have our troops home and out of harm's way. That said, we should not be in such a rush to leave Iraq that we leave that country in shambles, creating a haven for terrorism and a humanitarian crisis that could rival or surpass any we have seen before.

We are at a critical juncture in this war. The American people are questioning our policies in Iraq, mistakes have been made over the three plus years we have been in Iraq, and I will readily admit that. But I do not believe that we are at a point of failure. The majority party is frustrated with our progress in Iraq, but I firmly believe that Congress micromanaging this war is the most detrimental policy our country could pursue. The Congress should not be in the business of setting arbitrary withdrawal timetables, setting troop levels, threatening funding for our soldiers, or sending messages to our soldiers that we have no faith in their mission.

The Senate is yet again going to be voting on a series of binding and non-binding resolutions that will send a strong message to our soldiers, the American people, and to our enemies. I hope that my colleagues will speak in a loud voice of support to our soldiers; a resolute voice to the American people that we will not be defeated by radical insurgents and terrorist groups; and a firm voice to our enemies that we will not be defeated. Our national security, and that of our allies, is at stake, and I will not cast a vote to pull our troops out of Iraq prematurely and allow Iraq to become a base of operations for strikes against this country.

Mr. KOHL. Madam President, today the Senate confronts the tragic situ-

ation facing us in Iraq. No Member of the Senate, the administration, or our Armed Forces is happy with where we stand in Iraq. A mission that began with the great success of our men and women in uniform has bogged down through no fault of theirs. With heavy hearts the Congress, after hearing the people speak in November, must now force a change in our policy in Iraq. We can no longer allow an open-ended commitment to Iraq that endangers our forces while allowing Iraqi politicians to delay the difficult choices they must make.

S.J. Res. 9, which I support, calls on the President to begin the redeployment of our troops out of Iraq. After 4 long years they have been stretched to the breaking point. They now referee a bloody civil war that bears no resemblance to the original conflict we authorized them to engage in. The time for military solutions is over, and the difficult work of political compromise lies before the Iraqis with little our soldiers can do to help.

The resolution does not require a rapid pullout, however, but gives time for a measured withdrawal that will protect our troops while providing support to the new Iraqi government. It sets March 2008 as a goal for our combat troops to be gone from Iraq—5 years after they first entered the country—but it provides flexibility if that is not possible. The March withdrawal goal is also in line with what the Iraq Study Group believed was appropriate.

This reasonable goal will give Iraq's politicians time to make the difficult decisions they need to make about power sharing and dividing oil revenues. It will also give our troops time to complete the training and equipping of additional Iraqi police and security forces. Five years is plenty of time to help a new nation toward democracy—or prove that democracy cannot be imposed from the outside. Either way we cannot ask our military to continue their mission indefinitely.

Critics of the resolution believe that withdrawing from Iraq will damage our national security, but I disagree. The ongoing conflict in Iraq is hurting our image in the world, it is hurting our economy, and it is hurting our military. This war is no longer protecting us, but according to our own intelligence community it is encouraging terrorists to take up arms against us. Our presence has kicked off a vicious circle of violence that makes us less secure—not more. We need to close the circle and end this cycle of violence.

We all want a stable and peaceful Iraq, but it is time to recognize that the U.S. alone cannot achieve that goal. We need the help of the Iraqi people and the assistance of Iraq's neighbors. If we work together Iraq can get on its feet and repair the sectarian divide. But if we continue on our current path, bearing the burden by ourselves, the cycle of violence will erode our good efforts. It is time for a change. It is time for us to shift the burden to the Iraqis and help them carry it forward.

Mr. BIDEN. Madam President, there are many statements in the resolution by the Senator from New Hampshire that are true. It is a true statement that the President has the power to “deploy troops and direct military campaigns during wartime.” But that presupposes that a war has been properly authorized by Congress because that power exists only in wartime, or in certain emergency circumstances. The President does not, however, have the power under the Constitution to initiate a war.

It is literally true that Congress has the power of the purse, and in that capacity has the moral responsibility to adequately support the troops in the field, once we are at war. This administration has failed in that responsibility in not equipping our soldiers in Iraq with adequate armor, in not having an adequate plan to stabilize Iraq after the initial invasion, and in not caring for our soldiers properly when they return home.

But this resolution is not balanced. It does not set forth a statement about Congress’s powers under the Constitution to authorize the use of force under article I. Nor does it say anything about the authority of Congress to change the mission of U.S. forces, once a war has commenced. This silence about Congress’s power might be interpreted to suggest that the President’s powers as Commander in Chief to initiate war are unlimited, and that Congress’s sole responsibility is to fund a war that the President initiates. That is not what the Constitution says, and I cannot vote for anything that might be so read.

Because the Gregg resolution lacks balance, I cannot vote for it. I will vote instead for the resolution by Senator MURRAY, which presents a more complete statement about the allocation of powers under the Constitution.

Mr. BUNNING. Madam President, I rise today to discuss the S.J. Res. 9 dealing with troop withdrawals from Iraq.

While this nonbinding resolution is different from the resolution we debated last month, its purpose is still the same. It will micromanage the war and send a detrimental message to both our troops and our enemies.

That is why I voted against cloture on the motion to proceed to the resolution and why I will vote no on its final passage. I believe that we must give the President’s new strategy for Iraq a chance to work before we begin criticizing it.

At this time, we ought to be sending a clear message of support for our troops and for ensuring that they have the necessary supplies and resources to carry out their mission. Unfortunately, we cannot seem to see beyond our political differences to do this and instead want to attack the President’s Iraq plan no matter what the consequences of our actions would be.

Just a few weeks ago on January 26, the Senate unanimously—unani-

mously—confirmed GEN David Petraeus to be commander of the multinational forces in Iraq. General Petraeus supports the President’s new strategy in Iraq and has embarked on a mission that both the President and the Senate selected him to do.

I would like to point out to my colleagues the irony, as well as the inconsistency, in the choice this resolution is presenting to this body. With the newest Iraq resolution, we are once again being asked to disapprove of the very mission we unanimously confirmed General Petraeus to execute. This resolution asks Senators and not General Petraeus to direct the activities in Iraq. But Congress is not the commander in chief, and we should not be dictating military strategy.

The resolution sets a specific date for the beginning of the withdrawal of our troops from Iraq. This withdrawal would occur even if there is progress on the ground in Iraq or our allies believe our presence is still necessary. This resolution allows politics to be the deciding factor of how we manage a war.

Passage of this resolution would show to the world that our will can easily be stripped by terrorists if they just wait it out.

If General Petraeus, who is a friend of mine, comes back to Congress and tells us that the President’s new strategy is not working, then I am prepared to change our course. But we need to give it a chance to work.

We have already begun to see some successes based on recent events and reports from General Petraeus. Sectarian killings have been lower in Baghdad over the past several weeks than in the previous months. There is less sectarian displacement in Baghdad neighborhoods allowing families to return home and Sunni insurgent leaders have renewed talks with top U.S. officials about political accommodation.

I realize these successes are small and it is too early to tell whether they will lead to significant changes in the future, but we now have proof that this strategy could work if given the chance.

We have also begun to see a positive response from the Iraqi people. Just 2 weeks ago, the Iraqi council approved the foundation of a hydrocarbon bill which is a oil revenue-sharing measure with the Iraqi people and the provinces of Iraq. The legislation is soon going to the assembly. For the first time in the history of their country, the people of Iraq are on the doorstep of having equity in oil distribution.

Despite these successes and unanimously confirming our new commander in Iraq, my colleagues on the other side of the aisle would like to declare failure. They would like to tie General Petraeus’s hands in a way that would make achieving his mission impossible. I do not believe that pulling the rug out from underneath our top commander in Iraq is a plan for success. Rather, I believe that we should focus the current debate on what we can do

to support General Petraeus and the brave young men and women in Iraq to accomplish this critical mission. I will continue to do whatever I can to ensure that our troops and mission succeeds.

Failure in Iraq is not an option. It would not only jeopardize our own national security but that of the region as a whole.

When this motion to micromanage the war in Iraq comes to vote, I urge my colleagues to oppose it. Remember, we have only one commander in chief, not 535 generals who make war plans from the floor of the Congress.

Mr. ENZI. Madam President, as I begin my comments on the resolutions we have under consideration, I want to first make very clear my strong support for the members of our Armed Forces and the vital work they are doing around the world every day. I have the greatest admiration for them all for their heartfelt commitment to preserving our freedoms and maintaining our national security. They are all true heroes and they are the ones who are doing the heavy lifting and making great sacrifices in our country’s name so that we might continue to be the land of the free and the home of the brave.

Over the years, I have been to Iraq and I have met with the members of our Armed Forces there and, later, here in the United States when they have returned home. These remarkable men and women exemplify the best qualities of our Nation. They volunteered to serve in the best trained force in the world and they deserve our complete and unwavering support. If it were possible, I would like to have each and every one of our troops back home with their families and friends immediately. We cannot, however, pull our troops out of Iraq at this point without facing extremely dire consequences for a long time to come. I have spoken at length to our troops about their mission and they understand their mission.

I was thinking about them, and all of the members of our military who are presently serving around the world as I began to prepare my remarks. I thought back to the days, years ago, when I was first elected to serve as the Mayor of Gillette, WY. I made a habit of carrying around a copy of the United States Constitution with me everywhere I went. I kept it in my coat pocket, next to my pen, and whenever I looked at it, it reminded me of two things—the Government I was a part of, and the people I was elected to serve.

Then, when I came here to the Senate, the Constitution took on an even greater, deeper meaning for me. I see it as my job description. That is why I make sure to always keep it handy so it can continue to serve as a reminder of the detailed portrait it contains of our Federal Government and how it was designed to work by our Founding Fathers. Today, it provides us with a

good starting point for our debate and it provides some of the answers to the issues before us.

The relevant parts of the our country's Constitution are quite clear. Congress must be consulted before any large scale military operation is begun. But once that has been done, the Commander in Chief of our Armed Forces, the President, is to direct the effort that we have approved.

The Founding Fathers had a good reason for establishing the President as the Commander in Chief of our Armed Forces and the one who is responsible for making the decisions affecting the actions of our Nation's military.

That does not mean that Congress does not have a play in these decisions. We all have an important role to play when it comes to matters like these. Again, in their great wisdom, the drafters of our Constitution knew that Congress could—and should— influence policy—but they knew it would be impossible for us to have all the information available to the President to debate and assess before making a decision on the viability of every military operation. The process of determining military strategy would be a nightmare if we were to be expected to debate all of the intricacies of every policy and, by so doing, publicly reveal some of the information obtained by our intelligence agencies on the House and Senate floor before reaching a decision. Our procedure on the Senate floor is a good process for debating and considering legislation, but it is a process that does not lend itself well to producing a quick and informed military decision at a time of crisis.

Those thoughts were on my mind when the President put forward a new strategy for us to pursue in Iraq, recognizing that what we are currently doing is not working. General David Petraeus, our U.S. Commander in Iraq, testified before us about that policy. He is consulting with highly educated and trained members of the military, many from universities where criticism of U.S. efforts in Iraq has flourished. It is evident that the President and his advisors are seeking analysis and recommendations from people who recognize the fact that the road ahead will be complicated and difficult.

Listening to the debate, I have heard many of my colleagues sum up the President's new strategy as just increasing the number of American troops in Iraq. I do not believe it is a matter of numbers. The real question should be what the placement of these troops is designed to accomplish. There is no question that there must be a clearly defined mission for them on the ground. By having more forces on the ground, we may be able to decrease the vulnerability of our troops as they move from place to place. That will provide them with the backup and protection they need to more safely pursue their mission.

In the months to come, it is clear that there are several things the new

policy must do if it is to be successful. First and foremost, the new campaign must provide the security the people of Iraq must have to feel safe at home. If they do not feel secure under the protection of the United States, coalition, and Iraqi forces, they will turn toward terrorist organizations that will prey on their fears and provide a false sense of security. America's long-term security interests and the possibility of world peace will be best served by an Iraq that can sustain, govern, and defend itself, while serving as an ally in the war against the terrorists.

Looking long term, I think we would all agree that the future of Iraq will directly affect the balance of power in the Middle East. That is why countries throughout the region are watching to see what action we will take in Iraq. An immediate withdrawal of United States and coalition forces will leave our allies in the region forced to prepare for additional conflicts.

Our mission in Iraq has not been easy, and it will not get easier in the days to come. After all, we are facing centuries-old difficulties as we work with the people of Iraq to help them overcome their religious and ethnic differences to form a nation that will work to benefit and protect all their people.

Ultimately, what the future of Iraq will be is up to the Iraqi people themselves. Iraq must put together a working coalition of its three major groups, the Kurds, Sunnis, and Shia, as well as other ethnic and religious minorities. They must work for national reconciliation through shared responsibilities as well as shared oil revenues that will be used to solve the problems that exist in their own backyard. Such a reconciliation will not only be good for Iraq, but the Middle East as a whole.

We have set forth benchmark requirements for the Iraqis to make. Our first benchmark has been met. Their parliament has approved an equitable split of oil revenues between the three factions. This is progress.

Looking back, the record is clear. Like many Members of the United States Senate, I supported the original decision in 2002 to take action against Saddam Hussein in Iraq. The vote I cast that day was not an easy decision. The tough ones are like that. You make the best decision you can, based on the information you have on hand at the time you have to make it. Those are the decisions that make us all lose sleep for years afterward. Anytime you vote to put our Nation's young men and women in harm's way, it stays with you long after the fighting is over and our troops are on their way back home.

Today, I remain concerned about the safety of the people on the ground: Americans, coalition allies, and the Iraqi people. And there is good reason for my concern. With today's rapid communication made possible by the Internet, cell phones, and other technologies, what we say here can almost

instantaneously find its way around the world and straight to the camps of both friends and foes—and they are both watching. In fact, I do not think it is an exaggeration to say that the whole world is watching to see what we will decide to do.

That leads me to ask, what do we hope to accomplish through this debate? We have already approved the nomination of General Petraeus by a unanimous vote. Now we are considering a resolution condemning a plan he has not had a chance to put into action yet. What sort of message will we send our troops with our vote on that?

As Members of the United States Senate, we have the opportunity to voice our opinions to the President and our constituents. But the fact that we are even going through this debate at this point in time may give those who wish to do us harm hope and embolden them—and once emboldened they will pose an even greater threat to our troops.

As we continue with our consideration of these resolutions, I want to be clear that I do not want to cut funding for the troops. Their safety and their very lives depend on that funding. When you are in a war, you do not do that to the troops.

Looking ahead, in the months to come, Congress must continue to closely monitor the actions of the new Iraqi government, our military leaders, and our civilian leaders. We should continue to express our opinions, and take whatever actions are necessary to ensure our troops are provided the best support possible so that they can come home soon. We should not, however, further endanger the lives of Americans and Iraqis simply to make a statement and take a stand against the President.

Mr. WHITEHOUSE. Madam President, the Senate will vote on whether America is on the right course in Iraq, or the wrong one.

I have spent the past two years traveling all over Rhode Island, listening to people from my state who were angry and frustrated at this President's refusal to see that his policies in Iraq were wrong from the start, and remain wrong today. Last November, they and millions of Americans cast their votes for a new direction.

They sent us here to hold this President accountable: for distorting intelligence to serve his policy goals; for failing to give our troops the equipment they needed to do their jobs overseas, and failing to take adequate care of them when they return home; for telling our country the mission was accomplished when, as we've seen, the war has now stretched on for five long years; for now proposing to send tens of thousands more American soldiers into harm's way, against the wishes of the American people, and without a plan to bring the conflict to an end.

Americans know the truth: escalating the war in Iraq will not make that nation more secure, or bring Iraq

and its people any closer to a lasting peace. It will not make our nation more secure. And it is not the new direction Americans demanded.

There is a way to change course in Iraq. If we announce clearly that the redeployment of American troops will begin, and begin soon, that opens up diplomatic opportunities in Iraq, in the Middle East, and around the world.

When it is evident to the insurgents that America is not an army of occupation, the factions within the Iraqi government will be obliged—and better able—to assume responsibility for the security and governance of their own nation. Iraq's neighbors will be newly motivated to take steps that will encourage a peaceful and secure Gulf region.

This binding resolution makes it clear that the situation in Iraq has changed since Congress authorized the use of force in Iraq in 2002. It states the President must begin the phased redeployment of American combat troops in no later than four months, with that redeployment completed by March 31, 2008.

The President failed to show America a new direction, and so the Senate will step forward to lead where he will not. I will vote yes to a change of course in Iraq, and I hope my colleagues will do the same.

Mr. HATCH. Madam President, I wish to take this opportunity to explain why I will vote against S. Res. 107.

First, I must applaud Senator MURRAY for what I believe was the overall premise of her amendment, to show the entire Congress's resolve in supporting our troops.

I fully agree with the portion of the amendment that reaffirms the Senate's commitment to providing the "necessary funds for training, equipment, and other support for troops in the field, as such actions will ensure their safety and effectiveness in preparing for and carrying out their assigned duties."

This is a policy to which I have dedicated my entire Senate career.

However, as a lawyer, I believe that it is also my duty to evaluate and work toward ensuring that all legislation which the Senate passes is strictly within the limits of our constitutional powers. As the preamble states, "Under the Constitution, the President and Congress have shared responsibilities for decisions on the use of the Armed Forces of the United States, including their mission, and for supporting the Armed Forces, especially during wartime."

Unfortunately, S. Res. 107 does not meet that test. While at first glance the passage I just cited may seem innocuous, the phrase "shared responsibilities" raises important separation of powers questions.

As we all know, the Constitution does not speak of shared powers, it speaks of the different branches of government having separate and distinct powers—a point which is at the core of

the debate on our nation's policies toward Iraq.

Under article II, section 2 of the Constitution, the President is the "Commander-in-Chief of the Army and Navy of the United States." However, Congress's role is limited in article I, section 8 which, in part, reads "... The Congress shall have power to . . . provide for the common defense and general welfare of the United States. . . To declare war . . . to raise and support armies . . . to provide and maintain a navy . . . to make rules for the government and regulation of the land and naval forces; . . . to provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions . . . to provide for organizing, arming, and disciplining, the militia, and for governing such part of them as may be employed in the service of the United States . . ."

These are very different powers; they are not shared. The Constitution provides for only one Commander in Chief. Our troops are facing enough challenges in the weeks and months ahead—they do not need to worry if there will be 435 commanders in chief.

It is important that we remember this point now more than ever. And so, it is my analysis that the "shared powers" reference in S. Res. 107 clearly raises constitutional concerns, and that is why I voted against S. Res. 107.

Madam President, I yield the floor.

Mr. INHOFE. Madam President, before the Senator leaves, as it is right now, we have 10 minutes left on this side. There is 1 hour left on the Senator's side. We want very much to get some speakers down here, if we could. I understand we are trying to reserve 20 minutes for leadership time and 10 minutes on each side. If the Senator has speakers, this would be a good time to have them down here.

Mr. LEVIN. Madam President, I believe one Senator is on his way right now, and the Senator's notice should produce some other Senators as well.

I thank the Senator from Oklahoma.

Mr. INHOFE. Madam President, rather than to speak myself, since there is going to be equal time coming off for both sides until a speaker gets down here, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. INHOFE. Madam President, I ask unanimous consent that the last quorum call time be taken from the Democrats' time, and that future quorums come from the Democrat side.

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

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

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BIDEN. Mr. President, what I wish to do at this moment is address one of the arguments I have heard many of my colleagues make over the past 2 days of this debate. The argument I have heard when I was on the floor yesterday, and again I have heard it today, is that the joint resolution we are debating is an effort to micro-manage the war by focusing the mission of U.S. Armed Forces on training Iraqis, denying terrorists a safe haven in Iraq, and force protection.

If you listen to my colleagues who oppose this, you hear them recount that as if somehow that is exceeding the power of the people to speak, through their Congress, as to what role American military forces are permitted to play. Many of my colleagues on the other side go on to argue we are somehow overstepping our constitutional boundaries in defining the purpose for which U.S. forces can be used in Iraq.

Well, that argument, I respectfully suggest, is dead wrong. Defining the overall mission of U.S. troops is entirely within the power of the Congress under the U.S. Constitution. Indeed, not doing so would be an abdication of our fundamental duty under the Constitution, which clearly manifests war power in the hands of the Congress.

Now let me give you a few illustrations, if I may. In 2002, when we voted to authorize the use of force against Iraq, we defined the purpose. We defined the purpose for which the President was permitted to use American forces against Iraq. It was to defend the national security of the United States against the continuing threat posed by Iraq, and, further, to enforce all relevant U.N. Security Council resolutions regarding Iraq.

During the course of the negotiations on that resolution, in which I was deeply involved, Congress made it clear, at least on this side—as one of the several people speaking for the Democrats at the time in the Senate—we specifically and clearly rejected the Bush administration's initial proposal for using force in Iraq. President Bush sought what I believe to be, and the majority of the Senate eventually did, an overly broad authority to use force: to restore international peace and security in the region.

I read that at the time as a grant of authority to the President that far exceeded what arguably was necessary at all in Iraq. The function of our military force was not to restore international peace and security in the region. We struck that and said: The use

of force is to defend the national security of the United States against a continuing threat from Iraq, not the region; not the region.

After the President's attempted overreach here, we narrowed the geographic scope of the authority the Congress, under the Constitution, was willing to grant the President, and we narrowed the purpose for which he was allowed to use force. We did two things. We not only said, Mr. President, this is not about the region. You can only use force, if necessary, dealing with Iraq being a threat to the United States.

I remind everybody what we were being told at the time. We were being told by the Vice President that Iraq had reconstituted its nuclear program. Simply not true. It was not true when he stated it. Our intelligence community not only said he did not reconstitute the nuclear program, it said he had no nuclear program. That is not what we were told.

So we gave him authority, I remind everyone, to negotiate at the United Nations, to keep the pressure of the world on Iraq, to bring back the U.N. people, to determine what nuclear program or weapons of mass destruction he had, to get the inspectors back in, and to negotiate to do that, because at the time the argument taking place in the world was, was the U.S. embargo, was the world embargo, were the U.N. inspectors causing pain for innocent Iraqis?

Do you remember how many times we heard the argument that the reason why there was not enough medicine, the reason why children were dying, the reason why they did not have enough food, was because of this awful thing the United States was leading, the embargo on Iraq, the Food for Oil Program?

So to put this in context so everybody remembers, there were a lot of us on the floor willing to give deference to the President, who we thought was responsible in the exercise of power at the time, because he appeared responsible immediately after 9/11; he proceeded correctly relative to al-Qaida and the Taliban. He did not go off willy-nilly and start bombing people. He built the case. He sent his envoys all over the world. He made a compelling case for the right for us to invade Afghanistan. He even went so far as to worry about whether the Arab street would rise up if we attacked Muslims in Afghanistan. He engaged in public diplomacy. He did a fine job.

That was the context in which we gave him this power. But even then, as much as he had done well relative to Afghanistan at the time, we quite frankly did not trust him or any President to have this broad reach of authority which he asked for, which was to maintain peace, international peace and security in the region.

So we cut back the authority we gave him to negotiate at the U.N. Remember what he tried to do. He came and made the argument: There has to be a

demonstration that all of the Nation support him in that we must keep pressure on Saddam. All Democrats and Republicans support him. That was the argument made to us. He did not come up here and make the argument to the Foreign Relations Committee, the Armed Services Committee: We need to be able to attack. He argued we needed to be able to give him the moral authority to go to the United Nations and keep the pressure on, because the French were wavering, the Europeans were wavering, some Arab countries were wavering. And then as time went on, he built this argument about they reconstituted their nuclear weapons and the like. But even then we did not give him the authority he asked for.

Why am I dwelling on this? Well, we made a clear judgment as a Senate and as a House, as a Congress, that he did not have the geographic scope for the extended purpose he wanted. We said: Here is your writ, Mr. President. Here is the region you are allowed to, if need be, use force—in this constrained area called Iraq. Because you are telling us, Mr. President, it is a threat to the United States of America, not a threat to the region, it is a threat to the United States of America. So you have the authority to deal with that, if necessary.

Secondly, even within Iraq, you can only use the force to enforce all relevant U.N. Security Council resolutions regarding Iraq. If memory serves me, there were 16, including resolutions relating to weapons of mass destruction.

So that was the rationale. We severely limited the authority he wanted because we thought it was an overreach. Now we know there were no weapons of mass destruction. Now we know—I will speak and say what I believe—hopefully the Intelligence Committee will show—not only did we have bad intelligence, but the good intelligence we had was misused by the administration, in my opinion. We will find out whether that turns out to be true.

In 2002, when we offered the authorization to use force, we defined the purpose. So I ask those who argue that we are now overstepping our bounds with this resolution, did we overstep our bounds in 2002 when we authorized the use of force against Iraq, when we limited what the President wanted to do? If, in fact, we do not have the constitutional authority today to limit what the President wants to do, how did we have the authority to do it in 2002? As I said, what is the rationale for the continued authority under the 2002 resolution? There are no weapons of mass destruction. All the U.N. resolutions are in compliance. And nobody argues the Iraqi Government is a threat to the United States of America. Are they going to invade us?

To those who have a problem with the mission we defined in this joint resolution before the Senate, I also say, listen to Prime Minister Tony Blair in

announcing last month the redeployment of British forces from Iraq. Last month the mission the British Government assigned to those Brits who will remain in Iraq is precisely what we prescribed in our resolution. The new mission of the British forces in Iraq is the following: to transfer responsibility to the Iraqis; to train and support Iraqi forces; to help secure the border and supply routes; and to conduct operations against extremist groups, i.e., Al-Qaida. It is not to fight in the Iraqi civil war. It is not to be in the lead role in security operations in Basra, where they had authority, or in Baghdad, where they did not. In short, with the exception of denying terrorists sanctuary and training of Iraqis, the British forces are moving from the driver's seat to the backseat. This resolution proposes that very transition for our forces in Iraq.

So I ask again, rhetorically, does the Vice President think Prime Minister Blair's announcement of a "redeployment," as the Vice President said, "validates the al-Qaida strategy"? That is what he is accusing the Congress of. That is what he accuses me and CARL LEVIN of when we came up with this idea, that is now a leadership amendment; we are validating al-Qaida's strategy.

Are the British validating al-Qaida's strategy? Is he saying Tony Blair is validating Osama bin Laden? It is ridiculous. It is a ridiculous argument. It flies in the face of the facts. It comes down to this: Do we want American troops fighting an Iraqi civil war? Is that what we want these troops for? Is that why we sent them? Do you think, when we voted back in 2002, if we knew there were no weapons of mass destruction, if Saddam were gone, if they were in compliance with other U.N. resolutions, but if there were a raging civil war, do you think we would have voted on the floor of this body to send 150,000, 160,000, 170,000, 180,000 American troops to Iraq to help them settle their civil war? What do you think? I don't think so. We might have sent troops to Jordan. We might have done what we are trying now in Amman and the emirates. We might have beefed up Turkey. We might have accepted to go after al-Qaida sites. But I doubt very much we would vote now to get in the midst of a self-sustaining cycle of sectarian violence, which is what it is. If you want American troops fighting a civil war in Iraq, if you want that, then vote against this resolution, do not vote for it. Do not vote for it.

You say that is not fair; we are not engaged in fighting in a civil war. Has anybody asked themselves the rhetorical question: Why is it that Sadr, who has been responsible for killing a lot of Americans, and his Mahdi army, which has been responsible for killing a lot of Americans, why is it that the Shia-led Mahdi army, particularly in Sadr City, has taken off their uniforms, hidden their weapons, and as of yesterday—I have not checked today—there were rumors that Sadr is no longer in Iraq?

Maybe he is back now. We do not know for sure where he is. Why is it that they took down the blockade? Is it because all of a sudden they turned peace loving?

I respectfully suggest, because inadvertently the 17,500 troops we are surging into the middle of Baghdad, we are surging them into 20-some neighborhoods that are Sunni.

They are bad guys, these former Saddamists, these former Baathists—this insurgency—who were referred to until recently by the Secretary of Defense as “a bunch of dead enders.” I respectfully suggest the reason all of a sudden the Shia in Sadr City are lying low is because they are very happy the United States is doing their job for them, killing their enemy, killing the bad guys who are Sunnis. Does anybody think if we succeed in that mission that all of a sudden we are not going to see all those weapons come out of hiding in Sadr City? Does anybody think that all of a sudden it is going to be safe for Americans in that region? Does anybody think the uniforms aren’t going to come back on and the road-blocks aren’t going to go back up? These folks aren’t dumb. It is not our purpose, but the effect is, we are engaged in this civil war.

The question is, What is the plan to responsibly end our participation in this war without leaving behind chaos, without having traded a dictator for chaos, without having left behind a cycle of self-sustaining sectarian violence that metastasizes in the fragmentation of Iraq and metastasizes in the region—Turkey, Iran, Syria, Saudi Arabia? What is the answer?

So far, I don’t hear a plan. Notice, by the way, now the surge is really getting bumped up, as some of us predicted on this floor when he announced the surge and predicted in our committee, 17,000 people to 22,500, whatever the actual number was initially. Now they are saying they are going to need 30,000 people for the surge. Why? Because it is like squeezing a water balloon. The bad guys have left this area in part, and they have now gone to the province directly outside of Baghdad.

General Keane is a very bright fellow, an honest guy, a former four-star general, who testified before our committee. He came up with the original plan about surging. He said: In order for this to work, you are going to have to surge well beyond Baghdad. You are going to have to go into Anbar Province and beyond. He predicted what would happen.

They said: No, we are only talking about 22,500 troops.

What is the purpose of the surge? The purpose of the surge, we are told—in a humanitarian sense, it makes a lot of sense, except for the humanitarian interest of our troops—is to bring order to Baghdad, stop the killing and the chaos. Why? Because when that happens and they have—I think the phrase used is “breathing room”—when they have that breathing room, what is

going to happen? Then they can negotiate. Then they will sit down and negotiate an agreement among themselves. Has anybody asked the question, What will be the basis of that negotiation? What is the idea? What is the element? What is the political solution?

The President continues to insist on a well-intended but fundamentally flawed strategy. The flawed strategy is, it is possible to have a strong central democratic government. Before we went to war, I believed, and so stated, that there is not going to be a democracy there in any of our lifetimes, including the Presiding Officer, who is considerably younger than most of us. It is not going to happen. It is possible that we could leave behind a country secure within its borders, loosely federated, not a threat to its neighbor and not a haven for terror, but that is as good as it is going to get.

At least one and probably both of my colleagues in the Chamber were here during the Balkan crisis in Bosnia. What does history teach us and what does recent experience teach us? Whenever there is a cycle of self-sustaining genocide, self-sustaining sectarian violence, when in modern history has it ended other than any one of four ways:

One, a victor. They wipe out the other two sides or three sides or one side, and one of the ethnic groups prevails militarily on the battlefield.

Two, occupation by an outside force—the Ottoman Empire, the Persian Empire, the British Empire.

We can’t afford the first to happen because that would have a devastating impact on the region because everybody knows the Sunni states will get more involved. If it goes the other way, the Shia states will be involved in Iran beyond what they are now. That is not a real option. We are not an occupying force. It is not in our DNA. We are not an empire.

The third option historically is a dictator, a strongman. Wouldn’t that be the ultimate irony—us going to Iraq to take down Saddam and restoring a strong man, which, I respectfully suggest, we should consider might happen because eventually we are going to leave and the dysfunctional circumstances in Iraq are as likely to produce a strong military leader to take over as anything else, although there is no individual in sight right now. That is not an option available to us.

What is the fourth historical option? Federation, a federal system, a weak central government within the defined borders of a country that, in fact, gives the warring sectarian parties some control over the fabric of their daily lives, their local police force for their public safety, rules relating to marriage, education. That is the only other option which has ever worked. It doesn’t work perfectly.

What does recent history tell us? Like many here, I was deeply involved in our Balkan policy. As my friend

from Kansas may remember, I, to use the vernacular, beat President Clinton up and about the head to use force in the Balkans. I argued, after encountering Milosevic 2 years before he acted in his office—when he asked me what I thought of him, I said: I think you are a damn war criminal, and I am going to spend my career seeing you tried as one. I came back and wrote report after report, after close to a dozen visits. I saw what was happening in Brcko, in Tuzla, in Sarajevo, in Srebrenica, more sectarian violence in the Balkans from Vlad the Impaler to Milosevic than ever occurred in what is now called Iraq.

So how did we end it? We ended it after they killed several hundred thousand people, mostly women and children. We ended it after we gathered all the neighbors, including Russia, a pro-Serbian force, France, all the nations in the region. We gathered in a room. We brought in the parties who were warring, including Milosevic, Tudjman, Croats, and other leaders representing the Bosniaks. What did we do? We then called the Dayton Peace Accords. What did we do there? We gave much more autonomy to each of those groups than ever was envisioned by what I am proposing.

We set up a thing called the Republic of Serbia in Bosnia with its own President. We had a Bosnian President and we had a Croatian President. For over 10 years, as my friend from Oklahoma can attest, who knows more about force structure than most of us know, there have been over 20,000 on average NATO forces there. To the best of my knowledge, none has been killed in anger with a shot fired.

What is going on in Bosnia today? Was everyone who was ethnically cleansed able to come back to their neighborhoods? No. A lot have. Is there still injustice? Yes. Is genocide continuing? No. What are they doing now? They are debating amending their Constitution to become part of Europe so they can join the EU down the road. We don’t have to go very far for an example.

Let me ask the rhetorical question again: Can anybody name me a time, without empire, dictator or expiring, that self-sustaining sectarian violence within the borders of a country has resulted in a central federal control that is democratic? With all due respect to the President, arguably his dream at the outset made sense. That is why I called 3 years ago for 60,000 to 100,000 additional American forces. That is why I called for the need for at least 5,000 to 6,000 paramilitary police to be sent, because I believed—and I wrote at the time—if the genie ever gets out of the bottle, if we don’t establish order quickly, there is no possibility of stopping a vicious civil war.

Senator HAGEL and I got smuggled across the Turkish border before the war began, and went up to Arbil and met with the Brazani and Talabani clans to discuss with them whether

they would actually be with us if force was used. They had us each speak before the Kurdish Parliament, and they had already written a constitution that was the minimum they would, in fact, insist upon which allowed for significant Kurdish autonomy. They wanted a federal system.

A year ago January, my distinguished colleague from South Carolina and I went to Iraq for what was my sixth time. I have been there since. I don't know how many times it was. We went around and proudly put our fingers in the ink well, demonstrating that this was a free election. We came back and spoke to the President. We were debriefed by the President and his war cabinet. The President said it was a great democratic effort. I presumed to suggest it wasn't a democratic effort, it was a free election. It was a sectarian election. It turns out 92 percent of the vote cast was a sectarian vote. Kurds voted for Kurds. Shia voted for Shia. Sunni voted for Sunni. That is not democracy. Elections do not a democracy make. They are a necessary and ultimate condition to democracy. Democracy is about giving up things, about compromise.

I will never forget what Senator GRAHAM, who has a great facility for words, said as I was trying to explain to the President about the militias—not that he did not know there were militias. After we got finished, the President turned to Senator GRAHAM and Senator GRAHAM said, with a bit of humor: Mr. President, it is kind of like when the recount was taking place in Florida, if the Republicans had their own army and the Democrats had their own army. That is the better analogy.

The genie was out of the bottle, and the genie came roaring out of the bottle when that shrine in the Shia area was devastated and ripped off the Earth.

Let me conclude by saying, it comes down to a simple proposition: Why do we want our troops in Iraq? Is it to fight a civil war or is it to provide a circumstance whereby we do the only thing that can help our interest, to prevent al-Qaida from occupying territory, to train the Iraqi forces, and to protect our troops. To do that we need a lot fewer troops.

Do we want to end this war responsibly? If we do, I respectfully suggest we vote for this resolution. If you prefer the President's plan, which offers no end in sight, I respectfully suggest you should vote against it. But, ultimately, there are a lot of proposals put forward, including the President's, and you have to ask yourself the rhetorical question, I believe: After it is implemented, then what? Then what?

I thank the Chair and yield the floor.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The Senator from Oklahoma is recognized.

Mr. INHOFE. Madam President, it is my understanding on this side we have 18 minutes. I am going to reserve 10 minutes for leadership time. That

leaves 8 minutes I yield to the Senator from Kansas, Mr. BROWNBACK.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. BROWNBACK. Madam President, I thank the Senator from Oklahoma for the time for debate.

I thank my colleague from Delaware, whom I enjoyed listening to and with whom I enjoyed serving on the Foreign Relations Committee.

I say at the outset, I have been endorsing and speaking often around the country about this notion of a federated system in Iraq, of the need for a three-state, one-country solution, with Baghdad as a federal city, where we have a Sunni area, a Shia area, and a Kurdish region.

I have been in Irbil as well. In the middle of January, I was there. I agree with his analysis of history. When you look at these situations, and you take a big military apparatus off the top of a place such as the former Yugoslavia, or now in Iraq, and then you have these old, ancient hatreds that sit there, how do you deal with them? That is why I think this is a political solution that is right. I agree with my colleague from Delaware about that.

I wish he had not left the floor yet so we could have some discussion on that point because I think, though, that issue would then bode to voting against this resolution because what we are going to need to have is a period of time to get that political machination in place. We are going to need some time and space for Kurds, Sunnis, and Shias to be able to talk together, to be able to talk in an environment where there are not these mass car bombs and assaults and attacks taking place on a sectarian basis—such as took place in Bosnia—so that you can be able to allow the political system to work.

These are not mutually exclusive objectives of having a military apparatus in operation and in place in Iraq while you are pushing forward a very sensible and probably the only political solution that can take place, having an area for Sunnis, Shias, and a Kurdish region—which already exists. I might add this is in the Iraqi Constitution now. This sort of sectarian division of areas is allowed in the Iraqi Constitution. They have even taken the first steps of implementation. The Kurdish area is being operated by the Kurds. The oil revenues, which are being equally—by the last agreement—divided up around the country, are the glue to hold this system together.

This can and should take place. I urge the administration to push this, and even to bring these leaders together in-country or outside of the country to push this form of political solution. But I would add on top of that, that form of political solution would then say: Do not vote for this resolution that sets a timetable under which this must happen because these are things that are going to take some period of time. As my colleague from Delaware noted, we have been in Bos-

nia for the last 15 years putting this in place and holding this in place.

That is the requirement of this, then, so the passions can calm down, the sectarian passions can cool. You are going to need a force in place to see this political solution on through. That is the long-term objective I think we need to look at, this form he is on track to, but that would be in opposition to this resolution that sets a timetable.

I respect his discourse and I respect my colleagues on the other side of the aisle who may look at it differently, but I think we have to look at recent history to tell us this is a logical way that would take place.

Iraq is more three groups held together by exterior forces at the present time—with pressure from Turkey, with pressure from the Gulf States, with pressure—that is not constructive—from a couple of other neighbors, particularly Iran and Syria.

I think we need to recognize that political solution that is there, the exterior forces, and push this political solution in the environment of a more stable military apparatus and military operation.

This resolution, it seems to me, is clearly not a call for victory. Therefore, it must be seen as a call for retreat. Even its supporters do not contend it is a plan for victory. We need to win. They talk about the problems we face, not the solutions we need. But yet there is a middle road here, even, of engaging the Senator from Delaware, his political solution with this military rationale, the military needs that are going to be there that is still in place in Bosnia and is going to be in place for some time in Iraq. We will need a military presence in Iraq for some time to come even to get to that political solution.

We cannot predict how long that presence will be necessary or exactly what type of presence will be required. At the Dayton Accords, did we predict at that point in time it would be for a period of 5 years and no more? No. We said: We are going to help provide the stability so the political solution can take place. We did not put a set date: OK, in 1 year, we will have this few troops; and in 2 years, we will not have any of these types of troops; and in 3 years we will be out. We did not say that. We said: OK, here is a political solution, and we are going to help stabilize this militarily for whatever time necessary to be able to do that.

These solutions need to be brought together, not to be argued separately. I am not calling for an open-ended commitment to Iraq. I am suggesting that our commitment be driven by the mission. We must complete it. We must get this done. We can express opposition to the surge, which I have certainly done. But after doing so, I think we should oversee the implementation of it, not to try to undercut it, nor should we attempt to interrupt a mission just getting underway.

We are looking at this right now. I cannot vote for a plan that would begin a withdrawal of U.S. troops before the surge forces are even fully deployed at this point in time. The 4th Brigade of the 1st Infantry Division, based at Fort Riley, KS, recently arrived in Baghdad. I do not think it would be wise for us to tell those soldiers they should prepare to leave Iraq even before they get their gear unpacked.

Not only do I believe it is inappropriate for us to legislate a timetable for withdrawal, I also believe it is bad policy for us to do this in Iraq.

First, supporters claim the resolution continues the fight against the terrorists by leaving a minimal force in place for counterterrorism operations. But apparently the terrorists are not getting that message. Two days ago, one of the al-Qaida leaders in Iraq used a jihadist Web site to discuss the very resolution we are now debating in the Senate. He said:

The democratic majority in the American Congress announced that the security plan must produce its fruits in the middle of this summer or else they would expedite the departure of the forces at the end of this year.

Can there be any clearer evidence that al-Qaida is ready to wait us out?

In fact, al-Qaida not only approves of a timetable for withdrawal, it is working feverishly to expedite our departure. In the last few weeks, al-Qaida bombings have stood out as obstacles to stemming the cycle of sectarian violence in and around Baghdad. Sunni leaders have become so tired of al-Qaida violence against their own communities that they are turning to U.S. forces for protection. A timetable for withdrawal serves al-Qaida's interests.

For many years now, several of my colleagues on the other side of the aisle have rejected the idea that Iraq is a part—a central part—of the war on terrorism. I believe the statement I just read and others by al-Qaida leaders, the recent al-Qaida-inspired violence, and the Sunnis rejection of that violence should end this discussion. Iraq is unquestionably a key front in the war on terror, and it is essential we prevail against the terrorists in Iraq. If my colleagues are serious about fighting the war on terror, they should frustrate al-Qaida by voting against—against—this resolution.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BROWNBACK. Madam President, I urge for political purposes of stabilizing Iraq, as Senator BIDEN talked about, this resolution be rejected.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Madam President, I understand we have 10 minutes. I wish to retain the remainder of our time.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Madam President, I yield myself 6 minutes from the leader's time on our side.

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

Mrs. MURRAY. Madam President, I ask unanimous consent that the previous agreement be modified to provide that if any of the resolutions receive 60 votes, the preamble be considered agreed to.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. MURRAY. Madam President, America's troops deserve our Nation's full support every step of the way—from when they enlist, to when they train, to when they deploy, to when they return home.

Tragically, this administration has failed our troops every step of the way. Today, Democrats are saying enough is enough. We are going to give our troops everything they need, and we are not going to be a rubberstamp for the President's war without end.

I am very proud today to offer the Murray resolution in support of our troops, and I am pleased our majority leader, Senator REID, strongly supports this resolution.

We have been fighting to finally have a debate in the Senate for months. Now we are having that debate, and today we have to do three things: We need to adopt the Murray resolution that says we support our troops every step of the way. We need to reject the Gregg resolution that blindly follows the President. And I hope we pass the Reid resolution that sets a new direction in Iraq.

The Murray resolution I have offered affirms we will provide our troops with everything they need to be safe and to complete their missions. We will provide everything they need in terms of training, equipment, logistics, and funding, and we will provide everything they need when they return home.

Now, some here have a different idea. The Gregg resolution will tie the hands of Congress and would, importantly, leave all decisions to President Bush.

Well, we know how that has turned out. If Congress—we who are elected by our constituents at home—surrenders its voice, we could see our troops being stuck with more of the same—more Americans being stuck in the middle of a civil war and more veterans coming home without the care they need.

We do not need more of the same, in my opinion. We need a new direction. The Murray resolution shows we can have a new direction in Iraq, and we can give our troops all the support they need.

So shortly we will all have a choice: Either you can blindly follow the President or you can say: We—here—are going to stand up to our own responsibility to support our troops, and we can also push for a new direction in Iraq.

Now, the Gregg resolution says we have to support the President. The resolution I have offered says: We—here—have to support our troops.

The Gregg resolution would simply make Congress a rubberstamp for a failed policy. The resolution I have offered says that Congress—us, those of

us elected here in the Senate—have a voice, and we have to use that voice to help our troops.

I suggest to my colleagues if you are happy with the war in Iraq, go ahead and vote for the Gregg resolution. It will keep us locked on the same path.

If you are OK with returning troops waiting months in a crumbling military hold unit—or waiting years for their benefits—then vote for the Gregg resolution and keep us locked on the same path. But if you think our troops do deserve our support and do deserve better, vote for the Murray resolution. If you agree our troops deserve equipment to keep them safe, vote for the Murray resolution. If you agree our troops deserve the training that will help them succeed in their missions, vote for the Murray resolution. If you believe our troops deserve better when they come home, importantly, vote for the Murray resolution. If you believe Congress needs to use its voice and its power to give our country a direction in Iraq, vote for the Murray resolution.

Our troops deserve better than what they have been provided so far. This President sent our troops into battle without the lifesaving armor and equipment they need. This President left our troops on the battlefield without a plan, without a clear mission, and without being honest about the costs—all costs—of the war. This President shortchanged health care and benefits for our returning servicemembers, leaving brave Americans, as we now know, to languish in squalor at Walter Reed and facilities across our country.

Haven't we had enough of that? Didn't Americans send us a clear message last fall that enough is enough? It is time, I believe, for a new direction.

The resolution I have offered recognizes that Congress has a role to play in supporting our troops. We have a voice also to push for a new direction, and we are going to use our power we were elected to use to help the brave men and women who proudly wear the uniform of the U.S. military.

I would say to all of my colleagues today, if you vote against the Murray resolution, you don't really support our troops. Don't vote against our military and don't vote to tie our own hands. Use this opportunity today to tell our troops: We are all here for them and their families; from the time they head off to battle through the rest of their lives, we are there for them. Most of all, I hope the Senate votes to support the Reid resolution so we can change the direction in Iraq.

I yield the floor.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. McCONNELL. Madam President, I rise to express my strong opposition to the Reid resolution, S.J. Res. 9.

This is a dangerous piece of legislation. It is constitutionally dubious, and it would authorize a scattered band of Senators to literally tie the hands of the Commander in Chief at a moment of decisive importance in the fight

against terrorism in Iraq. I would never doubt the patriotism of my colleagues across the aisle, but I have become increasingly troubled over the last few weeks as this debate has taken shape.

When the President prepared a solution to the growing violence in Baghdad, he had good reason to expect the support of at least some of our friends on the other side of the aisle. The democratic whip, Senator DURBIN, said in late December:

If we need initially some troops in Baghdad to quiet the situation, to make it more peaceful so that our soldiers start coming home, then I would accept it.

That is the assistant Democratic leader not years ago but 3 months ago. Yet as details of the President's proposal to do so became clear, our friends on the other side circled the wagons, and Senator DURBIN got in line. Just 2 weeks—2 weeks—after saying he would support reinforcements as a way of stabilizing Iraq, the Senator from Illinois said:

The proposed surge in troops is a sad, ominous echo of something we have lived through in this country.

Then later on that day he added:

I don't believe that a surge is the answer to our challenge in Iraq.

That is 2 weeks after announcing that it might be a good idea. Would our friend from Illinois have felt the same way if one of his Democratic colleagues had proposed the surge? Increasingly, the troubling answer to this question appears to be yes. Indeed, it is increasingly clear that the only principle guiding our colleagues on the other side is this: If the President proposed it, we oppose it. This is a bad principle in good times. It is an outrageous principle in times of war.

Two months after many Democrats said they would support a surge in troops if it meant stabilizing Baghdad, and incredibly 1 month after sending General Petraeus on his mission to do so, Democrats are now calling for the very thing they have consistently opposed: setting a timetable for withdrawal. This is beyond silly. It is a chaotic embarrassment that threatens to shake the confidence of our commanders and of our troops, and to embolden an enemy that predicted and longed for nothing less. Of course, at some point it is not enough to simply say: If the President proposed it, we oppose it. The principle begs for a counterproposal: What would the Democrats propose instead? We all saw the answer: Seventeen different proposals, many of which contradicting the last, and then finally this, a proposal everyone could get behind, a proposal that sets a date certain for America's withdrawal from Iraq.

This resolution is a clear statement of retreat from the support that the Senate recently gave to General Petraeus; as I have said, its passage would be absolutely fatal to our mission in Iraq.

Senator CLINTON put it well. She said:

I don't believe it's smart to set a date for withdrawal. I don't think you should ever—telegraph your intentions to the enemy so they can await you.

That was Senator CLINTON. Well, "ever" is here, and our friends on the other side of the aisle apparently now think it is a good idea to telegraph our intentions to the enemy. Osama bin Laden and his followers have repeatedly said that the United States does not have the stomach for a long fight. Passage of this resolution will prove Osama bin Laden, regrettably, was right. This is the vote he has been waiting for.

Setting a date certain for withdrawal will please a vocal group of Democratic Presidential primary voters, but it would discourage many others, including many Democrats, who agree that timetables are foolish and dangerous. More importantly, it would discourage our own troops—and this is the most important part about this—who wonder whether we truly support their mission, and it will discourage our allies and the millions of brave Iraqi men and women who have dared to stand with America in this fight.

I will proudly vote against a resolution that sets a timetable that actually announces the date for our withdrawal from Iraq. I will do so for the same reason that many prominent Democrats opposed it up until the day President Bush announced his plan for securing Baghdad 2 months ago.

Republicans have a message for our allies and for our troops, and it is this: We will continue to fight a timetable for withdrawal that has no connection to events or circumstances on the ground. We will give General Petraeus's mission a chance to succeed. We are proud of the work the general has done, and we stand with him until the job is done. We will send this message today when we vote in favor of the Gregg resolution. This resolution pledges us to support the troops and their mission. The Republicans proposed a month ago that we be allowed a vote on this resolution, but we were denied. We are being allowed that vote today, and just as proudly as we will vote against S.J. Res. 9, we will vote in favor of the Gregg resolution.

In one sense, this debate has been academic. Senators will have a chance to show their support for the mission in Iraq when we vote on the supplemental appropriations bill later this month. That is the bill that matters. That is the one that funds the operation in Iraq. But in another sense, this debate was worthwhile because it exposed the principle that appears to guide the opposition: If the President proposed it, we will oppose it. This is no principle at all; it is pure politics. It is unworthy in good times. It is shameful at a time of war.

Meanwhile, the fighting in Iraq continues, and General Petraeus's mission is showing early signs of success. We are told that bomb deaths are down one-third in Baghdad since the new

plan took effect last month. Execution-style slayings are down by nearly half. Traffic has returned to the once empty Baghdad streets.

No one is foolish enough to say this will last. This is not a prediction, but it is a sign of hope, the kind of sign that everyone in this country—Democrat and Republican—has been waiting for. We in this Chamber have a choice: We can fan this flame or we can smother it. By voting on a timetable for withdrawal, we are very decidedly doing the latter. Republicans take the hopeful path today.

Madam President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 2 minutes 15 seconds remaining.

Mr. McCONNELL. I yield back the remainder of our time.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Madam President, whatever time I have left I will add to that leader time.

Madam President, on the eve of the fifth anniversary of this protracted war in Iraq, the Senate finally considers important legislation to direct President Bush to change the course of this civil war. S.J. Res. 9, which is a joint resolution to revise U.S. policy in Iraq, is one I offered. The second vote will be on the Murray resolution expressing the sense of the Senate that no action be taken to undermine the safety of the Armed Forces. Finally, S. Con. Res. 20 is the Gregg resolution on funding for American troops in the field. I will discuss at some length at a later time this afternoon the difference between Murray and Gregg. Suffice it to say the Murray resolution takes care of the troops after battle in addition to while they are in Iraq. It takes care of the situation so we don't have another Walter Reed situation. The Gregg resolution does not cover the troops after battle.

As it relates to S.J. Res. 9, Members will have to consider a choice: Will we continue to support President Bush's failed policy that has our troops bogged down in the middle of a civil war while the enemy who attacked us on September 11 grows stronger or will we stand with the American people in demanding a new direction for this war? This new direction maximizes our chances for success in Iraq and in that part of the world, a new direction that recognizes the current policy has pushed our troops and their families to the breaking point, a new direction which sends a signal to the President that this Congress will hold him accountable and no longer will we rubberstamp his failed policies; a new direction that restores U.S. standing in the world and refocuses our resources on our most imminent threats. My hope is we will stand with the American people, because they are standing with this resolution, S.J. Res. 9. We must have a new direction in Iraq. Monday will be the beginning of the fifth year of this war, the fifth year of

this war our troops are now mired in, a war in this faraway country. Five years of war, of the President's approach to Iraq, and it is clear it is not working. The country is in a state of chaos. Iraq is in a state of chaos. There literally is no stability. U.S. troops are policing a civil war, a protracted civil war, not hunting and killing the terrorists who attacked us on 9/11. Five years. Five years of war.

The mission has changed. Saddam is gone. There are no weapons of mass destruction. The original mission no longer exists. Five years of war with 3,200 dead Americans, 25,000 wounded Americans, hundreds of billions of dollars spent, \$4 billion a week, a couple of hundred million dollars a day and still no end in sight, according to this President. The American military, the finest in the world, cannot and should not police an Iraqi civil war. General Petraeus's name has been thrown around here as if it is his war. It is not his war. It is President Bush's war. General Petraeus, the commander in Iraq today, recently observed there is no military solution in Iraq. The war must be ultimately won through diplomacy, politically, by forcing Iraq's political factions to resolve their differences.

The key to success in Iraq is not to escalate the conflict by adding tens of thousands of additional troops to march down the same road. Some of these troops have been down the same road as many as four and five times. It is time to find a new way forward and a new way home that gives our troops a strategy to complete the mission and, I repeat, come home.

The Reid resolution will give our troops the best chance to succeed in Iraq and to succeed in the larger war on terror. It will direct the President to change course in Iraq by changing the mission in Iraq. This resolution immediately transitions the mission to training, force protection, targeting counterterrorist operations, and beginning the redeployment of our troops in the next 120 days.

Similar to the bipartisan Iraq Study Group, the goal in my resolution is to remove all combat forces not associated with these missions by the spring of 2008. My resolution also recognizes a comprehensive strategy in Iraq. Phased redeployment shall be implemented as part of a comprehensive diplomatic, political, and economic strategy that includes Iraq's neighbors and the international community.

S. Res. 107, the Murray alternative to the Gregg resolution, strongly supports our troops but also properly interprets the Constitution by stating that the President and the Congress have shared responsibilities for decisions involving our Armed Forces.

Quoting from the resolution:

The President and the Congress should not take any action that will endanger the Armed Forces of the United States, and will provide necessary funds for the training, equipment, and other support for troops in

the field, as such actions will ensure their safety and effectiveness in preparing for and carrying out their assigned missions.

In addition, the Murray resolution makes it clear that the Constitution gives Congress the responsibility, in addition to the President, to take actions to help our troops and veterans. The Murray resolution says that our responsibility to our troops doesn't begin and end when they are deployed. Supporting the troops means giving them the proper training before they are deployed and ensuring they receive the proper medical and other support when they return home.

Madam President, I suggest that voting no on the Murray resolution is voting to condone what has taken place at Walter Reed. The Murray resolution recognizes that the troops must be taken care of not only when they are in battle but when they get out of battle. If there were ever a picture of what is wrong, look at what happened at Walter Reed. The Murray amendment underscores that.

The people voting against the Murray amendment will be voting against changing what took place at Walter Reed.

The Department of Defense said yesterday in a report they issued—the Pentagon issued—that there is a civil war going on in Iraq now, as we speak. The Pentagon, in their report yesterday, said violence is up, not down. Three soldiers a day are being killed. February was the month of more attacks than at any time during this 5-year war.

Al Maliki, when he met with the President face to face, said get the American troops out of Baghdad. He is the leader of Iraq. General Casey, who was a commander at the time the President suggested the surge, said the surge won't work. This is not General Petraeus's war, it is President Bush's war, and we must change course.

In our resolution, there is a 120-day redeployment, and there will be work on counterterrorism, force protection, and training. Yes, they will also do political and economic strategy, and certainly diplomacy. Our goal is the spring of 2008.

It is easy to talk about sending the troops into battle and supporting the troops. I support the troops. I support the troops, but I don't think that we should spill another drop of American blood in Iraq—not another drop of blood.

I spoke to the mother of LCpl Raul Bravo a week ago today. She is the mother of that 21-year-old boy who was killed in Iraq. It was his second tour of duty. She said that "he is the only man in our family"—her and his three sisters. She said that he was an angel. Her son did his best to learn to speak the language of the Iraqis. She said he said prayers with the Iraqis. His blood should not have been left in that faraway place.

The war has gone on too long. We must change direction in Iraq. We have

given the President chance after chance. We hear that things are getting better. His own Pentagon says it is a civil war. His own Pentagon says it is getting worse. That is what these resolutions are about today.

The Reid resolution says let's change direction in Iraq. The Murray resolution says support the troops at all times. The Gregg resolution takes Congress out of the equation and doesn't do a thing for the troops when they come home.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Madam President, I ask unanimous consent that following these votes, the Senate proceed to executive session to consider en bloc the following nominations:

Calendar No. 36, John Preston Baily of West Virginia, to be a district judge.

Calendar No. 37, Otis D. Wright, II, of California, to be a district judge.

Calendar No. 42, Thomas M. Hardiman, of Pennsylvania, to be a circuit court judge for the Third Circuit.

Further, I ask unanimous consent that there be 20 minutes for debate, equally divided, under the control of Senators LEAHY and SPECTER or their designees on the three nominations; that when the time is used or yielded back, the Senate proceed to vote on the confirmation of each of the nominations in the above order; that the motions to reconsider be laid on the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. McCONNELL. Madam President, reserving the right to object, and I am certainly not going to object, is the majority leader expecting rollcall votes on all three of the judges?

Mr. REID. At the moment, yes, but that can change.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. I thank the Chair.

The PRESIDING OFFICER. Under the previous order, the question is on the engrossment and third reading of S.J. Res. 9.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

Mr. REID. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on passage of the joint resolution.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHN-SON) is necessarily absent.

Mr. LOTT. The following Senator was necessarily absent: the Senator from Arizona (Mr. McCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 48, nays 50, as follows:

[Rollcall Vote No. 75 Leg.]

YEAS—48

Akaka	Durbin	Mikulski
Baucus	Feingold	Murray
Bayh	Feinstein	Nelson (FL)
Biden	Harkin	Obama
Bingaman	Inouye	Reed
Boxer	Kennedy	Reid
Brown	Kerry	Rockefeller
Byrd	Klobuchar	Salazar
Cantwell	Kohl	Sanders
Cardin	Landrieu	Schumer
Carper	Lautenberg	Smith
Casey	Leahy	Stabenow
Clinton	Levin	Tester
Conrad	Lincoln	Webb
Dodd	McCaskill	Whitehouse
Dorgan	Menendez	Wyden

NAYS—50

Alexander	Dole	McConnell
Allard	Domenici	Murkowski
Bennett	Ensign	Nelson (NE)
Bond	Enzi	Pryor
Brownback	Graham	Roberts
Bunning	Grassley	Sessions
Burr	Gregg	Shelby
Chambliss	Hagel	Snowe
Coburn	Hatch	Specter
Cochran	Hutchison	Stevens
Coleman	Inhofe	Sununu
Collins	Isakson	Thomas
Corker	Kyl	Thune
Cornyn	Lieberman	Vitter
Craig	Lott	Voinovich
Crapo	Lugar	Warner
DeMint	Martinez	Warner

NOT VOTING—2

Johnson	McCain
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The PRESIDING OFFICER. On this vote, the yeas are 48, the nays are 50. Under the previous order requiring 60 votes for the adoption of this measure, this vote is vitiated, and the measure is returned to its previous status.

Mr. REID. Madam President, I move to reconsider the vote.

Mrs. MURRAY. Madam President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Madam President, with the permission of the Republican leader, I ask unanimous consent that the next two votes be 10 minutes in duration.

The PRESIDING OFFICER. Is there objection?

Hearing no objection, it is so ordered.

S. RES. 107

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided on Senate Resolution 107, and the Senator from Washington is recognized.

Mrs. MURRAY. Madam President, the Senate is about to vote on the Murray resolution. There should be no question that the Members of the Senate support our troops. We all do. In this resolution, we want to make sure we go on record saying we support our troops from the time they go to battle and are sent on their missions to the time they come home.

We make very clear in the Murray resolution that this Senate will go on record saying the support of our troops extends far beyond their mission in the field. It means when they come home and are sent to Walter Reed or one of our other medical facilities, we will

support them with what they need. It says we will support their families throughout their lifetime, if that is what it takes, for their service to this country.

I hope this is passed on a strong, loud, bipartisan vote.

I yield the floor.

Mr. INHOFE. Madam President, ironically, I agree with the Senator from Washington, although I disagree with the characterization of this resolution.

First of all, the resolution does essentially the same thing the Gregg resolution does. No. 1, the Gregg resolution uses the language that “Congress should not take any action that will endanger United States military forces in the field.” That is exactly the same language that is in the Murray resolution: “Congress should not take any action that will endanger the Armed Forces.”

The Gregg resolution talks about article II, section 2, of the Constitution, in terms of the President’s constitutional powers, and article I, section 8 of the power of Congress; and the Murray resolution does essentially the same thing, except it doesn’t cite it. It merely says Congress and the President should continue to exercise their constitutional responsibilities.

So I am going to vote for the Murray resolution and vote for the Gregg resolution. I don’t see any difference in them. I think we are supporting the President, and this is the right thing to do.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to the resolution.

Mrs. MURRAY. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) is necessarily absent.

Mr. LOTT. The following Senator was necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 2, as follows:

[Rollcall Vote No. 76 Leg.]

YEAS—96

Akaka	Cardin	Domenici
Alexander	Carper	Dorgan
Allard	Casey	Durbin
Baucus	Chambliss	Ensign
Bayh	Clinton	Enzi
Bennett	Coburn	Feingold
Biden	Cochran	Feinstein
Bingaman	Coleman	Graham
Bond	Collins	Grassley
Boxer	Conrad	Gregg
Brown	Cornyn	Hagel
Brownback	Craig	Harkin
Bunning	Crapo	Hutchison
Burr	DeMint	Inhofe
Byrd	Dodd	Inouye
Cantwell	Dole	Isakson

Kennedy	Menendez	Shelby
Kerry	Mikulski	Smith
Klobuchar	Murkowski	Snowe
Kohl	Murray	Specter
Kyl	Nelson (FL)	Stabenow
Landrieu	Nelson (NE)	Stevens
Lautenberg	Obama	Sununu
Leahy	Pryor	Tester
Levin	Reed	Thomas
Lieberman	Reid	Thune
Lincoln	Roberts	Vitter
Lott	Rockefeller	Voinovich
Lugar	Salazar	Warner
Martinez	Sanders	Webb
McCaskill	Schumer	Whitehouse
McConnell	Sessions	Wyden

NAYS—2

Corker	Hatch
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NOT VOTING—2

Johnson	McCain
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The resolution (S. Res. 107) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 107

Whereas under the Constitution, the President and Congress have shared responsibilities for decisions on the use of the Armed Forces of the United States, including their mission, and for supporting the Armed Forces, especially during wartime;

Whereas when the Armed Forces are deployed in harm’s way, the President, Congress, and the Nation should give them all the support they need in order to maintain their safety and accomplish their assigned or future missions, including the training, equipment, logistics, and funding necessary to ensure their safety and effectiveness, and such support is the responsibility of both the Executive Branch and the Legislative Branch of Government; and

Whereas thousands of members of the Armed Forces who have fought bravely in Iraq and Afghanistan are not receiving the kind of medical care and other support this Nation owes them when they return home: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the President and Congress should not take any action that will endanger the Armed Forces of the United States, and will provide necessary funds for training, equipment, and other support for troops in the field, as such actions will ensure their safety and effectiveness in preparing for and carrying out their assigned missions;

(2) the President, Congress, and the Nation have an obligation to ensure that those who have bravely served this country in time of war receive the medical care and other support they deserve; and

(3) the President and Congress should—

(A) continue to exercise their constitutional responsibilities to ensure that the Armed Forces have everything they need to perform their assigned or future missions; and

(B) review, assess, and adjust United States policy and funding as needed to ensure our troops have the best chance for success in Iraq and elsewhere.

The PRESIDING OFFICER. The majority leader is recognized.

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

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

S. CON. RES. 20

Mr. REID. Madam President, it is my understanding there is a minute on each side. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. Madam President, the Gregg amendment has been changed since it was originally filed. It is still imperfect. I still think, at least from my observation, it is not good, especially in light of the fact that the Murray amendment so clearly defines the necessity of taking care of the troops when they come home. But there is no caucus position on this issue. Senators on this side of the aisle should vote however they feel comfortable. I personally am not going to vote for it because I don't feel comfortable. I believe the resolution leaves a lot to be desired. It can be construed many different ways. It is wrong that we do not take into consideration the injured troops when they come home. My caucus can vote any way they feel appropriate.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. I am just wondering what the parliamentary situation is. Do I have a minute or was the minute on the other side just used?

The PRESIDING OFFICER. The Senator has a minute.

Mr. GREGG. That was a minute on the other side that was used or was that leadership time?

The PRESIDING OFFICER. Forty-five seconds was used.

Mr. GREGG. I think it is important Members understand what this amendment says, so I am going to read it:

That it is the sense of Congress that Congress shall not take any action that will endanger United States military forces in the field, including the elimination or reduction of funds for troops in the field, as such action with respect to funding would undermine their safety or harm their effectiveness in pursuing their assigned missions.

It is very simple. If you support the troops, you have to support this amendment. In fact, if you supported the Murray amendment, you have to support this amendment unless you changed your mind in the last 30 seconds.

I yield back my time.

Mr. REID. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the resolution. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) is necessarily absent.

Mr. LOTT. The following Senator was necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 82, nays 16, as follows:

[Rollcall Vote No. 77 Leg.]

YEAS—82

Alexander	Dorgan	McConnell
Allard	Durbin	Mikulski
Baucus	Ensign	Murkowski
Bayh	Enzi	Nelson (FL)
Bennett	Feinstein	Nelson (NE)
Bond	Graham	Obama
Boxer	Grassley	Pryor
Brown	Gregg	Roberts
Brownback	Hagel	Salazar
Bunning	Harkin	Schumer
Burr	Hatch	Sessions
Cantwell	Hutchison	Shelby
Cardin	Inhofe	Smith
Carper	Inouye	Snowe
Casey	Isakson	Specter
Chambliss	Kerry	Stabenow
Clinton	Klobuchar	Stevens
Coburn	Kohl	Sununu
Cochran	Kyl	Tester
Coleman	Landrieu	Thomas
Collins	Lautenberg	Thune
Conrad	Levin	Vitter
Cornyn	Lieberman	Voinovich
Craig	Lincoln	Warner
Crapo	Lott	Webb
DeMint	Lugar	Wyden
Dole	Martinez	
Domenici	McCaskill	

NAYS—16

Akaka	Feingold	Reid
Biden	Kennedy	Rockefeller
Bingaman	Leahy	Sanders
Byrd	Menendez	Whitehouse
Corker	Murray	
Dodd	Reed	

NOT VOTING—2

Johnson	McCain
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The concurrent resolution (S. Con. Res. 20) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON RES. 20

Whereas under Article II, Section 2, of the Constitution of the United States, the President is the “commander in chief of the Army and Navy of the United States”, and in such capacity the President has the command of the Armed Forces, including the authority to deploy troops and direct military campaigns during wartime;

Whereas under Article I, Section 8, of the Constitution of the United States, Congress has the power of the purse specifically as it relates to the Armed Forces, and in such capacity Congress has the responsibility to fully and adequately provide funding for United States military forces, especially when they are at war and are defending the Nation; and

Whereas when United States military forces are in harm’s way and are protecting our country, Congress and the Nation should give them all the support they need in order to maintain their safety and accomplish their assigned missions, including the equipment, logistics, and funding necessary to ensure their safety and effectiveness, and such support is the responsibility of both the Executive Branch and the Legislative Branch of Government: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that Congress should not take any action that will endanger United States military forces in the field, including the elimination or reduction of funds for troops in the field, as such action with respect to funding would undermine their safety or harm their effectiveness in pursuing their assigned missions.

EXECUTIVE SESSION

NOMINATION OF JOHN PRESTON BAILEY TO BE U.S. DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

NOMINATION OF OTIS D. WRIGHT II TO BE U.S. DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA

NOMINATION OF THOMAS M. HARDIMAN TO BE U.S. CIRCUIT JUDGE FOR THE THIRD CIRCUIT

The PRESIDING OFFICER (Mr. SALAZAR). Under the previous order, the Senate will proceed to executive session to consider en bloc the following nominations, which the clerk will report.

The assistant legislative clerk read the nominations of John Preston Bailey, of West Virginia, to be U.S. District Judge for the Northern District of West Virginia; Otis D. Wright II, of California, to be U.S. District Judge for the Central District of California; Thomas M. Hardiman, of Pennsylvania, to be U.S. Circuit Judge for the Third Circuit.

The PRESIDING OFFICER. There is now 20 minutes equally divided for debate on the nominations.

The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, is the pending business the nomination of Thomas Hardiman to the Court of Appeals for the Third Circuit?

The PRESIDING OFFICER. That is one of the nominations that is pending.

Mr. SPECTER. Mr. President, I urge my colleagues to support Thomas Michael Hardiman for the Court of Appeals for the Third Circuit. He has served on the U.S. District Court for the Western District of Pennsylvania. He has an outstanding academic record. He has a law degree from Georgetown, bachelor’s degree from the University of Notre Dame. He started his practice of law in 1990. He has an outstanding record both academically and professionally.

Senator Santorum and I know him personally and can vouch for him. I urge my colleagues to confirm him for the Third Circuit.

I ask unanimous consent that my full statements on the nominees be printed in the RECORD.

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

STATEMENT OF SENATOR ARLEN SPECTER ON THE NOMINATION OF THOMAS MICHAEL HARDIMAN TO THE UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

Mr. President, I seek recognition today to urge my colleagues to confirm Thomas Michael Hardiman to the Third Circuit Court of Appeals. Judge Hardiman was nominated during the last Congress, and a hearing was held on November 14, 2006. The Senate, however, did not act on his nomination prior to adjournment of the 109th Congress. President